

Cabinet meeting of 13 May 2015 (no bills were approved)

Cabinet meeting of 29 April 2015 (no bills were approved)

Cabinet meeting of 15 April 2015

Bills approved

Insurance Bill, 2015

Cabinet approved the release of the Insurance Bill, 2015 for public consultation. The Bill is aligned to the National Development Plan, ensures a sound and well-regulated insurance sector, and promotes financial stability that will support sustainable economic growth by giving effect to higher prudential standards that have been developed in light of the 2008 financial crisis. It gives effect to a new prudential framework for the insurance sector. The Solvency Assessment and Management regime seeks to introduce a new, forward-looking risk-based approach to insolvency by aligning the capital requirements with the underlying risks of an insurer. It also provides incentives to insurers to adopt more sophisticated risk monitoring and management tools. These measures seek to ensure better protection of policyholders and beneficiaries and contribute to financial stability.

Financial Intelligence Centre Amendment Draft Bill, 2014

Cabinet approved the publication of the draft Financial Intelligence Centre Amendment Bill, 2014 for public comment. The Amendment Bill proposes amendments to the Financial Intelligence Centre Act (Act No. 38 of 2001). This is to address threats to the stability of our financial system posed by money laundering and terrorism financing by ensuring compliance with international measures and standards, within the South African legislative framework.

Cabinet meeting of 4 March 2015

Bills approved

Children's Amendment Bill, 2015

Cabinet approved the submission of two Bills, both amending the Children's Act, 2005 (Act No. 38 of 2005) as amended by Act 41 of 2007, to Parliament. The amendments respond to court judgments, which declared certain sections of the Act unconstitutional.

Children's Amendment Bill, 2015 (section 75 Bill) – The amendments addresses the definition of "sexual offence" and aligns it to the Criminal Law (sexual offences and related matters) amendment Act No 32 of 2007. The amendments also deal with allowing the child offenders to make representations before their names are included in the National Protection Register.

The proposed amendments also clarify the requirement for placing a child in foster care and provides for additional categories of children who may be adopted.

Children's Second Amendment Bill, 2015

Children's Second Amendment Bill, 2015 (section 76 Bill) - aims to ensure that all children enjoy services and benefits aimed at facilitating access to social care and safety and to create an effective social welfare system. It also seeks to provide a safe and protective environment for the placement of children who are found to be in need of care and protection.

Cabinet meeting of 18 February 2015

Bills approved

Protection, Promotion, Development and Management of Indigenous Knowledge Systems Draft Bill

Cabinet approved the publication of the draft Protection, Promotion, Development and Management of Indigenous Knowledge Systems Bill in the Government Gazette as well as a public consultation process. The primary objective of this Bill is to facilitate the protection of Indigenous Knowledge and the restoration and recognition of Indigenous knowledge relating to and owned by indigenous and local communities in South Africa. It facilitates redress of rights and benefits that indigenous and local communities were deprived of.

Firearm Control Amendment Bill, 2015

Cabinet approved the publication of the Firearm Control Amendment Bill, 2015 in the Government Gazette for public comments. The Bill amends the Firearm Control Act, 2000 and responds to the Vision of the National Development Plan by seeking to improve the statutory and regulatory framework that will govern firearms. Control of firearms is an important aspect of government's approach to fighting crime.

Cabinet meeting of 10 December 2014

Bills approved

Financial Sector Regulation Bill

1. Cabinet approved publication of the second draft of the Financial Sector Regulation Bill and its submission to Parliament, and the release of the Draft Market Conduct Policy Framework for public comment. The draft framework will enable the public to be better informed when commenting on the Bill.

The second draft of the Financial Sector Regulation Bill, 2014 follows comments received on the first draft, which was approved by Cabinet in December 2013. The aim of the Bill is to make the financial sector safer by implementing the 'twin peaks' regulatory system, which is a comprehensive and complete system for regulating the financial sector, prioritising the customer and protecting their funds.

The 'twin peaks' approach to financial regulation underpins a comprehensive regulatory system, with two aims: (a) to strengthen the financial stability and soundness of financial institutions by creating a dedicated 'Prudential Authority' (within the South African Reserve Bank) and (b) to protect financial customers and ensure that they are treated fairly by financial institutions by creating a dedicated Financial Sector Conduct Authority, which also supervises how financial services conduct their business.

The Bill will provide the Financial Sector Conduct Authority and the Prudential Authority jurisdiction over all financial institutions and provide them with a range of supervisory tools to fulfil their mandates.

This goes beyond two regulators as it sets up an underlying and harmonised system of licensing, supervision, enforcement, customer complaints (including ombuds), appeal mechanism (tribunal) and consumer advice and education.

2. The Draft Market Conduct Policy Framework drives fair treatment of customers in the financial sector, which is a key lesson for South Africa from the 2008 Global Financial Crisis. While South Africa's financial sector has proven to be resilient, government has recognised that the sector could be delivering better outcomes for financial customers and the economy.

There have been a number of well-known market conduct failings in South Africa's financial sector,

and government has intervened to address these. However, the persistence of systematic market conduct challenges has highlighted the need for a more comprehensive and holistic approach to addressing the problem of poor conduct across the financial sector in its entirety.

Plant Breeders Rights Amendment Bill

The Bill amends the Plant Breeders' Rights Act, 1976 (Act 15 of 1976). The Bill aims to strengthen the protection of intellectual property rights relevant to new varieties of plants. Such protection contributes to economic growth as it has a positive impact on the competitiveness of South Africa's agricultural sector.

Some of the key amendment proposals include: extending protection to all plant genera and species; addressing matters of infringement of plant breeders' rights through the appropriate fines and penalties, and defining the limits and the beneficiaries in the application of farmer's privilege; and empowering the Minister to establish a Plant Breeders' Rights Advisory Committee to advise the Registrar on matters related to plant variety protection.

Plant Improvement Amendment Bill

The Plant Improvement Act, 1976 (Act 53 of 1976), which has been amended a few times, the last being in 1996, regulates plant improvement in South Africa. The amendments align the scope and provisions of the Act to the Constitution and other related legislation in the agricultural sector.

The Bill enhances sustainable crop production in South Africa by regulating the quality of plants and seed.

The significance and role of plant improvement legislation lies in recognising the importance of quality plant propagating material to support sustainable production as well as participation in the global market by setting quality standards for plants and seeds, and the types of business dealing with plants and seed.

Performing Animals Protection Amendment Bill

The Bill amends section 2 and 3 of the Performing Animals Protection Act, 1935 (Act 24 of 1935), which were declared unconstitutional insofar as they relate to magistrates deciding on and issuing licences to persons intending to train and exhibit animals and to persons who use dogs for safeguarding.

The Bill proposes to remedy the defect identified by the Constitutional Court by transferring the functions of issuing licences for performing animals from the Judiciary to the Executive.

This is within the context of the Animal Protection Act, 1962 (Act 71 of 1962), which consolidates the laws relating to the prevention of cruelty to animals.

Cabinet meeting of 19 November 2014

Bills approved

Criminal Law (Sexual Offences and Related matters) Amendment Bill, 2014

Cabinet approved the submission of the Criminal Law (Sexual Offences and Related matters) Amendment Bill, 2014 to Parliament. The Bill addresses two separate Constitutional Court judgments, by amending the applicable sections of the Criminal Law (Sexual Offences and Related matters) Amendment Act, 2007, to remedy the current position of constitutional invalidity. The primary objective of sections 15 and 16 of the Act, namely to protect vulnerable children against sexual exploitation by adults, remains unaffected by the proposed amendments. The proposed amendment to sections 50 and 51 of the Act aims to give effect to the principle that the best interests of children are of paramount importance in all matters that concern them.

Judicial Matters Amendment Bill, 2014

Cabinet approved the introduction of the Judicial Matters Amendment Bill, 2014 to Parliament. The Bill amends numerous Acts, administered by the Department of Justice and Constitutional Development, to address practical and technical challenges, with a view to enhance organisation

efficiency and accountability.

Banks Amendment Draft Bill, 2014

Cabinet approved the introduction of the draft Banks Amendment Bill, 2014 in Parliament. The amendment to the Banks Act, 1990 (Act No. 94 of 1990) enhances curatorship of banks in order to make the financial sector safer and protect depositors. In prompting the soundness of the banking system it is imperative that the regulation and supervision of banks are based on international standards and best practice. The Bill seeks to enhance the powers of the curator of a bank while under curatorship by: (a) providing an alternative to the recovery of a bank within the existing corporate entity, (b) facilitating the transfer of all or part of a bank's business to a successor entity pursuant to a transfer under section 54 of the Banks Act; and (c) facilitating the implementation of the above steps by the curator.

Cabinet meeting of 5 November 2014 (no bills were approved)

Cabinet meeting of 22 October 2014

Bills approved

Maintenance Amendment Bill, 2014

Cabinet approved the introduction of the Maintenance Amendment Bill, 2014 in Parliament. The Bill amends the Maintenance Act, 1998 (Act 99 of 1998) to improve the maintenance system and enhance access to justice for women and children. The amendments alleviate the challenges, legal and administrative, experienced by maintenance beneficiaries, who are mostly women and children. This links directly to the key targets of the National Development Plan on economic transformation and social protection. Some of the provisions of the Amendment Bill include: preventing maintenance defaulters from continuing to receive credit while they owe maintenance, placing an obligation on mobile cellular operators to provide maintenance courts with contact particulars of would-be respondents and maintenance defaulters if the court is satisfied that all reasonable efforts to locate their whereabouts have proven fruitless, and making a person against whom a maintenance order has been made, pay maintenance arrears.

Agrément South Africa Bill

Cabinet approved the submission of the Agrément South Africa Bill and the Memorandum on the Objects of the Bill to Parliament. The establishment of Agrément South Africa, as proposed in the Agrément South Africa Bill, 2014 will contribute to the creation of a dynamic and innovative construction sector that will positively impact on job creation while contributing to Government's infrastructure plans. The value-add would be wide ranging from research to innovation, increased manufacturing activities, job creation and poverty alleviation.

Draft Auditing Profession Amendment Bill

Cabinet approved the introduction of the draft Auditing Profession Amendment Bill in Parliament. The Amendment Bill proposes amendments to the Auditing Profession Act, 2005, to regulate candidate auditors and to update references to the Companies Act, 1973 so as to align the Auditing Profession Act with the Companies Act 2008 (Act No. 71 of 2008). The aim is to bring aspiring auditors (candidate auditors), before registration, under the Auditing Profession Act, 2005 so that they are regulated by the Independent Regulatory Board for Auditors, in the same way that registered auditors are regulated, and to make significant amendments required by the Companies Act 2008. This will also protect the public in the work done by a candidate auditor.

Defence Laws Repeal and Amendment Bill, 2014

2.4 Cabinet approved the introduction of the Defence Laws Repeal and Amendment Bill, 2014 in Parliament. These seek to repeal and amend certain defence laws that are deemed to be obsolete

and redundant as identified by the South African Law Reform Commission. The Commission was instructed to conduct an audit of all South African legislation in order to advise on the repeal of obsolete, unnecessary or unconstitutional provisions. The Bill aims to fulfill this task within the defence environment. The Bill proposes the repeal of 16 defence laws that are obsolete and further proposes the amendment of one Act, which does not comply with Section 9 of the Constitution (equality clause). This will bring the defence laws in line with the current constitutional ethos by eliminating discriminatory provisions from the statute book.

Cabinet meeting of 17 September 2014

Bills approved

Disaster Management Amendment Bill, 2002

Cabinet approved the tabling in Parliament of Disaster Management Amendment Bill, 2002 (Act No. 57 of 2002). The Disaster Management Act No. 57 of 2002 sets out an integrated and coordinated approach to disaster management and disaster risk reduction across all spheres of government and the involvement of all relevant stakeholders.

Cabinet meeting of 3 September 2014

Bills approved

Expropriation Bill, 2014

Cabinet approved that the Expropriation Bill, 2014 be tabled in Parliament. The Expropriation Act, 1975 predates the Constitution, 1996 making it imperative to align the overarching legislation governing the expropriation of property to the values and provisions of the Constitution. Minister Nxesi will expand more on this issue.

Cabinet meeting of 20 August 2014 (no bills were approved)

Cabinet meeting of 6 August 2014 (no bills were approved)

Cabinet meeting of 23 July 2014 (no bills were approved)

Cabinet meeting of 9 July 2014 (no bills were approved)

Cabinet meeting of 25 June 2014 (no bills were approved)

Cabinet meeting of 19 March 2014 (no bills were approved)

Cabinet meeting of 5 March 2014

Bills approved

Consultative process with the aim of producing more professional graduates

Cabinet approved the initiation of a broader consultative process with the aim of producing more professional graduates. This will introduce a framework for enhanced interaction, coordination and collaboration between professional bodies, quality councils, industry, higher education institutions and government. This will contribute towards the development of a skilled and capable workforce to support an inclusive growth path.

Unemployment Insurance Amendment Bill 2014

Cabinet approved the Unemployment Insurance Amendment Bill 2014 for submission to Parliament. This is the second amendment to the Unemployment Insurance Act, No. 63 of 2001. The amendments go further in alleviating the harmful economic and social effects of unemployment, by conforming to the International Labour Organisation standards, of including learners who are in learnerships and public servants who are currently not covered in terms of the Act. Implementation of the Amendment Bill, 2014 will amongst other things extend the period of payment of benefits to the contributor, from 8 months to 12 months, thus enabling them to look for alternative employment and earn benefits over a longer period. A contributor will also have an extended period in which to lodge a claim, from 6 months to 12 months. It will also allow for the nomination of beneficiaries in case of death benefits.

Cabinet meeting of 19 February 2014

Bills approved

Merchant Shipping Amendment Bill, 2014

Cabinet approved that the [Merchant Shipping Amendment Bill, 2014 be tabled in Parliament](#). The Bill aims to amend the Merchant Shipping Act, No. 57 of 1951 which predates the Constitution, 1996 making it imperative to align to the values and provisions of the Constitution and also to align to current International Conventions. The Amendment Bill also gives effect to the Maritime Labour Convention, 2006 and the Work in Fishing Convention, 2007. Both Conventions were adopted by the United Nations International Labour Organisation. The alignment of domestic legislation to the Conventions provides South Africa with a global instrument to ensure global protection to the rights of seafarers and decent working and living conditions. This will enable South Africa to intervene in cases where foreign ships entering our ports have contravened the rights of seafarers. Implementation of the Bill will also improve the operations and image of the maritime industry, which is imperative for international trade and the international economy.

Cabinet meeting of 4 December 2013

Bills approved

Draft Agrément South Africa Bill

Cabinet approved the gazetting of the draft Agrément South Africa Bill, 2013 and Memorandum on the Objects of the Bill for public comment. The draft Bill makes provision for the recognition of Agrément South Africa, as a public entity. The Board of Agrément South Africa is mandated to, among others, evaluate the fitness-for-purpose of non-standardised construction related products or systems for use in the construction industry, and for which a national standard does not exist. This will contribute to the creation of a dynamic and innovative construction industry that positively impacts on job creation while contributing to Governments infrastructure plans.

Development Bank of Southern Africa Amendment Bill

Cabinet approved the introduction of the Development Bank of Southern Africa Amendment Bill, 2013 in Parliament. The Bill amends the Development Bank of Southern Africa Act, 1997. The strategic focus of the Amendment Bill is to enable the extension of operations of the Development Bank of Southern Africa to any national territory on the African continent and its oceanic islands. This will enable the Bank to participate in large scale infrastructure and other strategic projects outside the SADC region which have the potential to enhance trade and economic growth on the continent and support South Africa's bi-national commissions and commitments to regional integration.

Draft Financial Sector Regulation Bill

Cabinet approved that the draft Financial Sector Regulation Bill be released for public comment, to give effect to South Africa's G-20 commitments. The aim of the Bill is to make the financial sector safer by implementing the 'twin peaks' regulatory system, i.e. the creation of two regulators: one responsible for safety and soundness of financial institutions and the other responsible for the manner in which financial institutions conduct their business.

Cabinet meeting of 24 October 2013

Bills approved

Draft Promotion and Protection of Investment Bill, 2013

Cabinet approved publication of the draft Promotion and Protection of Investment Bill, 2013 for public comments. The bill provides a legal framework for investments and addresses the legal protection of all investors in line with Constitutional requirements. The envisioned Act will enhance our ability to attract foreign investment and export growth to promote sustainable growth and development in South Africa. The draft Bill therefore seeks to achieve several balances between the rights and obligations of all investors in South Africa, the need to provide adequate and equal protection of foreign and domestic investors.

Rental Housing Amendment Bill

Cabinet approved the introduction of the Rental Housing Amendment Bill, 2013 to Parliament. The Bill addresses certain interpretation and implementation issues which surfaced since the promulgation of the Rental Housing Act, 1999 (Act No. 50 of 1999) (as amended in 2008). The legislation aims to promote a stable and growing market which progressively meets the latent demand for affordable rental housing amongst persons historically disadvantaged by unfair discrimination.

Attorney's Amendment Bill, 2013

Cabinet approved the introduction of the Attorney's Amendment Bill, 2013 to Parliament. The Bill amends the Attorneys Act, 1979 (Act 53 of 1979), as an interim measure, pending the enactment and implementation of the Legal Practice Bill. It addresses disparities in relation to attorneys and candidate attorneys and also does away with law societies created in terms of jurisdictional boundaries of the defunct homeland system (Transkei, Bophuthatswana, Ciskei and Venda). The amendments will ensure the uniform regulation of the attorneys' profession throughout the country and will strengthen governance of the legal profession in the mentioned areas.

State Attorney Amendment Bill, 2013

Cabinet approved the introduction of the State Attorney Amendment Bill, 2013 to Parliament. The aim of the Bill is to amend the State Attorney Act, 1957 (Act 56 of 1957). The amendments provide strategic leadership for the management of and oversight over State Legal Services. It aims to facilitate the appointment of a Solicitor-General who will be in charge of all the State Attorneys and provide for related matters, as an initial step in the implementation of the Policy Framework for the Transformation of State Legal Services.

Draft Property Valuation Bill, 2013

Cabinet approved the submission of the Draft Property Valuation Bill, 2013 to Parliament. The Bill makes provision for the establishment of a Valuer-General's Office. This office will provide a valuation service for property that has been identified for expropriation and land reform purposes, as well as voluntary property valuation service to departments that may request the office to perform such valuations.

Draft of the Infrastructure Development Bill

Cabinet approved the revised draft of the Infrastructure Development Bill to Parliament. The Bill establishes in law the Presidential Infrastructure Coordinating commission (PICC) and the National Infrastructure Plan as key mechanisms to coordinate and drive infrastructure development in South Africa. The Infrastructure Development Bill provides a legal framework for the build programme and helps improve its developmental outcomes and effectiveness.

Draft Women Empowerment and Gender Equality Bill, 2013

Cabinet approved the publication of the Draft Women Empowerment and Gender Equality Bill, 2013 for public comment. The Bill seeks to establish a legislative framework for the values of non-racialism, non-sexism and equality as contemplated in the Constitution. It also seeks to promote the empowerment of women, their equal representation in decision-making structures and their protection and advancement as envisaged in Section 9 (2) of the Constitution.

Public Administration Management Bill, 2013

Cabinet approved the submission of the Public Administration Management Bill, 2013 to Parliament. The Bill is the framework that seeks to provide for the promotion of basic values and principles referred to in section 195(1) of the Constitution in the public administration; provide for the transfer and secondment of employees in public administration; regulate the prohibition of employees to conduct business with the state; provide for ethics and integrity measures which includes the establishment of a Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit. The Bill is applicable to public servants in all spheres of government.

Cabinet meeting of 9 October 2013

Bills approved

Draft Extension of Security of Tenure Amendment Bill

Cabinet approved the publication of the Draft Extension of Security of Tenure Amendment Bill for public comment. The Amendment Bill amends the Extension of Security of Tenure Act, 1997 (Act No 62 of 1997) in order to strengthen, clarify and protect the tenure rights of occupiers (farm dwellers). The Bill aims to find a sustainable solution to tenure insecurities by combining land redistribution measures with effective legal protection and dispute resolution mechanisms. The Bill seeks to improve the rights of farm workers and dwellers. Secondary farm dwellers are mostly women and children.

Draft Amendment Bill of the Mine Health and Safety Act, 2013

Cabinet approved the publication of the Draft Amendment Bill of the Mine Health and Safety Act, 2013 in the Government Gazette, for public comments. The Bill seeks to amend the Mine Health and Safety Act 29 of 1996 so as to review the enforcement provisions, simplify the fine system and strengthen penalties. In improving the health and safety of mine employees, the Draft Amendment Bill also seeks to maintain a healthy and safe mine environment with a positive impact on environmental sustainability and resilience in line with the National Development Plan.

Cabinet meeting of 18 September 2013

Bills approved

Employment Tax Incentive Bill

Cabinet approved the Employment Tax Incentive Bill to be released for public comment. The bill introduces an incentive mainly aimed at encouraging employers to hire young and less experienced job seekers. The incentive is one among many that will fall under the umbrella of Government's youth employment strategy and will complement existing government programmes. The youth employment tax incentive targets young people entering the labour market and earning below the personal income tax threshold. In doing so, it targets lower skill, lower wage individuals who have low prospects of finding a job. The incentive will create conditions conducive to job creation and improve employment prospects for such marginalised workers. A planned briefing will be undertaken to unpack the Bill.

Draft Land Management Commission Bill

Cabinet approved the Draft Land Management Commission Bill, 2013 to be released for public comments. Amongst others the Land Management Commission Bill, 2013 seeks to establish the Land Management Commission. The Land Management Commission will be required to adjudicate land ownership disputes in respect of which two or more title deeds may have been issued on the same

land parcel. The Commission will also be required to establish and maintain a government wide database of all state land registered in the name of a department including any surveyed unregistered state land.

Submission of the Legal Aid Bill

Cabinet approved the submission of the Legal Aid Bill, 2013 to Parliament. The Bill is intended to repeal the Legal Aid Act, 1969 (Act no.22 of 1969) in accordance with prevailing circumstances, particularly the new constitutional dispensation, and to streamline its application. The Bill is intended to enhance the efficiency and effectiveness of Legal Aid South Africa, which, in turn will have positive knock-on effects for society as a whole. It can be linked to the key targets of entrenching a social security system with social protection for the poor and other groups in need, and the realisation of a developmental, capable and ethical state that treats its citizens with dignity.

International Health Regulations Bill

Cabinet approved the publication of the International Health Regulations Bill, 2013 in the Government Gazette for public comments. The Bill seeks to repeal the International Health Regulations Act, 1974 (Act No. 28 of 1974) as well as to incorporate the International Health Regulations, 2005 into national legislation. The International Health regulations (2005) is international law which helps countries collaborate to save lives and livelihoods from events caused by the international spread of diseases and other health risks.

Medicines and Related Substances Amendment Bill

Cabinet approved the introduction of the Medicines and Related Substances Amendment Bill, 2012 to Parliament. The Amendment Bill amends the Medicines and related Substances Act, 1965 (Act No. 101 of 1965) as amended by Act 72 of 2008. Access to quality, affordable and safe medicines and medical devices is a critical pillar of public health and contributes to the attainment of Government's goal of increasing the life expectancy of South Africans.

Control of Marketing of Alcoholic Beverages Bill

Cabinet approved the publication of the Control of Marketing of Alcoholic Beverages Bill, 2013 in the Government Gazette for public comment. Alcohol is a major impediment to reaching government's outcome of a long and healthy life for all. The Bill seeks to reduce alcohol related harm through control of marketing of alcoholic beverages. While government cannot ban alcohol it also cannot ethically permit encouragement of alcohol consumption by allowing the public and especially the youth to believe that their life will be enhanced when in fact for many it will have the opposite impact. This intervention should not be seen in isolation but as part of comprehensive measures by government to reduce alcohol-related harm. A planned briefing will be undertaken to unpack the Bill.

Children's Amendment Bills

Cabinet approved the gazetting of two Bills, which both amend the Children's Act, 2005 (Act No. 38 of 2005) as amended by Act 41 of 2007 in terms of Section 75 of the Constitution and Section 76, for public comment. The bill seeks to insert a definition of sexual offence to ensure that any person convicted of any sexual offences as defined in the Criminal Law (Sexual Offences and Related matters) Amendment Act, No. 32 of 2007, is deemed unsuitable to work with children. The Bill also aligns the Act with a Constitutional Court judgment to provide for judicial review of a decision to remove and place a child in temporary safe care with or without a court order within a specific period of time.

The Children's Second Amendment Bill, 2013 aims to ensure that all children enjoy services and benefits aimed at facilitating access to social care and safety and to create an effective social welfare system. It also seeks to provide a safe and protective environment for the placement of children who are found to be in need of care and protection.

Cabinet meeting of 4 September 2013

Bills approved

Restitution of Land Rights Amendment Bill

Cabinet approved the submission of the Restitution of Land Rights Amendment Bill to Parliament. The Bill amends the Restitution Act to extend the date for the lodging of claims for restitution to 31 December 2018; the criminalisation of the lodgement of a fraudulent claim; the simplification of the procedure for the appointment of Judges to the Land Claims Court; and the amendment of certain provisions aimed at promoting the effective implementation of the Act. The re-opening of lodgment of claims is guided by the vision of the National Development Plan as well as the Comprehensive Rural Development Programme and other growth strategies intended to promote national reconciliation and social cohesion.

Science and Technology Laws, Amendment Bill

Cabinet approved the introduction of the Science and Technology Laws, Amendment Bill, 2013 to Parliament.

The Amendment Bill deals with amendments to a battery of Acts which govern the operations of entities (science councils) that were established in terms of the said Acts. The Bill seeks to streamline the process for the nomination and appointment of members as well as the filling of vacancies to the Boards or Councils of such entities. The Bill enhances efficiency and consistency in the operations and governance of public entities reporting to the Minister of Science and Technology. In strengthening Parliament's oversight role, the Bill seeks to release Parliament from certain executive responsibilities relating to the appointment of members and filling of vacancies to such Boards or Councils. This accords with the constitutional principle of separation of powers.

Traditional Affairs Bill

Cabinet approved for the publication of the Traditional Affairs Bill in the Government Gazette for public comments.

The Bill makes statutory provisions for the recognition of the Khoi-San and also addresses limitations of existing legislation relating to traditional leadership and governance. Since 1994 government has paid particular attention to the challenges relating to the Khoi-San and specifically, the recognition of Khoi-San communities and leaders. The Bill will contribute to the National Development Plan's key target relating to the broadening of social cohesion and unity while addressing the inequities of the past.

National Credit Act Policy Review Framework and the National Credit Amendment Bill

Cabinet approved the National Credit Act Policy Review Framework and the National Credit Amendment Bill for introduction to Parliament.

The National Credit Act, 2005 (Act 34 of 2005) came into full effect on 1 June 2007 introducing a new era of credit regulations into the South African legal system. The Bill aims to strengthen the capacity of the National Credit Regulator (NCR) to address certain challenges especially around court processes and to strengthen enforcement and implementation of the provisions of the National Credit Act 34 of 2005.

The Department of Trade and Industry (the dti) also concluded that the policy framework on Consumer Credit, on which the National Credit Act 34 of 2005 is founded, is sound and relevant. This follows a comprehensive review, in 2012, by the dti.

Determination of Remuneration of Members of Constitutional Institutions Matters Amendment Bill

Cabinet approved the submission of the Determination of Remuneration of Members of Constitutional Institutions Matters Amendment Bill, 2013.

The Bill aims to create uniformity in respect of the determination of remuneration, allowances and other terms and conditions of employment of members from the Chapter 9 Institutions, thereby

enhancing efficiency and consistency in the operations and governance of these key institutions.

Cabinet meeting of 7 August 2013

Bills approved

Legal Metrology Bill

Cabinet approved the introduction of the Legal Metrology Bill to Parliament.

The Bill is meant to guide all measurement made by industry when trading using scales, meters and other measuring equipment are accurate. The Bill aims to promote fair trade, and to protect public health and safety and the environment. This Bill will further address the inconsistencies of the current Trade Metrology Act (1973)

The Bill is a key element in the optimization of the South African technical Infrastructure comprising of Standards, Quality Assurance, Accreditation and metrology System (SQAM).

Medicines and Related Substances Amendment Bill

Cabinet approved the introduction of the Medicines and Related Substances Amendment Bill, 2012 to Parliament.

The Bill amends the Medicines and related Substances Act, 1965 (Act No. 101 of 1965) as amended by Act 72 of 2008. The Bill seeks to establish a strong, efficient and effective medicine regulatory authority.

Cabinet meeting of 2 July 2013

Bills approved

Customs Control Bill

Customs Control Bill (CCB), the Customs Duty Bill, 2013 (CDB) and the Customs and Excise Amendment Act, 2013 (CEAA) - The Bills provides a foundation for the facilitation of international trade and protection of the economy and society, thereby creating a balance between customs control and trade facilitation

Water Research Amendment Bill

Water Research Amendment Bill - The Amendment aims to bring it in line with major changes in institutions, policy, water science and legal environment and also to increase the Water Research Commission's contribution to the water research needs of South Africa and to ensure that the country is strategically placed to respond to the needs and challenges of an arid country like South Africa.

National Environmental Management Laws Amendment Bill

National Environmental Management Laws Amendment Bill, 2013 - The bill proposes amendments to certain provisions under the National Environmental Management Act, 1998 (Act No. 107 of 1998) and further ensure that the country's natural resources are protected for current and future generation as contemplated by the NDP.

Draft National Environmental Management: Air Quality Amendment Bill

Draft National Environmental Management: Air Quality Amendment Bill, 2013 - This Bill amends certain provisions under the National Environmental Management: Air Quality Act, 2004 which regulates air quality in the country to protect the environment by providing reasonable measures for the prevention of pollution and ecological degradation while promoting justifiable economic and social

development.

National Environmental Management: Waste Amendment Bill

National Environmental Management: Waste Amendment Bill, 2013 - The Bill amends the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) which regulates waste management in order to protect health and the environment.

National Environmental Management: Protected Areas Amendment Bill

National Environmental Management: Protected Areas Amendment Bill, 2013 - The Bill amends the National Environmental Management: Protected Areas Act, 2003 (Act No.57 of 2003). Amendments incorporate the management of Marine Protected Areas in the system of management of other Protected Areas as well as giving effect to the Presidential Proclamations separating the functions between fisheries and environmental management.

South African Postbank Limited Amendment Bill

South African Postbank Limited Amendment Bill - The main objective of the South African Postbank Limited Act, 2010 (Act No. 9 of 2010) is to establish a financial institution for mass mobilisation of savings and investment and to create a bank of first choice for the lower income group.

Unemployment Insurance Amendment Bill

Cabinet approved the unemployment Insurance Amendment Bill 2012 for public comments and for consultation with NEDLAC Social Partners. This Bill amends the Unemployment Insurance Act, No. 63 of 2001. This amendment addresses the issue of workers who are presently excluded in the Act and improve payment of benefits to contributors, extend the period of payment of benefits to the contributor from eight to twelve months and provides for the nomination of beneficiaries in case of death benefits.

Electoral Amendment Bill

Cabinet approved the submission of the **Electoral Amendment Bill, 2013** to Parliament. The Amendment Bill seeks to provide for special votes in elections for the National Assembly, as well as to provide for the registration of voters who are ordinarily resident outside the Republic to enable them to cast a special vote.

Cabinet meeting of 12 June 2013

Bills approved

Disaster Management Amendment Bill

Cabinet approved that the Disaster Management Amendment Bill be published for public comment.

This Bill aims to address the challenges which are being experienced across the spheres of government after commencement of the Disaster Management Act 2002. The Amendment will re-affirm the function of district municipalities regarding the responsibility to establish capacity for the development and coordination of a disaster management plan. This includes the implementation of a disaster management function for the municipal area.

The Disaster Management Act 2002 has a fourfold focus: It establishes an elaborate institutional framework for disaster management; it entrenches a detailed policy development and strategic planning framework for disaster management. The bill further provides for the classification and declaration of disaster; and it deals provisionally with the funding of post-disaster recovery and rehabilitation. It provides for disaster management volunteers and a few other ancillary matters.

Municipal property Rates Amendment Bill

Cabinet approved the submission of the Local Government Municipal property Rates Amendment Bill to Parliament.

The Local Government: Municipal Property rates Act became effective on 2 July 2005. It was amended twice in 2008 and 2009. The amendments seek to remove ambiguity and provide greater legal certainty.

The amendment will allow for transparency in the setting of rates for different property categories, thus enhancing property owners understanding of rating. The amendment will exclude certain public service infrastructure (PSI) such as roads, railways, airports aprons and runways, dams and breakwater from being rated. These are publicly controlled and will not disadvantage private sectors. This would enhance economic activity across municipal boundaries. It would also contribute to the developmental role of SOEs by reducing their fixed costs.

Merchant Shipping Legislation

Cabinet approved a battery of Merchant Shipping Legislation for tabling in Parliament. These Bills form part of a package of measures designed to give effect to South Africa's obligations under the International Maritime Organisation Protocol of 1992.

Merchant Shipping (Civil Liability Convention) Bill

The purpose of the Merchant Shipping (Civil Liability Convention) Bill is to: enact International Maritime Organisation Protocol, 1992; and to pass into law the amended International Convention on Civil Liability for Oil Pollution Damage, 1969. The Civil Liability Convention establishes and regulates the liability of the registered ship owner.

Merchant Shipping (International Oil Pollution Compensation Fund) Bill

The aim of the Merchant Shipping (International Oil Pollution Compensation Fund) Bill is to: implement the 1992 Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (the Fund Convention).

The Fund Convention establishes an international Fund, called the International Oil Pollution Compensation (IOPC) Fund. The purpose of the Fund is to pay compensation to victims of pollution damage (within the meaning of the Civil Liability Convention) where they have been unable to obtain compensation, or compensation in full, under the provisions of the Civil Liability Convention. The IOPC Fund receives its funds from cargo owners.

The Civil Liability and Fund Conventions Bills deal with questions of liability and compensation for loss or damage caused by contamination resulting from the escape or discharge of persistent oil from tankers.

Merchant Shipping (International Oil Pollution Compensation Fund) Administration Bill

The Merchant Shipping (International Oil Pollution Compensation Fund) Contributions Bill and the Merchant Shipping (International Oil Pollution Compensation Fund) Administration Bill provide for the implementation of the International Maritime Organisation Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Oil Pollution Damage, by South Africa.

The Administration Bill will provide the necessary legislative authority to enable the South African Revenue Service (SARS) to administer the collection of the International Oil Pollution Compensation Fund Contributions levy. The Contributions Bill is a money Bill that provides for the imposition and collection of the contributions that are due to be paid over to the Fund.

Cabinet meeting of 30 May 2013

Bills approved

Draft Public Administration Management (PAM)

Cabinet approved the proposed amendments to the Draft Public Administration Management (PAM) Bill which will now be published for public comment.

The draft Bill seeks to create a uniform legal framework for human resources and certain organisational and governance matters in national, provincial and municipal administrations. This is aimed at enhancing service delivery through a uniform system of public administration, improved utilisation of staff and the creation of a single door to government services for citizens.

Public Service Commission Amendment Bill

Cabinet approved the Public Service Commission Amendment Bill for public comment and the introduction of the Amendment Bill in Parliament.

The purpose of the Amendment Bill is to align the Public Service Commission Act of 1997 with the Constitution. It further seeks to empower the Public Service Commission to give directions relating to the principles that govern public administration.

This is in line with the strengthened role envisaged by the National Development Plan for the Commission.

South African Weather Service Amendment Bill

Cabinet approved that the South African Weather Service Amendment Bill 2013 be published for public comment.

This Amendment Bill seeks to amend the South African Weather Services Act, 2001 (Act No. 08 of 2001) which provides for the establishment, objectives, powers and functions of the South African Weather Service.

In the main the amendments will provide the South African Weather Service with a legal mandate to implement the ambient air quality information management function, and to act as a custodian of the South African Air Quality information System.

This contributes towards protecting and enhancing our environmental assets and natural resources.

Mineral and Petroleum Resources Development Draft Amendment Bill

Cabinet approved that the Mineral and Petroleum Resources Development Draft Amendment Bill, 2012 be submitted to Parliament.

The Mineral and Petroleum Resources Development Draft Amendment Bill 2012 (Draft Bill) seeks to amend the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) as amended by the Mineral and Petroleum Resources Development Amendment Act, 2008 (Act No. 49 of 2008).

The primary objectives of the draft Amendment Bill is, among others, to enhance provision for the beneficiation of minerals in order to promote industrialisation and contribute towards the nation's objectives of job creation and economic growth as envisaged in the National Development Plan. A separate media briefing will be dedicated to this development.

Cabinet meeting of 16 May 2013

Bills approved

Restitution of Land Rights Amendment Bill

Cabinet approved the publication of the Restitution of Land Rights Amendment Bill 2013 and Memorandum on the Objects of the Bill, for public comment.

This gives effect to the President's 2013 State of Nation Address announcement on proposed amendments to the Restitution Act. This relates to extending the date for lodgment of claims for restitution, to enable those parties that did not submit claims by the closing date of 31 December 1998 or who were excluded from the process, to submit.

The re-opening of lodgment of claims is guided by the vision of the National Development Plan as well as the Comprehensive Rural Development Programme and other growth strategies intended to promote national reconciliation and social cohesion.

Electronic Communication Amendment Bill

Cabinet approved the submission of the Electronic Communication Amendment Bill to Parliament.

The amendment was necessitated by the liberalisation of the electronic communications sector and rapid technological advancements which have rendered the continued presence of some provisions in the Act redundant. The Amendments seeks to deal with competition promotion limitation, access to electronic communications infrastructure, communication costs as well as improving turnaround time for consultative processes.

The Amendment Bill aligns the Act with broad-based black economic empowerment legislation; refines licensing issues; improves competition provisions; removes regulatory bottlenecks and provides for matters connected to this.

Independent Communications Authority of South Africa (ICASA) Amendment Bill

Cabinet approved the submission of the Independent Communications Authority of South Africa (ICASA) Amendment Bill to Parliament. The Amendment Bill responds to some of the issues in the National Development Plan (NDP).

The amendments of the Independent Communication Authority Act No. 13 of 2002 (ICASA Act) are underpinned by the need for institutional improvements to strengthen the independent Authority. This will be through the provision of clarity on aspects of its powers; to align the Act more closely to the requirements of the Public Finance Management Act (PFMA) and to improve its efficiency. This is with a view to improve accountability and transparency which will contribute to sound governance practices within ICASA.

Government needs to play a greater role to ensure that the electronic communications sector is regulated in a manner that supports overall national goals. This should not be read to suggest any limitation on ICASA's independence.

The importance of an independent and impartial regulator for the communications sector cannot be overemphasised.

Cabinet meeting of 17 April 2013

Electoral Amendment Bill

Cabinet approved the publication of the Electoral Amendment Bill, 2013 for public comment.

The Amendment Bill provides for special votes in elections for the National Assembly, and the registration of voters who may apply to cast special votes while they are abroad during the election.

This will improve the electoral process and enhance the reliability of the elections for the National Assembly and provincial legislatures.

The Minister of Home Affairs will conduct a media briefing on this matter to help people understand the implications of the amendments.

Gas Amendment Bill

Cabinet approved the Gas Amendment Bill 2013. This paves the way for the Bill to be published in the Gazette for public comment.

Uninterrupted supply and development of natural gas to the economy is critical.

This Amendment Bill seeks to address the loopholes, omissions and challenges experienced in the

process of implementing and enforcing the Gas Act by the Department of Energy and the National Energy Regulator of South Africa (NERSA).

Criminal Law (Forensic Procedures) Amendment Bill

Cabinet approved the introduction of the Criminal Law (Forensic Procedures) Amendment Bill to Parliament.

This Bill paves the way to regulate and promote the use of DNA in combatting crime, taking into account constitutional requirements.

The use of DNA evidence holds the potential to alleviate blockages in the criminal justice system. Maximising the use of DNA evidence promotes fairness, confidence, and certainty in the administration of our laws.

Lotteries Policy and the Lotteries Amendment Bill

Cabinet approved the final recommendation of the Lotteries Policy and the Lotteries Amendment Bill 2013 for submission to Parliament.

The need to amend the Lotteries Act, Act No. 57 of 1997 followed the assessment of challenges that impede effectiveness and efficiencies in the distribution of funds.

Cabinet meeting of 13 March 2013

Expropriation Bill

Cabinet approved the release of the Expropriation Bill for public comment. The Bill will repeal the current Expropriation Act of 1975, which outlines compliance with the Constitution on issues of property expropriation. The review of the Expropriation Act, 1975 became necessary to ensure consistency with the spirit and provisions of the Constitution, 1996. The draft Expropriation Bill, 2013 thereby seeks to achieve certainty and give guidance to those involved in or subject to, an expropriation process, both for the state, as well as a private individual.

Licensing of Businesses Bill

Cabinet approved the release of the Licensing of Businesses Bill. The Bill will repeal the current Licensing of Businesses Act of 1991 and will provide a simple and enabling framework for procedures for application of business licences by setting norms and standards. Although the Ministers of Trade & Industry and Tourism administer the Act, its implementation and enforcement is entirely the responsibility of the Administrator. Once the Bill is gazetted Minister Rob Davies will hold a media briefing to appraise the South African public.

Cabinet meeting of 5 December 2012

Bills approved

The Mineral and Petroleum Resources Development Draft Amendment Bill, 2012

Cabinet approved that the Draft Mineral and Petroleum Resources Development Amendment Bill 2012 be submitted to Parliament.

The Mineral and Petroleum Resources Development Act gives effect to Section 24 of the Constitution by ensuring that the nation's minerals are developed in an orderly manner while promoting justifiable social and economic development.

The draft amendment Bill seeks to address the following:

- Define certain concepts that were not defined and refine existing definitions;
- Make provision for rights to fall within the insolvent estate in the event that a company becomes liquidated;

- Strengthen the provisions relating to cession, transfer and encumbrance of rights in order to permit the partitioning of rights;
- Regulate the exploitation of associated minerals;
- Address shortcomings identified whilst simultaneously streamlining the administrative processes in relation to the regulation of the mining environment management function;
- Make provision for the implementation of the approved beneficiation strategy through which strategic minerals can be processed locally for a higher value;
- Align the MPRDA with the Geoscience Amendment Act, 2010 (Act No. 16 of 2010)

The amendments will further address loopholes identified in various court judgments.

Infrastructure Development Bill

Cabinet noted the Infrastructure Development Bill and approved the gazetting of the Bill for public comments.

The Bill seeks to provide for amongst others things:

- The continued existence of the Presidential Infrastructure Coordinating Commission;
- The designation and implementation of strategic integrated projects which are of significant economic or social importance to the State or a region;
- That public-private partnership may be employed as a vehicle to bring about rapid infrastructure development where an organ of state including a public entity is unable to implement a project;
- That all stakeholders involved in the implementation of a project will comprise a steering committee to implement the project; and
- For processes and periods of time applicable to the implementation of strategic integrated projects.

Cabinet meeting of 10 October 2012

Bills approved

Dangerous Weapons Bill, 2012

Cabinet approved the submission of the Draft Dangerous Weapons Bill to Parliament. The Bill is to repeal the previous Dangerous Weapons Acts which were in operation in areas of the erstwhile South Africa, Transkei, Bophuthatswana, Venda and Ciskei. The Bill will enhance organizational efficiency and facilitate the transformation of the legal system in line with the constitutional imperatives.

Mental Health Amendment Bill 2012

Cabinet approved the submission of the Mental Health Amendment Bill to Parliament. The Bill allows the Director-General to delegate to officials in the department powers dealing with transfers of State patients from detention centres to designated health establishment and between designated health establishments. The amendments will improve service delivery in the area of involuntary health care users.

Cabinet meeting of 19 September 2012

Bill approved

Employment Service Bill, 2012

Cabinet approved the Employment Service Bill, 2012 for tabling to Parliament.

This Bill seeks to repeal all the employment services provisions contained in the Skills Development Act, 1998 (Act No.97 of 1998).

The Bill repositions public employment services to play a major role in employment promotion and employment preservation and will assist employers and workers to adapt to changing labour market conditions.

The Bill also provides a legal basis for the establishment and functioning of Productivity South Africa and the Protected Employment Enterprises.

Cabinet meeting of 4 September 2012

Bill approved

Geomatics Professional Bill, 2012

Cabinet approved the submission of the Geomatics Profession Bill, 2012 to Parliament. The Geomatics Profession Bill, 2012 seeks to provide a mechanism to accelerate the transformation of the surveying profession in a manner which would serve the interests of both the profession and the public. The objectives of the Bill are:

- to make provision for principles related to the profession, a more representative professional council;
- registration of persons in various categories of the profession;
- recognition of voluntary associations;
- professional conduct; and
- appeals and various general matters, including transitional arrangements.

Cabinet meeting of 21 August 2012

Bill approved

Women Empowerment and Gender Equality Draft Bill, 2012

Cabinet approved the Women Empowerment and Gender Equality Draft Bill for publication in the Government Gazette for public comments. The draft Bill seeks to:

- Provide the Minister of Women, Children and People with Disabilities with the necessary authority to monitor, review and oversee gender mainstreaming and integration of gender equality considerations into all programmes of government and other sectors;
- Promote the protection and advancement of women as envisaged in section 9 (2) of the Constitution.

Cabinet meeting of 8 August 2012

BILLS APPROVED

Broad-Based Black Economic Empowerment Amendment Bill, 2012

Cabinet approved the introduction of the Broad-Based Black Economic Empowerment (B-BBEE) Amendment Bill, 2012 to Parliament.

The amendments seek to amongst other things:

- Establish the B-BBEE Commission to deal with compliance in broad-based black economic empowerment;
- Provide for the regulation of verification agencies by the Independent Regulatory Board of Auditors;
- Include the creation of incentive schemes to support black owned and managed enterprises in the strategy for broad-based black economic empowerment;
- Promote compliance by organs of state and public entities and to strengthen the evaluation and monitoring of compliance; and
- Provide for offences and penalties

Special Economic Zones Bill, 2012

Cabinet approved Special Economic Zones (SEZ) Bill, 2012 for submission to Parliament. Special Economic Zones are designated geographic areas aimed at attracting focussed domestic and foreign investments.

The Bill provides for:

- The designation, development, promotion, operation and management of SEZs;
- The establishment of a SEZ Board;
- The establishment a dedicated SEZ Fund;
- Determination and implementation of incentives for SEZ operators and businesses operating within SEZs

- Regulating the application and issuing of SEZ operator permits to persons wishing to develop and operate a SEZ.
- The suspension or withdrawal of a SEZ operator permits in certain circumstances.

Statement on the Cabinet meeting of 31 July 2012

BILL/POLICIES APPROVED

Transport Laws and Related Matters Amendment Bill, 2012

Cabinet approved the Transport Laws and Related Matters Amendment Bill, 2012 for submission to Parliament.

The Bill has been necessitated by the development of the Gauteng Freeway Improvement Project (GFIP), as well as future plans for the development of road infrastructure. Apart from the physical infrastructure, the GFIP will result in the operation of a road network that involves the utilisation of “intelligent” transport systems. An important component of the network is the Electronic Toll Collection (ETC) system. The Bill is essential to enable the implementation of the Electronic Toll Collection (ETC) system.

Cabinet meeting of Tuesday, 17 July 2012.

BILLS APPROVED

The South African Language Practitioners’ Council Bill, 2012

Cabinet approved the South African Language Practitioners’ Council Bill, 2012 for submission to Parliament.

The Bill seeks to professionalise language translation services. It provides for the establishment of a council that will register, accredit and train language practitioners. The proposed council will ensure that there are set standards, norms, improved quality and efficiency of language translation services practice.

The South African Maritime and Aeronautical Search and Rescue Amendment Bill, 2012

Cabinet approved the South African Maritime and Aeronautical Search and Rescue Amendment Bill, 2012 for submission to Parliament.

This Bill seeks to streamline processes, roles and responsibilities as prescribed during the execution of maritime and aeronautical rescue operations. This aimed at an improved response mechanism and turnaround time. It also gives a right for delegation of powers and duties bestowed on the Minister to the South African Maritime and Aeronautical Search and Rescue office-bearers and Department officials. The Bill further widens the scope under which the Minister may regulate search and rescue by way of regulations.

Statement on the Cabinet meeting of 13 June 2012

BILLS APPROVED

Criminal Procedure Amendment Bill, 2012

Cabinet approved the Criminal Procedure Amendment Bill, 2012 for submission to Parliament.

The Criminal Procedure Amendment Bill seeks to limit circumstances in which the full record of proceedings of the trial court has to be made available to the judges of the Supreme Court of Appeal. Currently, judges of the Supreme Court of Appeal to consider a petition on the refusal of the trial court to grant leave to appeal from the High Courts to the Supreme Court of Appeal. This gives rise to an intolerable situation, resulting in huge delays in finalising appeals and unnecessary costs, to the detriment of the administration of justice.

Commission for Gender Equality (CGE) Amendment Bill, 2012

Cabinet approved the Commission of Gender Equality (CGE) Amendment Bill, 2012 for submission to Parliament.

The Commission for Gender Equality:

- Promotes gender equality and the protection, development and attainment of gender equality;
- Has the power, as regulated by national legislation, necessary to perform its functions, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality; and
- Has additional powers and functions prescribed by national legislation.

The proposed amendments are purely technical in nature and seek to:

- Align the Commission on Gender Equality Act (Act 39 of 1996) with the wording of and reference to the Constitution of the Republic of South Africa.
- Substitute the reference to the Exchequer Act (Act 66 of 1975) with reference to the Public Finance Management Act (Act 1 of 1999)

Cabinet held its ordinary meeting in Cape Town on 30 May 2012

Three bills approved:

The Tourism Draft Amendment Bill, 2012

Cabinet approved the Tourism Draft Amendment Bill, 2012 for submission to Parliament.

The Tourism Bill provides for:

- The development and promotion of sustainable tourism for the social economic and environmental benefit of South African citizens and enjoyment of international visitors
- The effective domestic and international marketing of South Africa as a tourist destination
- The promotion of quality tourism products and services for growth, development and transformation of the tourism sector and
- Enhanced cooperation and coordination among all spheres of government in developing and managing tourism.

Road Accident Fund (Transitional Provisions) Amendment Bill, 2012

Cabinet approved the Road Accident Fund (Transitional Provisions) Amendment Bill, 2012 for debate in Parliament.

The Road Accident Fund (Transitional Provisions) Bill, 2012 seeks to provide for transitional measures in respect of certain categories of third parties whose claims were limited under the old Act and give effect to the Constitutional Court judgment of *Mvumvu vs Minister of Transport*.

It is clear from the Constitutional Court that:

- Parliament should devise a new regime applicable to a discrete category of road accident victims – that is those who were involved in accidents prior to 1 August 2008 and whose claims are capped by section 18 of the old Act.
- The legislation should propose some middle ground which increases the compensation available to the victims but does not amount to full compensation.
- The legislation should not have the effect of forcing all road accident victims affected to be subject to the Road Accident Fund Act, 1996 (Act 56 of 1996), as it stood after 1 August 2008, as this would retrospectively remove the rights that they had under the old Act.

Private Security Industry Regulation Amendment Bill, 2012

Cabinet approved the Private Security Industry Regulation Amendment Bill, 2012 for submission to Parliament.

The main objectives of the review of the PSIRA Act is to address gaps that are caused by the lack of effective regulation of the private security industry, in particular the threat to national security posed by the participation of foreigners.

The PSIRA Amendment Bill, 2012 seeks to:

- regulate foreign ownership and control of private security businesses in South Africa;
- regulate operations of security firms outside the borders of the Republic,
- provide for the role of the Regulatory Authority in promoting crime prevention partnership with organs of State;

- provide for accountability of (“of”, or “under a”) Council of Authority, including the formulation of regulations on the transportation of cash and other valuables;
- provide for a separate database on firearms issued to security service providers;
- provide for limitations on the participation of certain persons with scheduled criminal records; and
- provide for the funding of the Regulatory Authority by the State.

Cabinet meeting of 16 May 2012

Further Education and Training Colleges Amendment Bill, 2012 and Higher Education and Training Laws Amendment Bill, 2012.

Cabinet approved the Further Education and Training Colleges Amendment Bill, 2012 and the Higher Education and Training Laws Amendment Bill, 2012 for submission to Parliament.

Cabinet meeting of 03 May 2012 approved the following bills

Mental Health Amendment Bill, 2012

Cabinet approved the publication of Mental Health Amendment Bill, 2012 for public comments.

The main objective of the Amendment Bill is to amend the Mental Health Care Act, 2002 (Act No. 17 of 2002) so as to provide for the delegation of powers by the Director-General of the National Department of Health to officials. The Director-General will be able to delegate:

- a) Powers to determine the transfers of State patients from detention centres to health establishments pursuant to court orders issued in terms of the Criminal Procedure Act, 1977;
- b) Powers to determine the transfers of State patients between the designated health establishments upon an order issued by the Review Board and;
- c) The powers to review the mental health status of the State patients.

The Bill also seeks to repeal Chapter 8 of the Mental Health Act, 1973 (Act No. 8 of 1973) as a whole. This chapter dealt with the Hospital Boards and is currently no longer necessary since chapter 6 of the National Health Act, 2003 (Act No. 61 of 2003) now deals with that subject.

Such delegations will improve service delivery in the area of involuntary health care users.

Cabinet meeting of 19 April 2012: no bills approved

Cabinet meeting of 20 March 2012 approved the following Bills

- **Spatial Planning and Land Use Management Bill, 2012**

Cabinet approved the Spatial Planning and Land Use Management Bill 2012 for submission to Parliament.

The Bill seeks to:

- a) Provide a framework for spatial planning and land use management in the Republic;
- b) Specify the relationship between the spatial planning and the land use management system and other kinds of planning
- c) Provide for the inclusive, developmental, equitable and efficient spatial planning at the different spheres of government;
- d) Provide a framework for the monitoring, coordination and review of the spatial planning and land use management system;
- e) Authorize policies, principles, norms & standards for spatial development planning and land use management;
- f) Address past spatial and regulatory imbalances;
- g) Promote greater consistency and uniformity in the application procedures and decision making by authorities responsible for land use decisions and development applications; and
- h) Provide for the establishment, functions and operations of Municipal Planning Tribunals in order to provide for the facilitation and enforcement of land use and development measures

- **Basic Conditions of Employment Amendment Bill, 2012**

Cabinet approved the Basic Conditions of Employment Bill, 2012 for submission to Parliament. The Bill seeks to:

- a) To respond to the growth of informalisation of work in the South African labour market and, in particular, to align the Basic Conditions of Employment Act with the Labour Relations Act in addressing the phenomenon of labour broking.
- b) To bring the provisions regulating child labour in line with international standards
- c) To strengthen the mechanisms for enforcement of basic conditions of employment, including minimum wages.

- **Labour Relations Amendment Bill, 2012**

Cabinet approved the Labour Relations Amendment Bill, 2012 for submission to Parliament. The proposed amendments seek to strengthen the legal basis for ensuring decent work in the South African labour market and promoting sound labour relations. Furthermore, the proposed amendments to the Act deal with a number of developments, in particular, they respond to the growth of informalisation in the South African labour market (Labour broking). They also include new provisions relating to fixed term contracts and part-time employment.

- **Cooperatives Amendment Bills, 2012**

Cabinet approved the Co-operatives Amendment Bills, 2012 for submission to Parliament. This Bill has been gazetted for public comment together with the Integrated Strategy on Co-operatives. Inputs from the public comment process have been analysed and factored into the Amendment Bill. The Bill seeks to further regulate the co-operative sector in order to encourage the growth of co-operatives, by establishing a Cooperative Development Agency which objectives are amongst others:

- a) Assist government in the overall governance and management of the co-operative movement;
- b) Support, promote and assist with the development of the co-operatives' organized sector;
- c) Provide financial and non-financial assistance to the co-operatives' organized sector to promote the development of co-operatives; and
- d) Provide business support services, which amongst others; include pre-registration support, business plan development, mentorship and after-care to co-operatives, as well as access to market services to the co-operatives.

The Bill further provides for the establishment of the Co-operatives Tribunal to deal with disputes and conflicts and to assist with the enforcement and full compliance of the Act.

Cabinet meeting of 8 March 2012: no bills approved

Cabinet meeting of 22 February 2012 approved the following Bill

Financial Services Laws General Amendment Bill, 2012

Cabinet approved the submission of the Financial Services Laws General Amendment Bill, 2012 to Parliament.

By way of background: the Financial Services Laws General Amendment Bill, 2012 effects urgent and necessary legislative changes highlighted by the 2008 financial crisis, as outlined in the National Treasury's policy paper "*A safer financial sector to serve South Africa better*".

The Bill updates 10 financial sector Acts, including the Financial Services Board Act, the Inspection of Financial Institutions Act, the Short-term and Long-term Insurance Acts, the Pension Funds Act and the FAIS Act.

The primary objective of the Bill is to ensure a sound and well-regulated financial services industry and to promote financial market stability by:

- strengthening the financial sector regulatory framework;
- enhancing the supervisory powers of the regulators; and
- enhancing the powers of the Minister of Finance to address potential risks to the financial system.

The Bill addresses several of the following areas:

- gaps identified by the IMF/World Bank Financial Sector Assessment Program in adherence to international standards for financial regulation;
- the need to align financial sector legislation with the Companies Act (Act No 71) of 2008;

- regulatory overlaps caused by the Consumer Protection Act, 2008 (Act No. 68 of 2008) by ensuring overrides where financial sector legislation has higher consumer protection standards;
- to extend the approach of the Banks Act, 1990 (Act No.94 of 1990) with respect to mergers in the financial sector, and
- ensuring that the Minister of Finance has adequate emergency powers to deal with systemic risks to the financial system

Cabinet meeting of 8 February 2012: no bills approved

Cabinet meeting of 23 November 2011 approved the following Bills

Green Paper on Families

Cabinet approved the publication of the Green Paper on Families for public comment.

The Green Paper takes the family as a key development imperative and calls for a new vision and approach in terms of social and economic policy with regard to the South African family. It seeks to mainstream and coordinate family issues into Government wide policy-making initiatives by harmonising existing policies in an integrated manner in order to foster the well-being of the family and that of the wider community.

Cabinet meeting of 7 September 2011 approved the following Bills

- **Rental Housing Amendment Bill, 2011**

Cabinet approved the Rental Housing Amendment Bill, 2011 for submission to Parliament. The Bill seeks to amend the Rental Housing Act, 1999, so as to substitute certain definitions; to require the MECs and local authorities to establish Rental Housing Tribunals & Rental Housing Information Offices, respectively; to extend the powers of the Rental Housing Tribunals to rescind any of its rulings; and to provide for matters connected therewith.

- **Plant Breeders Rights Amendment Bill, 2011**

Cabinet approved the publication of the Bill for public comment. The Bills aims to strengthen the protection of intellectual property rights related to new varieties of plants. Such protection contributes to economic growth as it has a positive impact on the competitiveness of South Africa's agriculture sector.

- **The Fertilisers and feed Bill, 2011**

Cabinet approved the submission of the Bill to Parliament. The Bill seeks to modernise the regulation and regulatory framework of fertilisers, animal feeds (farm feeds) and sterilising plants in order to support the animal welfare, food safety, food security and environmental management objectives.

- **Amendment of the veterinary and para-veterinary Act, 1982 through the Veterinary and para-veterinary amendment Bill, 2011.**

Cabinet approved the amendment of the Bill. The Act is being amended to cater for, amongst others, the performance of compulsory community service by newly qualified veterinarians. This will help to address the shortage of veterinarians throughout the country, and more specifically the shortage in rural areas.

- **South African Weather Service Amendment Bill, 2011**

Cabinet approved the South African Weather Service Amendment Bill, 2011 for submission to Parliament. The Amendment Bill provides for further objectives and functions for the South African Weather Service pertaining to the ambient air quality information service. The Amendment Bill further aligns the provisions pertaining to the Weather Service Board with the Public Finance Management Act, 1999.

Cabinet meeting of 25 August 2011 approved the following Bill

Dangerous Weapons Bill, 2011

Cabinet approved the publication of the Dangerous Weapon Bill, 2011 in the Gazette for public comment.

Amongst others the Bill proposes to repeal in whole, all the Dangerous Weapons Acts in the former homeland areas and provides for a transitional measure which keeps in force the existing notices issued under the Dangerous Weapons Act (South Africa) until amended, repealed for substituted.

Cabinet meeting of 26 July 2011 approved the following Bills

- **National Environmental Laws Amendment Bill, 2011**

The Bill proposes amendments to certain provisions under the National Environmental Management Act, 1998 (NEMA), the National Environment Management: Biodiversity Act, 2004 (NEMBA) and the National Environmental Management: Air Quality Act, 2004 (NEMAQA). Most of the amendments were identified through the implementation of the legislation and some originated from the process of the Department of Cooperative Governance aimed at identifying legislation that hampers service delivery.

- **Tourism Bill, 2011**

The Bill seeks to provide for the development and promotion of sustainable tourism for the social, economic and environmental benefit of South Africa and for the enjoyment of all its citizens and foreign visitors. It further provides for the continued existence of the South African Tourism Board; to repeal the Tourism Act 72 of 1993; provide for transitional measures and to provide for incidental matters.

- **Credit Rating Services Bill, 2011**

This Bill provides for the registration of credit ratings agencies; for control of certain activities of credit rating agencies; conditions for the issuance of credit ratings and rules on the organisation and conduct of credit rating agencies, and related matters.

- **Financial Markets Bill, 2011**

The primary objectives of the Bill are to strengthen the legislative framework for a sound and well-regulated financial markets industry, to provide financial market stability to industry participants and to protect consumers of securities services.

Cabinet meeting of 6 July, 2011 approved the following Bill

- **Draft Judges' Remuneration and Conditions of Employment Amendment Bill, 2011**

The Bill seeks to amend the Judges' Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001) which provides for the appointment of judges, including the Chief Justice. President Zuma duly extended the Chief Justice's term of office for a period of 5 years with effect from 15 August 2011 in accordance with section 8(a) of the Judges' Remuneration and Conditions of Employment Act.

Cabinet remains confident about the Presidents legislative and constitutional authority in extending the term of office of the Chief Justice. The Cabinet is also confident that the Judges' Remuneration and Conditions of Employment Act is constitutional.

The Cabinet notes that section 165 (4) of the Constitution obliges organs of state, through legislative and other measures to assist and protect the courts to ensure the independence, impartiality, dignity, accessibility and their effectiveness.

The Bill applies to the Chief Justice and President of the Supreme Court of Appeal and provides that if either has not completed a period of seven years of active service, must continue to perform active service until either completes seven years or attains the age of 75 years whichever occurs first. The Bill also provides for the Chief Justice and President of the Supreme Court of Appeal to be discharged from active service at their request, subject to the approval of the President or through infirmity.

Cabinet meeting of 23 June 2011 approved the following Bills

- **The South African Language Bill, 2011**

The promulgation of the use of South African Official Languages Bill, 2011 will respond directly to the obligation imposed by section 6 of the Constitution. The Bill only provides for the regulation and monitoring of the use of official languages by national government.

- **The Government Employees Pension Law Amendment Bill, 2011**

The Bill seeks to amend the Government Employees Pension Law, 1996, to provide for the payment of a pension interest to a former spouse of a member of a divorce or the dissolution of a customary marriage; to amend the powers of the Board to make rules and to amend the provisions providing for the recognition of pensionable service of former member of non-statutory forces

Cabinet meeting of 21 April 2011 approved the following Bills

- **Municipal property rates amendment bill, 2011**

This Bill is meant to provide the regulation of the power of the Municipality to impose rates on property and to provide for fair and equitable evaluation methods.

- **The publication of the South African Weather Service Amendment Bill, 2011.**

The amended Bill provides for further objectives and functions for the South African Weather Service pertaining to the ambient air quality information service. It further aligns the provisions pertaining to the Weather Services Board with the PFMA and the National Environment Management Air Quality Act, 2004.

- **The publication of the Geomatics Profession Bill, 2011.**

This Bill seeks to provide a mechanism to accelerate the transformation of the surveying profession in a meaningful manner which would serve the interests of both the profession and the public.

- **Member's Ethics Amendment Bill, 2011**

This Bill will be published in the Gazette and made available for public consultation on the Departments website.

- **The publication of the draft Spatial Planning and Land Use Management Bill, 2011**

The implementation of the Bill will provide critical support to a number of noble objectives of the government especially spatial economic, human settlement, rural development and economic and job creation programmes.

- **Promotion of National Unity and Reconciliation Act 1995**

The regulation relating to assistance to truth and reconciliation (TRC) victims in respect of basic and higher education be published in the government gazette for public comment.

- **Promotion of National Unity and Reconciliation Act 1995**

The draft regulations relating to medical benefits for victims be published in the government gazette for public comment following the TRC process.

Cabinet meeting of 22 February 2011 approved the following Bill

- **Judicial Matters Amendment Bill, 2011**

The primary aim of the Bill is to amend numerous Acts, most of which are intended to address practical and technical issues of a non-contentious nature. Cabinet approved the Bill for submission to Parliament during the 2011 session.

Cabinet meeting of 3 February 2011: no bills approved

Cabinet meeting of 8 December 2010 approved the following Bills

- Constitution Amendment Bill, 2010 (for public comment)
- Land Tenure Security Bill, 2010 (for public comment)
- Labour Relations Amendment Bill, 2010 (for public comment)
- Basic Condition of Employment Amendment Bill, 2010 (for public comment)
- Employment Equity Amendment Bill, 2010 (for public comment)
- Employment Services Bill, 2010 (for public comment)
- Superior Courts Bill, 2010 (for submission to Parliament)
- State Liability Amendment Bill, 2010 (for submission to Parliament)
- Muslim Marriages Bill, 2010 (for public comment)
- Legal practice Bill, 2010 (for submission to Parliament)

Cabinet meeting of 24 November 2010 approved the following Bill

- **National Health Amendment Bill (for public comment)**

The Bill provides for the establishment of an independent entity referred to as the Office of the Health Standards Compliance whose primary purpose is to ensure that health establishments throughout the country comply with minimum standards. The body will advise the Minister on the need to revise or develop norms and standards for quality and safety for the entire health system; certify compliance with the prescribed norms and standards; monitor and inspect health establishments; and deal with complaints against the entire health system. The bill aims to ensure that the quality of health provided to the population of South Africa is of the highest standard both in the private and public sectors.

Cabinet meeting of 10 November 2010 approved the following Bills

- **Military Veterans Bill**

This Bill seeks to establish, develop, promote and implement national policy and standards regarding military veterans and their dependants to enhance the well-being and quality of life through progressive realization of their socio-economic rights. It further seeks to establish an advisory council for military veteran's affairs, military veteran's appeal board and to provide for benefits and entitlements relating to military veterans.

- **South African Military Ombudsman Bill**

The Bill seeks to establish the office of the Military Ombudsman to attend to complaints emanating from members of the Defence Force and members of the public and to ensure speedy resolution of complaints within and against the Defence Force. Currently complaints arising from the Defence Force are dealt with in terms of the Individual Grievance Regulation and by a military investigator embedded in the office of the Public Protector. The Department contends that this arrangement is insufficient and inefficient as a complaints mechanism due to the uniqueness of the defence environment.

Cabinet meeting of 27 October 2010 approved the following Bills

- **Companies Amendment Bill**

The Amendment Bill is intended to provide for simple registration of companies, to update the Companies Act to be conducive in the promotion of doing business within South Africa, to reduce regulatory burden for companies, in particular small businesses, to keep an accurate register with accurate information for the user to be able to make informed decisions.

- **Correctional Matters Amendment Bill, 2010 and the draft white paper on Remand Detention**

This bill seeks to improve the administration of three key areas of corrections, namely Medical Parole and the Parole System in general and the management of Remand Detention. The current provisions of the act limits the granting of medical parole to sentenced offenders who are in the final phase of terminal illness putting pressure on already limited financial and human resources required for meeting the health care needs of inmates. The new medical parole system will balance the medical condition of the inmate against the risk posed to society should such inmate be placed on medical parole.

Cabinet meeting of 16 September 2010 approved the following Bills

- The Criminal Procedure Amendment Bill was approved

The Bill aims to amend section 49 of the Criminal Procedure Act, 1977 (Act 51 of 1977) that regulates the use of force when effecting the arrest of a suspect in a criminal matter in order to bring the section in line with the judgment of the Constitutional Court in the Walters case. The Court stated, among other things, that shooting a suspect solely in order to carry out an arrest is permitted in very limited circumstances. The Bill strives to provide greater legal certainty to arrestors regarding circumstances under which force may be applied when attempting to effect an arrest, and the nature of the force that may lawfully be used in the process.

Cabinet meeting of 1 September 2010 approved the following Bills:

- Tax Administration Bill (TAB), 2010

- The TAB seeks to provide a single body of law that outlines and harmonises common procedures, rights and remedies and to achieve a balance between the rights and obligations of both SARS and taxpayers.

The TAB benefits both the taxpayers and SARS in that:

- It reduces the compliance burden on taxpayers as the TAB is drafted in plain language that sets out all the rights and duties regarding all tax laws, enables the taxpayer to understand compliance obligations better, thereby contribute to reducing red tape.

- The administrative burden on SARS should reduce over time as unnecessary and duplicate provisions and systems are simplified and ineffective provisions are removed.

- Implementation of the Geneva Convention Bill

- The Bill seeks to incorporate the provisions of Geneva Conventions of 12 August 1949 and their additional protocols of 1977, into the South African law. The Geneva Convention provides for, among other things, for the protection of wounded and sick combatants in the field irrespective of their nationality.

Cabinet meeting of 18 August 2010 approved the following Bills:

- Science and Technology Laws Amendment Bill, 2010

The Bill aims to effect technical corrections to definitions and other references to clarify and strengthen institutional oversight and governance of the public entities that report to the Department of Science and Technology. The amendments eliminate possible confusion in certain definitions (correcting the title of the Chief Executive Officer of some public entities and the designation of the portfolio of the Minister), and to effect other consequential changes necessitated by the reorganization of government structures.

Cabinet meeting of 4 August 2010 approved the following Bills:

- Rural Development and Land Reform General Amendment Bill, 2010

The Bill proposes certain amendments to various pieces of legislation administered by the Minister of Rural Development and Land Reform. It seeks to amend the legislation to provide for the substitution of obsolete definitions and expressions and also give effect to consequential amendments pertaining to the substitutions.

- Basic Education Laws Amendment Bill, 2009

The Bill seeks to align education laws with the new structure education i.e. the splitting of the department of education into two separate departments.

This Bill amends specific provisions of the South African Schools Act 1996, the Employment of Educators Act 1998; the South African Council for Educators Act 2000; and the General and Further Education and Training Quality Assurance Act 2001.

Cabinet meeting of 20 July 2010 approved the following Bills:

- Municipal Electoral Amendment Bill, 2010

The Bill seeks to provide for, among other things: set requirements for submission of party lists for an election and material objections to elections results; revises provisions relating to number of party agents voting stations; empowers presiding officers to re-determine and re-demarcate boundaries of voting stations; clarifies the rights and responsibilities relating to assistance to voters; gives members of the police force the right to vote in the voting stations where they are deployed during elections.

The Bill will be submitted to Parliament for finalization

- Rental Housing Amendment Bill, 2010

The Bill seeks to address certain interpretation and implementation issues that have arisen since the promulgation of the Rental Housing Act of 1999 and to rectify certain technical issues in the Bill. The technical issues to be addressed include: the definition of "Minister" to bring the Act in line with the recent name change from the Department of Housing to the Department of Human Settlements; the application of the provisions pertaining to the establishment of Rental Housing Tribunals and Rental Housing Information Offices; and to extend the powers of the Rental Housing Tribunals to rescind any of its ruling. The Bill will be published for public comment.

- Merchant Shipping (Safe Containers) Bill, 2009

The Bill gives effect to the International Convention for Safe Containers, 1972 ("the Convention").

The Convention has two principal objectives which are to maintain a high level safety of human life in transport and handling of containers by providing generally acceptable test procedures and related

strength requirements which have proven adequate over the years; and to facilitate international transport of containers by providing uniform international safety regulations, equally applicable to all modes of surface transport.

- The Refugee Amendment Bill, 2010

The Bill provides for, among other things, the establishment of the Status Determination Committee to consider and determine applications for asylum.

- The Immigration Amendment Bill, 2010

The main objectives of the Bill includes the following; provides for the designation of ports of entry; revises the provisions relating to visas for temporary sojourn in the Republic and for the procedures with regard thereto; provides for the mandatory transmission and use of information on advance passenger processing; the transmission of passenger name record information; and revises provisions relating to permanent residence.

Cabinet meeting of 15 June 2010 approved the following Bills:

- Sectional Titles Schemes Management Bill, 2010

The main aim of the Bill is to give effect to Cabinet's strategy to bring all human settlements-related legislation currently administered by other Departments under the administration of the Department of Human Settlements.

- Community Schemes Ombud Service Bill, 2010

The main aim of the Bill is to establish a Community Schemes Ombud Service, a national public entity to provide a dispute resolution service for all community schemes, including sectional titles schemes, share-block companies, homeowners associations and housing schemes for retired persons) in which there is governance by the community involved, shared financial responsibility and land facilities used in common. It will further give effect to Government's strategy to bring the administration of all human settlements-related legislation under the administration of the Department of Human Settlements.

- Magistrate's Courts Amendment Bill, 2010

The Bill is to amend the Magistrates' Courts Act, 1994 (Act No. 32 of 1944) in order to regulate new the qualifications required for the appointment of a person as a magistrate, additional magistrate and magistrate of a regional division; to further regulate the inclusion of magistrates of regional divisions on the list of magistrates who may adjudicate on civil disputes and authorize the Minister to further regulate the conditions relating to the authorisation of a person to serve process of court or other documents on behalf of a Public Body.

- Civilian Secretariat for Police Bill

The civilian Secretariat for Police Bill responds to the constitutional imperative that obliges the Minister of Police to establish a civilian secretariat for the police. The civilian secretariat for the police will conduct civilian oversight over the police by monitoring, assessing and evaluation performance of the police, in addition to providing the Minister of Police with advice and support in the exercise of its powers and functions. It will be structured to function independently from the South African Police Service.

- Independent Police Investigative Directorate Bill, 2010

This bill will establish the Independent Police Investigative Directorate to investigate any alleged misconduct or offence committed by a member of the Police Service. The Bill seeks to provide the Directorate with the necessary powers and functions to exercise its constitutional mandate and repeal the provisions relating to the Independent Complaints Directorate in the South African Police Service Act, 1995. Amongst other things, this bill seeks to change the name of the current Independent Complaints Directorate to the Independent Police Investigative Directorate. The rationale behind the name change is to brand the Directorate as a body which functions independently from the police service and that its focus is to conduct investigations of offences by a police member, rather than merely receiving complaints. The work of the Directorate will contribute towards ensuring that the police service becomes a professional police service that operates within the spirit of our constitutional norms and standards and in an ethos that is non-militaristic.

- Independent Communications Authority of South Africa (ICASA) Amendment Bill 2010 was approved for public consultation

The purpose of the Bill is to amend the Independent Communications Authority of South Africa Act, 2000, in order to change the position of the Chief Executive Officer to Chief Operations Officer and to differentiate between the functions of the Council and the Chief Operations Officer. The ICASA bill aims to ensure that the turn-around times of some of the responsibilities of the Authority are improved. Furthermore, it seeks to change the composition of the council to

include both executive and non-executive councillors. It proposes the creation of Tariff Advisory Council. The amendment of the Act will strengthen the capacity of the regulator to regulate the information and communications technology (ICT) sector to ensure that the sector contributes to the growth of the South African economy.

Cabinet meeting of 2 June 2010 approved the following Bills:

- Higher Education Laws Amendment Bill.
- Higher Education and Training Laws Amendment Bill.
- Skills Development Levies Amendment Bill.
- South African Citizenship Amendment Bill.
- Births and Deaths Registration Amendment Bill.

Cabinet meeting of 19 May 2010 approved the following Bills:

- Further amendments to the Constitutional Amendment Bill and the Superior Courts Bill were approved. These new amendments were omitted from the Bills that were approved at the last Cabinet meeting. The first amendment is to section 176 of the Constitutional Amendment Bill and it provides for the harmonisation of the terms of office of a judge of the Constitutional Court with that of judges of other Superior Courts. The second amendment is the inclusion of section 61 (2) in the Superior Courts Bill. This new clause provides security of tenure to the judges of the Labour Court who are not judges of the High Court for the fixed period for which they have been appointed by the President.
- The Sectional Titles Amendment Bill was approved and will be tabled in Parliament shortly

Cabinet meeting of 5 May 2010 approved the following Bills:

- The Constitution Amendment Bill. The Bill provides for, among other things, defining the role of the Chief Justice as the Head of the Judiciary; to change the name of 'magistrate's courts' to 'lower courts'; provides for a single 'high court of South Africa' comprising of various divisions; establishes the constitutional court as the highest court of the land on all matters and to further regulate the jurisdiction of the constitutional and the supreme courts; and to regulate the composition and functions of the Judicial Services Commission. The Bill will be published shortly for public comment.
- The Superior Courts Bill. This Bill aims to rationalise, consolidate and amend the laws relating to the Constitutional Court, the Supreme Court of Appeal and the High Court in a single Act of Parliament. It incorporates existing specialist courts that are similar in status to the High Court such as the Competitions Appeal Courts, Electoral Court Income Tax Court, Labour Courts and the Land Claims Court, as specialist divisions of the High Court of South Africa.
- The Legal Practice Bill : The purpose of this Bill is, among other things, to provide for the creation of a unified body for the legal profession, to be known as the South African Legal Practice Council to regulate the affairs of the profession including setting norms and standards; introduces community service for the candidate legal professionals; provides for the establishment of a Legal Services Ombudsman; and provides for a Transitional Council to oversee the implementation of the Bill.
- The Local Government: Municipal Systems Amendment Bill: This Bill provides, among other things, for the establishment of uniform and consistent systems and procedures for municipalities. The absence of common standards has created an untenable situation that made it possible for municipalities to adopt desperate human resources practices, remuneration and conditions of service.

Cabinet meeting of 22 April 2010 approved the following Bill:

- The Deeds Registry Amendment Bill

Cabinet meeting of 24 March 2010 approved the following Bill:

- Transport acts repeal bill, 2009
- Defence Amendment Bill, 2010 (Reserve Force members to serve during peacetime) and establishment of the National Defence Force Service Commission.

Cabinet meeting of 24 February 2010 approved the following Bill:

- The Black Authorities Act Repeal Bill. This Bill proposes to repeal and remove the Black Authorities Act of 1951, which created 'tribal', regional and territorial authorities to administer the affairs of Black people.

Cabinet meeting of 3 December 2009 approved the following Bills:

- The South African Post Office Bill, 2009
- The Geoscience Amendment Bill, 2009

Cabinet meeting of 22 October 2009 approved the following Bills:

- Social Assistance Amendment Bill was approved and will be submitted to Parliament for finalisation
- The Community Scheme Ombud Bill will be gazetted for public comment
- The Sectional Titles Management Bill will be gazetted for public comment
- The South African Postbank Bill for tabling in Parliament.
- Protection from Harassment Bill for tabling in Parliament.

Cabinet meeting of 27 August 2009 approved the following Bill:

- Prevention and Combating of Trafficking in Persons Bill was approved and will be submitted to Parliament

Cabinet meeting of 12 August 2009 approved the following Bill:

- Protection of Personal Information Bill

Cabinet meeting of 29 July 2009 approved the following Bill:

- Local Government Municipal Property Rates Amendment Draft Bill

Cabinet meeting of 1 July 2009: no bills approved

Cabinet meeting of 17 June 2009: no bills approved

Cabinet meeting of 15 April 2009 approved the following Bills:

- Protection from Harassment Bill (for public comment)
- Prevention and combating of trafficking in Persons Bill (for public comment)
- Constitutional Seventeenth Amendment Bill was approved and will be gazetted for public comments prior to submission to Parliament. This bill vests national government with new powers of intervention at local government level to facilitate service delivery and to achieve regional efficiencies and economies of scale at local government level. The Bill will also facilitate the restructuring of the electricity distribution industry and possible regionalisation of other municipal functions when necessary.

Cabinet meeting of 4 March 2009 did not have any bills approved

Cabinet meeting of 18 February 2009 did not have any bills approved

Cabinet meeting of 20 January 2009 did not have any bills approved

Cabinet meeting of 3 December 2008 approved the following Bills:

- Constitution Eighteenth Amendment Bill (for publication and public comment)
- Constitution Nineteenth Amendment Bill (later renamed 16th Amendment Bill)
- State Liability Bill (for publication and public comment)
- Cross Boundary Municipalities Laws and Related Matters Amendment Bill
- Criminal Law (Forensic Procedures) Amendment Bill

The Constitution Eighteenth Amendment Bill and the State Liability Bill seek to regulate legal proceedings in matters relating to state liability. The Pretoria High Court had found that certain sections of the State Liability Act of 1957 were inconsistent with the Constitution to the extent that they did not allow for execution or attachment against the state.

Cabinet meeting of 19 November 2008 did not have any bills approved.

Cabinet meeting of 5 November 2008 approved the following Bill :

- Interactive Gambling Tax Bill

Cabinet meeting of 8 October 2008 approved

- Finance Bill will be tabled in Parliament for finalisation.

The Cabinet meetings of 18 September 2008 did not have any bills approved.

The Cabinet meetings of 4 September 2008 did not have any bills approved.

The Cabinet meetings of 20 August 2008 did not have any bills approved.

The Cabinet meetings of 7 August 2008 did not have any bills approved.

The Cabinet meetings of 27 July 2008 did not have any bills approved.

The Cabinet meetings of 22 July 2008 did not have any bills approved.

The Cabinet meetings of 18 July 2008 did not have any bills approved.

The Cabinet meetings of 25 June 2008 did not have any bills approved.

Cabinet meeting of 11 June 2008 approved the following Bills:

- The Intellectual Property Laws Amendment Bill
- The National Strategic Intelligence Amendment Bill

Cabinet meeting of 28 May 2008 approved the following Bills:

- The Military Discipline Bill
- The Municipal Structures Amendments Bill
- The Legal Succession to the South African Transport Services Amendment Bill
- The Civil Aviation Bill
- The Medicines and Related Substances Amendment Bill
- The National Health Amendment Bill
- The Built Environment Professions Bill
- The Public Finance Management Bill and Direct Charges Bill
- The National Land Transport Bill
- The Skills Development Amendment Bill
- The Provision of Land and Assistance Amendment Bill
- The National Environmental Management Laws Amendment Bill
- The National Strategic Intelligence Amendment Bill
- The National Intelligence Services Amendment Bill and
- The Judicial Matters Amendment Bill

Cabinet meeting of 15 May 2008 approved the following Bills:

- The Criminal Procedures Amendment Bill
- The Companies Bill
- The National Conventional Arms Control Amendment Bill
- The Promulgation of the Cultural Laws Third Amendment Bill
- Intellectual Property Rights from Publicly Financed Research Bill

Cabinet meeting of 30 April 2008 approved the following Bills:

- General Law Amendment Bill
- National Prosecuting Authority Amendment Bill
- Diplomatic Immunities Amendment Bill
- Special Pensions Amendment Bill
- Insurance Laws Amendment bill
- National Energy Bill
- National Radioactive Waste Management Agency Bill
- Mine Health and Safety Amendment Bill

Cabinet meeting of 16 April 2008 approved the following Bills:

- The Constitution of South Africa Seventeenth Amendment Bill, 2008 and the Eighteenth Amendment Bill, 2008 to be published for public comment and introduction to Parliament
- General Matters Amendment Bill effecting consequential amendments to various laws relating to loss of membership of the National Assembly, a Provincial Legislature or a Municipal Council, 2008 be published for public comment and introduced to Parliament
- General Financial Services Law Amendment Bill, 2008
- National Railway Safety Regulator Amendment Bill, 2008
- Regional Electricity Distributor Establishment Bill, 2008
- Liquor Products Amendment Bill, 2008
- Medicines and Related Substance Amendment Bill, 2008
- National Health Amendment Bill, 2008
- National Qualifications Framework Bill, 2008
- General and Further Education and Training Quality Assurance Amendment Bill, 2008
- Higher Education Amendment Bill, 2008

Cabinet meeting of 19 March 2008 approved the following Bills:

- Air Services Licensing Bill
- The Financial Intelligence Centre Amendment Bill

Cabinet meeting of 5 March 2008 approved the following Bills:

- The Expropriation Bill.
- Land Use Management Bill.
- The Social Assistance Amendment Bill.
- Agricultural Debt Management repeal Bill
- Medical Schemes Amendment Bill
- The Protection of Information Bill
- The National Space Agency Bill

Cabinet meeting of 20 February 2008: no bills approved

Cabinet meeting of 6 February 2008: no bills submitted

Cabinet meeting of 22 January 2008: no bills submitted

Cabinet meeting of 5 September 2007 approved the following Bills:

Cross-Border Road Transport Amendment Bill for introduction to Parliament
 The Merchant Shipping Amendment Bill for public comment
 The Defence Amendment Bill for introduction to Parliament
 The Jurisdiction of Regional Courts Amendment Bill for introduction to Parliament
 Electronic Communications Amendment Bill for introduction to Parliament

Cabinet meeting of 8 August 2007 approved the following Bills

South African National Water Resources Infrastructure Agency Limited Bill (for tabling in Parliament)
 Prevention of and Treatment for Substance Abuse Bill. The Bill will be published for public comment after further consultation between the Departments of Health and Social Development.
 The Second-Hand Goods Bill for submission to Parliament
 The Housing Development Agency Bill for public comment
 The Refugees Amendment Bill for submission to Parliament

Cabinet meeting of 24 July 2007 approved the following Bills:

The Prevention of Illegal Eviction From and Unlawful Occupation of Land Amendment Bill
 The Safety at Sports and Recreational Events Bill
 The National Environmental Management: Waste Bill
 The National Environmental Management: Integrated Coastal Management Bill
 The National Environmental Management Act; Environmental Impact Assessment regulation will be revised and new regulations will be tabled in due course
 The Technology Innovation Bill

Cabinet Meeting of 30 May 2007 approved this Bill

The Local Government Laws Amendment Bill was approved for public comment prior to submission to Parliament. The Bill seeks to refine and align policy provisions reflected in different laws, strengthen enforcement measures and improve technical and legal provisions. The affected legislation will include the Demarcation Act (1998), Municipal Structures Act (1998) Municipal Systems Act (2000), Municipal Finance Management (2003) and the Municipal property Rates Act (2004).

Cabinet Meeting of 16 May 2007 approved the following Bills

The following Bills were approved for public comment and submission to Parliament during 2007 session:

The Education laws Amendment Bill;

Defence Amendment Bill;

Cross-Boundary Municipalities laws Repeal and Related matters Bill and the Constitutional Thirteen Amendment Bill;

Cabinet Meeting of 20 March 2007 approved the following Bills:

Criminal Law (Sentencing) Amendment Bill was approved for submission to Parliament for consideration during 2007 session (Dept of Justice and Constitutional Affairs)

Co-operative Banks Bill for submission to Parliament in the 2007 session of Parliament (Department of Finance)

Cabinet Meeting of 8 March 2007 approved this bill:

Municipal Fiscal Powers Bill:

This Bill promotes predictability, certainty and transparency in respect of municipal powers and functions. It provides for the phasing out of the Regional Services Councils (RSC) and the Joint Services Board levies. It will also regulate the authorisation of municipal taxes by the Minister of Finance and ensure that municipal fiscal powers and functions are exercised in a manner that will not materially and unreasonably prejudice national economic policies or national mobility of goods and services. The Bill deals with municipal surcharges and municipal taxes referred to in Section 229 of the Constitution other than the property rates taxes which are covered in the Municipal property Rates Act No 6 of 2004.

Cabinet Meeting of 7 February 2007 approved the following bills:

Pension Funds Amendment Bill for tabling in Parliament (Department of Finance)

Banks Amendment Bill for tabling in Parliament (Department of Finance)

Transport Agencies General Laws Amendment Bill (Department of Transport)

The Companies Bill for public comment (Department of (Trade and Industry)

Cabinet Meeting of 22 February 2007 approved the following Bills:

Transport Agencies General Laws Amendment Bill

Science and Technology Laws Amendment Bill which will amend the following Acts:

National Research Foundation Act 23 of 1998,

Africa Institute Act 68 of 2001,

Academy of Science of South Act 67 of 2001,

Natural scientific Professions Act 27 of 2003 and

Scientific Research Council 46 of 1988

Draft Bills before Cabinet in 2006

6th December 2006

Cabinet has approved the following 8 Bills.

Draft Gambling Amendment Bill

Housing Amendment Bill (for public comment)

Rental Housing Amendment bill (for public comment)

Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill (for public comment)

Housing Consumers Protection Measures Amendment Bill

Waste Management Bill

Human Sciences Research Council Amendment Bill

Integrated Coastal Management Bill (for public comment)

22 November 2006

Cabinet has approved the following Bills:

The South African Astronomy and Geographic Advantage Bill
The Judicial Service Commission Amendment Bill
The South African Judicial Education Institute Bill
The Mineral and Petroleum Resources Development Amendment Bill

26 October 2006**Cabinet has approved the following Bills:**

Medical Schemes Amendment Bill approved for public comment
The Municipal Fiscal Powers and Functions Bill for public comment and submission to Parliament on 2007
The South African Airways Bill for submission to Parliament. In 2004, Cabinet approved the separation of SAA from Transnet to become a separate state owned enterprise. This bill will create the legal instrument for the transfer of the entire shareholding of the Shareholding of Transnet to Government.

11 October 2006**The following bill was approved for submission to Parliament:**

Diamond Export Levy Bill

Cabinet approved second draft of Mineral and Petroleum Resource Royalty Bill for public comment

(copy of bill at www.treasury.gov.za)

24 August 2006**The following bills were approved for submission to Parliament:**

Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Bill;
Civil Unions Bill;
Film and Publications Bill;
Further Education and Training Colleges Bill;
Housing Consumer Protection Measures Amendment Bill;
Immigration Amendment Bill;
Measurement Units and Measurement Standards Bill;
Postal Services Amendment Bill;
Public Service Amendment Bill;
Safety in Sports and Recreation Events Bill.

17 May 2006**Approved Bills for submission to Parliament:**

- National Sport and Recreation Amendment Bill;
- 2010 FIFA World Cup SA Special Measures Bill; and
- Firearms Control Amendment Bill.

3 May 2006**The following bills were approved for submission to Parliament:**

Regulation of Interception of Communications and Provision of Communication-Related Information Amendment Bill which regulates lawful interception of certain communication and defines obligations of sellers of cellular phones and SIM-cards; and Criminal Law (Sexual Offences and Related Matters) Amendment Bill which provides greater protection to vulnerable persons who are victims of sexual offences.

Cabinet (5 April 2006)**The following bills were approved for submission to Parliament:**

- Deeds Registries Amendment Bill; and
- Less Formal Township Establishment Amendment Bill which updates earlier legislation on 'informal settlements' in order to fast-track acquisition and development of land for such settlements.

Cabinet (22 March 2006)

Amendments to the Tobacco Products Control Act were approved for submission to Parliament.

Cabinet (8 February 2006)

The SA Institute for Drug-Free Sport Amendment Bill was approved for submission to Parliament.

Bills before Cabinet in 2005

Cabinet (11 November 2005)

The following bills were approved for submission to Parliament:

- Superior Courts Bill which deals with rationalisation of High Courts and improved access to justice;
- Constitution of the RSA Fourteenth Amendment Bill which codifies the hierarchy of the Court system;
- Carriage Air Amendment Bill and the related International Convention for the Unification of Certain Rules of International Carriage by Air.

Cabinet (12 October 2005)

The Road Traffic Amendment Bill and the Health Professions Amendment Bill were approved for submission to Parliament.

Cabinet (14 September 2005)

The Prohibition of Mercenary Activity and Prohibition and Regulation of Certain Activities in an Area of Armed Conflict Bill, was approved for submission to Parliament.

Cabinet (17 August 2005)

Further, the following other Bills were approved for submission to Parliament:

- Mineral and Petroleum Resources Development Amendment Bill which deals mainly with administrative issues to improve implementation of the Act;
- National Road Traffic Amendment Act – subject to further inter-Ministerial consultation – giving effect to principal strategies contained in the Road to Safety Strategy; and
- Also subject to some inter-Ministerial consultation, the National Land Transport Transition Amendment Bill to deal with issues identified during stakeholder consultations as inhibiting the implementation of the current Act.

Cabinet (22 June 2005) approved the ICASA Amendment Bill for submission to Parliament. The Bill deals with the strengthening of the regulator in the light of changes in the telecommunications environment.

Cabinet (11 May 2005) approved the Genetically Modified Organisms Amendment Bill which is aimed at aligning South Africa's biosafety framework with the international Cartagena Protocol on Biosafety.

Cabinet (13 April 2005) approved the following bill for submission to Parliament:

- Education Laws Amendment Bill which deals with such matters as appointment of school educators, disciplinary processes, norms and standards for payment of school fees and matters pertaining to "temporary" school teachers.

Cabinet (16 March) approved the following bills for submission to Parliament:

- Forestry Amendment Bill which amends a number of related legislation to bring them in line with current government policy; and SA Sports Commission Amendment Bill which provides for the dissolution of the SA Sports Commission and the setting up of Sport and Recreation SA (SRSA)

Cabinet at its 19 - 21 January meeting approved for submission to Parliament:

- Convergence Bill which deals with regulatory matters pertaining to converging telecommunications, broadcasting and IT industries.

Bills before Cabinet in 2004

Cabinet at its 1 December meeting approved the following draft bills for submission to Parliament:

- Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill which seeks to strengthen provisions in the current Act especially with regard to persons organising or arranging such occupations;
- World Heritage Convention Amendment Bill which transfers functions in this regard from the Department of Environmental Affairs and Tourism to the Department of Arts and Culture;
- Precious Metals and Diamonds General Amendment Bill which provides for better access to precious metals and diamonds for purposes of beneficiation; and
- Electricity Regulation Bill which deals with the responsibilities of municipalities and the powers of the electricity regulator in relation to the country's development objectives.

Cabinet at its 3 November meeting approved the following draft bills for submission to Parliament:

- [Draft Intergovernmental Relations Framework Bill](#) which outlines the functions of the three spheres of government and procedures and structures in their relationship;
- Co-operatives Bill, which defines policy on development of co-operatives;
- Nursing Bill, which aims to improve regulation of the nursing profession to better serve the public and in this regard redefine the mandate of the Nursing Council;
- [Road Accident Fund Amendment Bill](#) which seeks to improve equity, fairness and transparency in the operations of the fund; and
- Sectional Titles Amendment Bill, which regularises acts of registration and liability as it applies to certain members of body corporates.

The following Bills will be released for public comment:

- [Auditing Profession Bill](#) which provides for registration and regulation of auditors and the setting up of an Independent Regulatory Board;
- Co-operatives Banks Bill which provides a framework for the Co-operative banks industry; and
- Dedicated Banks Bill which aims at the setting up of banks providing specific services to consumers to whom such services have hitherto not been available.

Cabinet at its 6 October meeting approved the following Bills for submission to Parliament:

- SA Abattoir Corporation Act Repeal Bill, which confirms the liquidation of ABAKOR;
- Amendments to the National Small Business Act which provide for the setting up of the Small Enterprise Development Agency (SEDA) which is a merger between Ntsika and National Manufacturing Advisory Centre;
- Amendments to the Close Corporation Act which provide for issues of liability and accounting officer responsibilities.

Cabinet at its 15 September meeting approved the release of the [draft Energy Bill](#).

Cabinet at its 18 August meeting approved the following Bills for submission to Parliament

Defence Special Account Amendment Bill which brings the original Act in line with new financial management procedures including the PFMA;

Judicial Matters Amendment Bill which seeks to address minor practical issues in laws administered by the Department of Justice and Constitutional Development; and

Regulation of Constitutional Amendments Amendment Bill which tidies up titles of the Constitution and relevant amendment acts.

Cabinet at its 4 August meeting adopted the Consumer Credit Bill for public comment.