

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

FRIDAY, 30 NOVEMBER 2018

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ANNOUNCEMENTS

National Assembly and National Council of Provinces

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1. Classification of Bills by Joint Tagging Mechanism (JTM)

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National Assembly and National Council of Provinces

1. The Minister of Finance

- (a) Report and Financial Statements of the Government Employees Pension Fund (GEPF) for 2017-18, including the Report of the Independent Auditors on the Financial Statements and Performance Information for 2017-18.
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COMMITTEE REPORTS

National Assembly

1. Draft Portfolio Committee on Police: Legacy Report 2018/19

Report of the Portfolio Committee on Police on its activities undertaken during the 5th Parliament (May 2014 – November 2018)

Key highlights

1. Reflection on committee programme per year and on whether the objectives of such programmes were achieved

The Committee programmes were developed based on strategic plans and all the activities and objectives were achieved by the Committee. Since its inception and development of the strategic plan of the Committee, the implementation of the National Development Plan ran like a golden thread through all the work of the Committee for every year of its existence. Each Department was measured on the recommendations of the NDP and its implementation.

2. Committee's focus areas during the 5th Parliament

- Processing of legislation:
 - Independent Police Investigative Directorate Amendment Bill [B 25 – 2018]
 - Critical Infrastructure Protection Amendment Bill, [B 22B – 2017]
 - Firearms Control Amendment Bill [B 40—2018]
 - Firearms Summit to develop policy proposals on the management of firearms
 - Facilitate Public participation and involvement in the legislative and other processes
- Public hearings
- Held a Rule 201 investigation into the Board of Commissioners
- Held briefings and processed requests for a proposed Firearms Amnesty
- Received briefings from the department and entities and holding them to account
- Oversight visits to police stations, specialised units, IPID and PSIRA
- Study Tour to the United Kingdom on police oversight institutions, organised crime and specialised units.
- Study tour to the People's Republic of China to share ideas on best practices and innovation in areas of Police Training, Municipal Policing, Technology, trans-national crime and the involvement of citizens in curbing crime.

- Consideration of the Police, Civilian Secretariat for Police, IPID and PSIRA Annual Reports, Strategic Plans and Annual Performance Plan hearings
- Police, IPID, Civilian Secretariat and PSIRA budget reviews, review of annual performance and strategic plans and annual report hearings

3. Key areas for future work

Processing legislation in terms of the SAPS Amendment Bill, the Animal and Animal Products Bill, the DNA Amendment Bill, IPID Amendment Bill and the Firearms Control Amendment Bill.

Following up on policies and structures of the SAPS, PSIRA, CSPA and IPID Audit Committees and implementation of AGSA resolutions
Leadership and management of all three departments and the Entity
Vetting and lifestyle audits

4. Key challenges emerging

Leadership and management capacity in all Departments

Corruption is a major concern for the governance of Departments

Ability of the Departments to achieve performance targets with reducing budgets

Professionalism

Implementation of AGSA recommendations

5. Recommendations

SAPS: The National Commissioner must meet with the Audit Committee on a quarterly basis. This responsibility should not be delegated to Deputy National Commissioners.

The Audit Committee meetings must be attended by both the National Commissioner and the Chief Financial Officer (CFO) of the Department.

In this term, the oversight visits excluded three provinces and the Committee recommends that the 6th parliament should visit the Limpopo, North West and the Northern Cape Provinces.

The Executive Authority and Audit Committee should meet annually to discuss adverse audit findings.

IPID: The Audit Action Plan must be strengthened and implemented as a matter of priority in order to ensure that the Department improve on its Audit Outcomes in the 2018/19 financial year. It is further recommended that improvements should not extend over the MTEF period, but be prioritised within the next two financial years.

The Directorate must develop an action plan to improve its financial health, specifically related to the net liability, management of budgetary controls and cash flow position to ensure that suppliers are paid within 30 days.

The Directorate must review its annual performance indicators and targets to ensure they reflect performance and encourage service delivery.

CSPS: The Minister of Police should review the composition of the DNA Board in relation to the commitment of Board Members. Where deficiencies are identified with the attendance of members, such members should be replaced.

DNA BOARD

The Board should make every effort to build a strong relationship with the CSPS, as the Department is a key stakeholder in the oversight architecture over the SAPS.

PSIRA: The Council should put mechanisms in place to strengthen all aspects of internal control and governance.

1. Introduction

Section 55 (2) of the Constitution provides for Parliament and its committees to have oversight over the executive and any state organ. Parliament's committees are the engine room that gives effect to that constitutional imperative and section 56 (a) provides for the National Assembly or any of its committees to summon any person to appear before it to give evidence on oath or affirmation, or to produce documents. Section 56 (b) provides for any person or institution to report to it.

During the 5th Parliament (2014-2019), the Portfolio Committee on Police gave effect to those provisions through its role in legislating, oversight and hearing public submissions on the role of the Department of Police (SAPS), Civilian Secretariat for Police Service, Independent Police Investigative Directorate (IPID), the DNA Board, the DPCI Judge and the and the Private Security Industry Regulatory Authority (PSIRA). As part of its oversight role, the Portfolio Committee visited police stations, specialised units, forensic science laboratories, IPID provincial offices and received submissions on legislation and service delivery. It also convened hearings on the annual budgets, performance plans, strategic plans and annual reports of the IPID, SAPS, Civilian Secretariat for Police and PSIRA.

1.1 Department/s and Entities falling within the Committee's portfolio

Narrative on the department(s) and entities falling within the Committee's portfolio and if there were any changes during the term. Example of new entities being established and/or shifted from or to the Department; department being split and/or newly established.

a) South African Police Service (SAPS)

Core mandate/strategic objectives

The SAPS derives its mandate from Section 205 of the Constitution of the Republic of South Africa, 1996

(Act No 108 of 1996). The objectives of policing are to -

- prevent, combat and investigate crime;
- maintain public order;
- protect and secure the inhabitants of the Republic and their property; and
- uphold and enforce the law.

b) Civilian Secretariat for Police Service (CSPS)

Core mandate/strategic objectives

The mandate of the Civilian Secretariat for Police Service is derived from the Civilian Secretariat for Police Service Act (No. 2 of 2011) Section 208 of the Constitution of the Republic of South Africa, 1996:

- Provide the Minister with policy advice and research support;
- Develop policy through qualitative and evidence based research;
- Provide civilian oversight of the Police Service through monitoring and evaluating overall police performance;
- Mobilise role-players, stakeholders and partners outside the department through engagements on crime prevention and other policing matters; and
- Provide other support services to the Minister in pursuit of achieving his/her mandate.

c) Independent Police Investigative Directorate (IPID)

Core mandate/strategic objectives

The IPID Act No. 1 of 2011 gives effect to the provision of section 206(6) of the Constitution, ensuring independent oversight of the SAPS and Municipal Police Services. The IPID resides under the Ministry of Police and functions independently of the SAPS.

The objectives of the Act include, amongst others:

- a. Align provincial and national strategic objectives to enhance the functioning of the Directorate;
- b. Provide for independent and impartial investigation of identified criminal offences allegedly committed by members of the SAPS and the Municipal Police Services;
- c. Make disciplinary recommendations to the SAPS resulting from investigations conducted by the Directorate;
- d. Provide for close cooperation between the Directorate and the Secretariat; and
- e. Enhance accountability and transparency of the SAPS and the Municipal Police Services in accordance with the principles of the Constitution.

d) Entities:

Name of Entity	Role of Entity
Private Security Industry Regulatory Authority (PSIRA)	The Mandate of the PSIRA is derived from the PSIRA Act (No 56 of 2001). The primary objectives of PSIRA are to regulate the private security industry and to exercise effective control over the practice of the occupation of security service providers in the public and national interest and in the interest of the private security industry itself.

1.2 Functions of the Committee:

Parliamentary committees are mandated to:

- Monitor the financial and non-financial performance of government departments and their entities to ensure that national objectives are met;
- Process and pass legislation; and
- Facilitate public participation in Parliament relating to issues of oversight and legislation.

1.3 Method of work of the Committee

The Portfolio Committee on Police has over the term of the 5th Parliament established its working relationship with departments and entity and has established the principle of inquisitorial oversight through accountability. The Committee has used a number of methods including the station monitoring tool, to complete its oversight work over departments. It has engaged in oversight visits in six of the nine provinces during its term. The Committee has been able to involve many partners in civil society and academics to present evidence prior to engaging the departments and entity in its hearings on the budget and annual reports. It has also been able to examine documents and conduct its own research to examine departmental annual reports and strategic plans. The Committee also called special hearings and briefings when required to, looked into different aspects of departmental units and budgets and has jealously guarded its right to receive the necessary answers from the departments and entity. Its members have been completely committed to sharpening the transformation and service delivery ethos of the departments that it has oversight over.

The research component of the Committee has proactively prepared the Committee for its work and engagement with the departments and entity by providing proactive research at briefing sessions with the Committee. The Committee has conducted oversight without fear or favour. The Committee has also been able to work in a joint manner with other portfolio Committees of Parliament, especially during the last two years of the 5th Parliament. These included the Portfolio Committees on Women in the Presidency, Justice and Correctional Services, Public Works, Higher Education, Mineral Resources, Agriculture, Forestry and Fisheries and the standing Committee on Finance.

1.4 Purpose of the report

The purpose of this report is to provide an account of the Portfolio Committee on Police's work during the 5th Parliament and to inform the members of the new Parliament of key outstanding issues pertaining to the oversight and legislative programme of the Department of Police,

Independent Police Investigative Directorate, Civilian Secretariat for Police Service and the Private Security Industry Regulatory Authority (Entity).

This report provides an overview of the activities the committee undertook during the 5th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and issues that should be considered for follow up during the 6th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the Committee's oversight and legislative roles in future.

2. Key statistics

The table below provides an overview of the number of meetings held, legislation and international agreements processed and the number of oversight trips and study tours undertaken by the committee, as well as any statutory appointments the committee made, during the 5th Parliament:

Activity	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Meetings held	24	45	47	49	62	227
Legislation processed	0	0	0	0	2	2
Oversight trips undertaken	1	1	1	1	1	5
Study tours undertaken	0	0	0	2	0	2
International agreements processed	0	0	0	0	0	0
Statutory appointments made	1	0	0	0	0	1
Interventions considered	0	1	0	0	0	1
Petitions considered	0	0	0	5	1	6

3. Stakeholders:

Gautrain Management Agency	COSATU	Gun Owners of South Africa (GOSA)
National Energy Regulatory of South Africa	POPCRU	Legal Resource Centre (LRC)
The Banking Association South Africa	SAPU	National Arms and Ammunition Collectors Confederation of South Africa (NAACCSA)
Western Cape Government Ministry of Community Safety	Institute for Security Studies	Professional Firearms Training Council (PFTC ETQA)
Legal Services Department	Centre of Criminology , University of Cape Town	Red Cross Children's War Memorial Hospital
Greenpeace Environmental Organisation NPC	Law Faculty, University of the Western Cape	Security Industry Alliance (SIA)
Ndifuna Ukwazi	Human Rights Commission	South African Arms and Ammunition Dealers Association (SAAADA)
Commission for Gender Equality	CRL Rights Commission	South African Defensive Pistol Association (SADPA)
Social Justice Coalition	Gun Free South Africa	South African Football Association (SAFA)
Daniel Bothma	South African Hunters and Game Conservation Association (SAHGCA)	South African Gun Owners Association (SAGA)
Right 2 Know campaign	Gun Free South Africa (GFSA) Hunters Forum	South African Hunters and Game Conservation Association (SAHGCA)
South Durban Community Environmental Alliance	Agriculture South Africa (Agri-SA)	South African Violence Initiative (SAVI)
African Policing Civilian Oversight Forum	Business Against Crime (BAC)	South African Practical Shooting Association (SAPSA)
South African Catholic Bishops Conference (Parliamentary Liaison Office)	Community Action towards a Safer Environment (CASE)	Trauma Centre for Survivors of Violence and Torture
Sports Shooting Forum	University of the Witwatersrand School of Governance	African Farmers Association of South Africa

4. Briefings and/or public hearings

The Committee had a number of hearings into critical matters during its term which included matters of national importance. In this respect the Committee endeavoured to appraise itself of the facts through relevant research prior to calling the Departments and external role-players and stakeholders such as civil society and experts to present their views. Included in its briefings and hearings are the following:

National Development Plan

The Committee made the National Development Plan the centrepiece of its term and held all Departments accountable to the recommendations contained in the NDP. The SAPS, especially, were encouraged to implement provisions of de-militarisation in its approach to policing and the rank structure. The Committee also held the Civilian Secretariat for Police Services (CSPS) and the Independent Police Investigative Directorate (IPID) accountable for the implementation of policies and recommendations of the NDP. The ongoing monitoring of the recommendations was a regular agenda item in all the five years of the term of the 5th Parliament. The implementation of recommendations of the NDP, especially with respect to the professionalization of policing and the establishment of the Police Board should be something that is carried into the term of the 6th Parliament.

Firearms Summit

The Committee held a Firearms Summit on 24-25 March 2015 with the view of to embark on a dialogue on the kind of society we wish to live in and enjoy within the context of gun control. The Summit was also an opportunity to foster mutual understanding, common agreements and build broad consensus on the kind of society we want and the role that firearms play in it. The Summit assisted in bridging the perceived divide of *us and them* that was believed to exist between the gun owners' fraternity and the government departments tasked with regulating gun ownership and use. One deficiency of the Summit was that the role of training was underplayed although it must be a continuous process and is of critical importance to the successful control and management of firearms in South Africa.

The Summit made recommendations relating to the need for evidence based research on firearms; the implementation of the Firearms Control Act, 2000 especially in terms of the Central Firearms Registry and its role and function; community and stakeholder partnerships; the role and function private security industry; leadership of the SAPS and possible amendments to the FCA.

Leadership

One of the greatest challenges faced by the 5th Parliament was the leadership challenges of the SAPS and the Committee drove the question of leadership stability. During the term of the 5th Parliament the police had four National Commissioners and four Ministers. General Riah Phiyega (2012), acting National Commissioner Lt. General Phahlane (2014); acting National Commissioner Lt. General Mothiba (2017) and General Sitole (2018) were all appointed as acting / National Commissioners during this term.

National Commissioner	Date Appointed	Minister of Police	Date Appointed
General Riah Phiyega	12 June 2012	Hon Nathi Mthethwa	10 May 2009
General Riah Phiyega		Hon Nathi Nhleko	25 May 2014
Lt. General Khomotso Phahlane (Acting)	October 2015	Hon Nathi Nhleko Hon Fikile Mbalula	25 May 2014 31 March 2017
Lt. General Lesetja Mothiba (Acting)	1 June 2017	Hon Fikile Mbalula	31 March 2017
General Khehla Sitole	22 November 2017	Hon Bheki Cele	9 March 2018

The impact of leadership instability affected the ability of the National Management of the SAPS in executing critical tasks when it came to dealing effectively with crime. Many posts in the senior management echelon remained vacant and the post of the Divisional Commissioner for Crime Intelligence remained vacant for six years. The Committee emphasised the need to fill the vacancy of Divisional Commissioner and eventually after a phalanx of acting managers, a new Divisional Commissioner for Crime Intelligence was appointed on 29 March 2018. The Committee, at every meeting, emphasised the need for stable leadership in the top echelons of the SAPS.

Other leadership issues related to the IPID Executive Director who was suspended by the Minister of Police, Mr Nathi Nhleko. The Executive Director successfully appealed the suspension after one year in the Constitutional Court and his appeal was upheld. This provided the need for the Constitutional Court amendments to the IPID Act in order to insulate the Department from political interference.

IPID/SAPS Conflict

The IPID launched an investigation into the SAPS Acting National Commissioner, Lt. General Phahlane and other senior Generals for corruption during 2017 and this resulted in some counter investigations by the SAPS into members of the IPID investigation team. A team was assembled in the North West who started investigating the IPID leadership and investigators. The Portfolio Committee requested for adherence of professional conduct between IPID and the SAPS. At the centre of the SAPS allegations was the fact that IPID was using the services of private forensic investigator, Paul O' Sullivan. The matter culminated with the former acting National Commissioner being charged with corruption. A court order was obtained by IPID which forbids the SAPS to investigate IPID investigators. The Court also asked the SAPS to stop its investigations of the IPID investigation team. The Committee impressed upon the SAPS and IPID to clear the air of differences in public as it was undermining the morale of police officers and public confidence in the police.

Recommendations of the Auditor-General of South Africa(AGSA)

The Committee was during the last two years, of the view that the SAPS was not implementing the recommendations of the AGSA. The Committee impressed upon the SAPS leadership, including the National Commissioner, to develop plans to monitor and implement all recommendations of the AGSA with respect to its spending plans,

recording reaction times for Alpha, Bravo and Charlie complaints. The result was the fact that during the 2017/18 and 2018/19 financial years, the SAPS received qualified audit opinions which was strongly condemned by the Committee.

This was the first time in many years that the SAPS did not achieve a clean audit and the Committee expressed its serious concerns and unhappiness with the responses of the SAPS Management. The Committee in the 2018/19 BRRR hearings, the Committee focussed almost exclusively on the implementation of the AGSA recommendations.

Chief Financial Officer (SAPS)

The SAPS did not appoint a Chief Financial Officer (CFO) for two years' after the previous CFO, Lt General S Schutte was promoted to Deputy National Commissioner of Police responsible for Management Interventions. A new CFO, Lt General P Ramikosi was appointed in September 2015 and the National Commissioner indicated to the Portfolio Committee that he suspended the CFO in June 2018.

The suspension of the CFO has serious consequences for the management of the finances and budget of the SAPS which totals over R91 billion and the Committee impressed upon the Accounting Officer to appoint a new CFO as soon as possible.

SAPS Staff Establishment

The capacity of the SAPS in terms of service delivery and staff establishment has been a recurring theme for the Committee as several communities have corresponded with the Committee to complain about the lack of service delivery and shortages in personnel. The staff establishment of the SAPS consists of the fixed establishment which places the staff of the SAPS for 2018/19 at 193 297 members. The SAPS staff establishment has been reduced as a result of the Medium Term Expenditure Framework from 194 000 to 193 297 in 2018/19. There will be further reductions to the staff establishment as a result of natural attrition and retirements. Of this number, 150 791 are operational personnel and are administered under the SAPS Act while 42 506 staff members are administered under the Public Service Act, bring the total personnel establishment to a total of 193 297. The national ratio of police to civilian population stands at 1: 375.

The Committee has asked the SAPS to recruit more Reservists to augment numbers of operational staff lost through natural attrition. The lack of police Reservists has been a concern for many communities and impacted on the SAPS ability to effectively deliver on their mandate, leading to service delivery protests and attacks on police members in certain locations.

Community Policing Forums (CPFs)

The Committee highlighted the necessity of CPFs as a crucial element in a holistic approach to crime prevention. The reactive nature of policing was highlighted during the recent protest action, namely "Operation Shutdown", where communities took to the streets, blocking major roads to protests against gang violence. Effective CPF structures could have assisted in a proactive role in the early identification of community dissatisfaction. The

Department indicated that CPFs were established before the CPF Strategy was developed and implemented. This resulted in a lack of emphasis on community-orientated policing and the role of CPFs. The Department indicated that engagements are being held and that the Civilian Secretariat for Police Service (CSPS) has developed the CPF Policy and that the Strategy will build on the policy direction given by the CSPS. The Committee urged the CSPS to finalise the policy and implementation plans on CPFs which is highlighted in the White Paper on Policing.

Availability of forensic science consumables (DNA kits)

The Committee raised significant concern about the unavailability of DNA testing kits at police stations countrywide. The Committee had several meetings during the years to address concerns, specifically related to procurement challenges in the Forensic Sciences Division. The Department indicated that the situation has received attention and that DNA kits have been reprioritised to police stations that had run out of kits. The Department confirmed that all police stations have an adequate number of kits currently available. The Department further stated that police station commanders and provincial commanders are now required to submit a needs request, as all police stations do not have an equal demand for DNA testing kits.

The Committee expressed concern in view of the fact that the Divisional Commissioner for Forensic Division was suspended as a result of alleged fraud and corruption charges in the FSL environment, and that stations were running out of DNA kits.

SAPS Act Review

The SAPS Act review is overdue and should be brought to the Committee during the 6th Parliament. There are constitutional deficiencies in the current Act which impedes policing with respect to powers, functions and aspects of police management and administration. These deficiencies create challenges to the SAPS management in implementing its mandate in terms of the Constitution. While the White Paper on Policing and the White Paper on Safety and Security has been tabled before the Committee, it remains to be seen when the Civilian Secretariat will table the full review of the SAPS Act. The Committee is of the opinion that the new SAPS Act should include the structure and procedures for changes to the structure, promotions and disciplinary policies. The incoming Committee will have to take up this matter as a priority in the sixth Parliament and request the Civilian Secretariat to include the said matters in the review process and provide Parliament with the draft legislation.

Firearms Control Act Review

The proposed amendment to the Firearm's Control Act (2000) is overdue and there have been numerous vocal and very critical challenges to the Ministry of Police with respect to regulations and National Instructions issued in respect of the Act. The organised firearm's industry has been up in arms at the problems besetting the Central Firearms Registry (CFR). The two proposed amnesty attempts had not materialised. The first proposed amnesty was declared on 11 December 2017 (ATC 184-2017) and the second, on 19 July 2018 (ATC 96-2018). Both proposed amnesty dates never took effect because the SAPS did not follow the conditions set by the

Portfolio Committee the first time and the Court Order by GOSA prevented the second amnesty from being implemented. In addition, the firearms industry was granted a court order which prevented the SAPS from receiving firearms at police stations as a result of the inadequate measures in the CFR. This has now led to a stalemate between the Gun Owners of South Africa and the SAPS. The Committee has expressed its disappointment in the non-implementation in terms of the Firearm's Amnesty. The Committee also clearly expressed its concerns with respect to the management of the CFR and the non-implementation of the Firearms Control system as a solution to dealing with registration of firearms, renewals of licences and competency certificates. The Committee also facilitated a meeting with the industry and asked for a meeting between the stakeholders and the SAPS management of the CFR. This appears not to have materialised.

5. Legislation

The following pieces of legislation were referred to the committee and processed during the 5th Parliament:

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
2014/15	Nil			
2015/16	Nil			
2016/17	Nil			
2017/18	Nil			
2018/19	Critical Infrastructure Protection Bill [B 22 – 2017]	Sec 75	The objects of the Bills are to : provide for the identification and declaration of infrastructure as critical infrastructure; to provide for guidelines and factors to be taken into account to ensure transparent identification and declaration of critical infrastructure; to provide for measures to be put in place for the protection, safeguarding and resilience of critical infrastructure; to provide for the establishment of the Critical Infrastructure Council and its functions; to provide for the administration of the Act under the control of the National Commissioner as well as the functions of the National Commissioner in relation to the Act; to provide	Completed

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			for the establishment of committees and their functions; to provide for the designation and functions of inspectors; to provide for the powers and duties of persons in control of critical infrastructure; to provide for reporting obligations; to provide for transitional arrangements; to provide for the repeal of the National Key Points Act, 1980, and related laws; and to provide for matters connected therewith.	
	IPID Amendment Bill [B 25—2018]	Sec 75	The purpose of the Bill is to amend the Independent Police Investigative Directorate Act, 2011 (Act No. 1 of 2011), in order to provide for parliamentary oversight in relation to the suspension, discipline or removal of the Executive Director.	Completed
	Private Member's Bill Firearms Control Amendment Bill [B 40—2018]	Sec 75	To amend the Firearms Control Act, 2000, so as to provide for additional opportunities to apply for the renewal of a licence for a firearm or to surrender or dispose of a firearm; to provide for an administrative fine to be imposed where an application for the renewal of a licence for a firearm was made later than the 90-day period for application provided by the Act; to provide for an administrative fine to be imposed where surrender or disposal of a firearm was made after expiry of the licence for that firearm; to provide for a deemed validity of a licence for a firearm; to provide for notification by the Registrar	Completed

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			where an application for renewal was declined or where a licence for a firearm has expired; to provide for proof of an application for renewal of a licence for a firearm to be produced in the event of an inspection or request of a police official or authorised person; to provide for the application of the additional opportunities for renewal of licenses for firearms, to licenses issued before the commencement of the Firearms Control Amendment Act, 2018, and to provide for transitional provisions in that regard; and to provide for matters connected therewith.	

a) Challenges emerging

The following challenges emerged during the processing of legislation:

- Technical/operational challenges that may have delayed legislation and/or complicated the processing thereof:

The IPID Amendment Bill was the subject of a Constitutional Court deadline which placed the Committee under time-pressure due to the deadline as the Bill was not forthcoming from the Civilian Secretariat for Police Services. The Portfolio Committee on Police received a letter from the Secretary of Police on 7 December 2018, indicating the process for the finalisation of the IPID Amendment Bill. In the letter the Secretary outlined the process which needed to be undertaken. The Portfolio Committee noted that the Civilian Secretariat proceeded to draft a Bill which required substantial consultation processes with respect to processing and this has taken time. The process which was started by the Civilian Secretariat for Police would not allow for Parliament to proceed and comply with the deadline determined by the Constitutional Court. The Committee took the initiative to develop a Committee Bill and passed the Constitutional Court Amendments in August 2018, necessitating an application to the Constitutional Court for an extension of the deadline of 6 September 2018. This was to give the National Council of Provinces time to pass the Bill.

- **Content-related challenges**

The submissions to the Committee on the Critical Infrastructure Amendment Bill included an input by Amabhungane who tabled a legal opinion which challenged the Committee to include a public interest defence clause within the Bill. The Committee took its own legal opinion from Adv. Wim Trengrove S.C. and implemented most of the concerns relating to the submissions received. The Committee was of the opinion, after considering the legal opinion from Adv. Trengrove, that there was sufficient protection in other pieces of legislation to address the concerns of Amabhungane.

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

- The Committee should monitor the implementation of the Critical Infrastructure Council which will be established in terms of the Critical Infrastructure Protection Bill. The Committee should also prepare for other pieces of legislation which will be brought to the Committee during 2019 such as the Controlled Animal and Animal Products Bill, the SAPS Amendment Bill and the IPID Amendment Bill.

The following Proclamations were referred to the committee and processed during the 5th Parliament

Year	Proclamations	Tagging	Objectives	Completed/Not Completed
2013/14	Proclamation No 38, published in the Government Gazette No 36846, dated 18 September 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 51, published in the Government Gazette No 37024, dated 14 November 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 53, published in the Government Gazette No 37024, dated 14 November 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 50, published in the Government Gazette No 37024, dated 14 November 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed

Year	Proclamations	Tagging	Objectives	Completed/Not Completed
	Proclamation No 52, published in the Government Gazette No 37024, dated 14 November 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 54, published in the Government Gazette No 37114, dated 10 December 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 55, published in the Government Gazette No 37114, dated 10 December 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 56, published in the Government Gazette No 37114, dated 10 December 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 58, published in the Government Gazette No 37152, dated 18 December 2013		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 16, published in the Government Gazette No 37410, dated 6 March 2014		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
2014/15	Proclamation No 36, published in the Government Gazette No 37709, dated 11 June 2014.		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 39, published in the Government Gazette No 37758, dated 20 June 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed

	Proclamation No 64, published in the Government Gazette No 38011, dated 22 September 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 74, published in the Government Gazette No 38220, dated 18 November 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 75, published in the Government Gazette No 38220, dated 18 November 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 81, published in the Government Gazette No 38286, dated 5 December 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 82, published in the Government Gazette No 38286, dated 5 December 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 85, published in the Government Gazette No 38287, dated 5 December 2014		Made in terms of Section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)	Completed
	Proclamation No 24, published in the Government Gazette No 37540, dated 8 April 2014		Presence of entities identified by the United Nations Security Council as being involved in terrorist and related activities, tabled in terms of section 26 of the Protection of Constitutional Democracy against Terrorism and Related Activities , 2004, (Act No 33 of 2004	Completed

	Proclamation No 17, published in the Government Gazette No 37410, dated 6 March 2014		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 22, published in the Government Gazette No 37540, dated 8 April 2014		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
	Proclamation No 23, published in the Government Gazette No 37540, dated 8 April 2014		Proclamations made in terms of section 25 of the Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)	Completed
2015/16	Proclamation No 6, published in the Government Gazette No 38473, dated 18 February 2015		Presence of entities identified by the United Nations Security Council as being involved in terrorist and related activities, tabled in terms of section 26 of the Protection of Constitutional Democracy against Terrorism and Related Activities , 2004, (Act No 33 of 2004)	Completed
	Proclamation No 22, published in the Government Gazette No 38795, dated 15 May 2015		Presence of entities identified by the United Nations Security Council as being involved in terrorist and related activities, tabled in terms of section 26 of the Protection of Constitutional Democracy against Terrorism and Related Activities , 2004, (Act No 33 of 2004	Completed
	Proclamation No 23, published in the Government Gazette No 38795, dated 15 May 2015		Presence of entities identified by the United Nations Security Council as being involved in terrorist and related activities, tabled in terms of section 26 of the Protection of Constitutional Democracy against Terrorism and Related Activities , 2004, (Act No 33 of 2004	Completed

6. Oversight trips undertaken

The following oversight trips were undertaken:

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
2014	Police stations in and around Gauteng Province and the Central Firearms Registry	<p>The purpose of the oversight visit was to make sure that the South African Police Service (SAPS) were compliant with all the legislation, regulations and standing orders applicable to SAPS. Another objective was to assess the levels of service delivery that the police were providing to the community.</p> <p>The Committee also wanted to assure itself that following a hearing on the Central Firearms Registry, the steps on a turnaround strategy were being implemented. Lastly the Committee wanted a briefing from the Auditor General of South Africa (AGSA) on the departments that it oversees.</p>	Recommendations were made in respect of staffing at the Central Firearms Registry (CFR); a revised action plan for the CFR; vacancies to be filled as soon as possible; a clean and comprehensive database of all firearms was required, even if it meant a legislative review; and clear timelines for the implementation of the database.	All recommendations were implemented	The monitoring remains ongoing	Adopted: ATC No 84-2015

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
2015	Police stations in and around Free state Province	<p>The purpose of visiting the Maseru Bridge Border posts was to observe the SAPS efforts to maintain border safety and security (and also to be briefed on the challenges) experienced in this regard.</p> <p>The Committee visit at Botshabelo police station was aimed at ascertaining progress made in relation to the implementation of policies and legislation. Co-operation between the departments and the level of service delivery to the public.</p> <p>The Committee wanted to know the challenges experienced by the Public Order Policing Unit in Thaba Ncu (Selosesha) and the VIP Protection Unit. To ascertain what was happening in the communities as press reports indicated that</p>	<p>The Committee made recommendations on the purchasing of scanners at border posts, unused drug testing equipment purchased, recruitment of female members to the Selosesha POP unit, the development of short term plan for the replacement of Nyala vehicles, deployment of Reservists, the Free State Protection Services Building, cases closed as undetected, stock theft units, FLASH units and its functioning, and the increase of IPID investigators.</p>	<p>Most of the recommendations have been implemented</p>	<p>Deployment of second generation Nyala vehicles</p>	<p>Report Adopted ATC 18 February 2016</p>

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		over 14 people had died within two weeks as a result of gang violence.				
2015	Police stations in and around Mpumalanga Province	<p>The objectives were to assess:</p> <p>The capacity and capability of specialised SAPS units in the province, including border control, anti-poaching and public order policing units;</p> <ul style="list-style-type: none"> • service delivery at ground level; • the implementation of the budget approved by Parliament; • the implementation of the policy and legislation passed by Parliament; and • the capacity and capability of the IPID including Lebombo Land Port of Entry (LPOE), Kruger National Park (KNP) Skukuza, Hazyview Public Order Policing (POP) Unit, Nelspruit Police Station, Independent Police Investigative 	<p>Recommendations were made with respect a special hearing on SAPS garaging and a turnaround strategy on 18 February 2015; Supply Chain Management Policy on the resourcing of Provinces, especially in terms of vehicles and equipment; special measures must be put in place to curb and reduce corruption in the KNP by the SAPS and the IPID; the drastic improvement of SAPS crime intelligence capacity and capability in and around the KNP communities; calling the Department of Public to account for the infrastructure and state of police buildings in the province of Mpumalanga and the state of the Lebombo LPOE; the procurement of bulk cargo scanners; polygraph testing for SAPS members; a MOU between the</p>	<p>The procurement of scanners remains a problem and has not been implemented. This remains an area where the 6th Parliament should follow up.</p>	<p>Procurement of bulk cargo scanners at all border posts and ports of entry must be followed up</p>	<p>Adopted: ATC No. 84-2015</p>

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		Directorate (IPID) Provincial Office, Nelspruit and the South African Police Service (SAPS) Provincial Head Office.	Department of Health and the SAPS regarding toxicology test results and meetings between the IPID and the Provincial Secretariat			
2016	Police stations in and around the Western Cape Province	To ascertain what was happening in the communities as press reports indicated that over 14 people had died within two weeks as a result of gang violence.	Recommendations were made with respect to more human resources being deployed at the stations; all vacancies be finalised and filled; the Station Commander's post be advertised and filled; addressing the concerns of the Community Police Forum by the station management; relations and co-operation with the the Departments of Social Development, Human Settlements and the City of Cape Town	The SAPS implemented all the recommendations.	Following up with the Social Cluster in Parliament	ATC 94-2016 24 August 2016
2016	Police stations in and around Port Elizabeth, in the Eastern Cape Province	To ascertain the capacity and capability of the SAPS specialised units, police stations in the province, including the SAPS garage services, TETRA and the Private Security Industry Regulatory	The Committee made recommendations with respect to registration , membership of the Security Officers Provident Fund for PSIRA; AVL on police vehicles; SAPS garages; electronic docket systems; maintenance of	The SAPS has responded to most of the recommendations and continue to work on the implementation of informers, witness protection. The Committee is yet to receive a briefing on the management of the PSIRA Security Officers	Building maintenance of police stations remain a problem that should be monitored as well as fleet and garage management.	Reported adopted. ATC No 139—2016 7 November 2016

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
		Authority; •service delivery at ground level in New Brighton and Kwazakhele police stations; the implementation of the budget approved by Parliament; the implementation of the policy and legislation passed by Parliament; and the establishment, capacity and capability of the Nelson Mandela Bay Metro Police.	police stations; Operation Lockdown; and the TETRA communication system.	Provident Fund		
2017	Police stations and specialised units in and around the province of KwaZulu-Natal	The purpose was for the Committee to evaluate the compliance of specialised police units and police stations in and around the Richards Bay, Nongoma, Pietermaritzburg, Umlazi and Durban during the period 31 July - 4 August 2017.	The Committee made recommendations with respect to the appointment of management staff at Hlabisa station; telecommunications at the station; SAPS garages; filling of vacancies; reducing killings at the Glebelands hostel; filling of vacancies at specialised units; the appointment of a permanent provincial commissioner for the province; training and support for all station commanders in the province; IPID presentations to the Moerane Commission of Inquiry.	The SAPS garaging plan still have to be presented to the Committee; the SAPS have put together a task team that have arrested hitmen in the Glebelands hostel; a permanent Provincial Commissioner must be appointed and IPID presented to the Moerane Commission of Inquiry.	The monitoring of the SAPS garages and vehicle fleet management should be a priority.	Reported adopted. ATC No 126—2017 18 September 2017

a) Challenges emerging

The following challenges emerged during the oversight visit:

- **Technical/operational challenges**

Given the vastness of the provinces visited, the Committee was always challenged with respect to travelling vast areas, especially in the bigger provinces which impacted on the time of the Committee to be spent at police stations and specialised units. Most police stations prepare well when there are announced visits and it sometimes defeats the purpose of the oversight visit as areas of oversight are brushed up on. The unannounced visits in this respect are more productive to check up on service delivery, because the police are unaware of the visit. It is a matter that should be considered by the new incoming Committee in the 6th Parliament.

- **Content-related challenges**

The Committee agreed that the station questionnaire should be revised as it was also being used by the Civilian Secretariat for Police Service in their monitoring and evaluation exercise with the SAPS. Although the focus on specialised units was part of the focus areas of the 5th Parliament, we did not have sufficient time to deal with all Specialised units and we found the FCS units and in the Free State in disarray. The Provincial Firearms, Liquor and Second Hand Goods Unit (FLASH) in the Free State was also in disarray and the Firearm Control Officers (FCOs) at station level are utilised to do other non – core duties.

The vehicle and fleet management of the SAPS in all the oversight visits appeared on the radar of the Committee and special attention should be given to the urban/ rural vehicle capabilities, especially vehicles procured in rural areas. The SAPS garages require greater attention from Parliament in terms of procurement, distribution and maintenance of vehicles.

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

The continuous monitoring of the progress of specialised units by considering the leadership, command and resourcing of specialised units should be undertaken by the 6th Parliament as service delivery is affected at local level. The management of stations and the distribution of resources such as vehicles should be prioritised by the 6th Parliament.

7. Study tours undertaken

The following study tours were undertaken:

Date	Places Visited	Objective	Lessons Learned	Status of Report
18-31 March 2017	United Kingdom	To study internal management structures of police services in the selected countries so as to identify innovative policy approaches of dealing with police misconduct and of harnessing efforts aimed at professionalising the police; To explore the range of police oversight operations and identify those most conducive in facilitating and harnessing improved, demilitarised and professional policing envisioned in the NDP.	A number of lessons were learned with respect to resources made available to organised crime fighting agencies; the investment in ICT technology in crime fighting as a 21 st century requirement for policing; the independence of police oversight agencies; dealing with police misconduct through innovative methodologies and training approaches for members of specialised units	Report adopted. ATC No 126—2017, 17 September 2017.
8 – 15 October 2017	People's Republic of China	The aim of the visit was to provide the delegation with a first-hand opportunity to interact with their counterparts of the National People's Conference (NPC) as well as other relevant institutions and organisations, and share ideas on best practices and innovation in areas of Police Training, Municipal Policing, Technology, trans-national crime and the involvement of citizens in curbing crime.	The Committee learnt a great deal particularly how its Chinese counterpart conducts oversight over the Police Service of China. Both Committees committed to interact and share ideas on policing matters.	Report adopted. ATC No 78-2018, 8 June 2018

a) Challenges emerging

The following challenges emerged during the study tour:

- **Technical/operational challenges**

Due a terrorist attack, the Westminster visit to the House of Commons Home Affairs Committee was cancelled. Other technical challenges related to the cancellation of appointments on the programme which had to be changed due to such cancellations.

- **Content-related challenges**

The level of independence for police oversight agencies was far better managed than the relationship between the IPID and the SAPS. There is no question about the complete respect for the findings of the Independent Oversight agencies from police agencies. There is not the same responsiveness from the SAPS and this remains something that the Committee should monitor.

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

The Committee is of the opinion that professionalism and the effectiveness of the police must directly relate to the greater investment in ICT as a method to deal with crimes. This is the international trend and the Committee proposes that the new Police Portfolio Committee follow up on this matter. The SAPS should become much more reliant on ICT solutions with respect to policing certain crimes.

8. International Agreements:

The following international agreements were processed and reported on:

Date referred	Name of International Agreement	Objective	Status of Report	Date of enforcement
	None			

9. Statutory appointments

The following appointment processes were referred to the committee and the resultant statutory appointments were made:

Date	Type of appointment	Period of appointment	Status of Report
	The Committee made no statutory appointments during its term, although the appointment of the IPID Executive Director will be processed in 2019.		

a) Challenges emerging

The following challenges emerged during the statutory appointments:

- Technical/operational challenges

The Speaker referred letters from the Minister of Police with regard to the Executive Director of the IPID at various times during the term of the 5th Parliament. The Committee elected not to proceed with such hearing as it did not receive a resolution from the House which provided for the Committee to process such requests.

- Content-related challenges

The Committee is bound by a Constitutional Court judgement which sets out the parameters with respect to powers and independence of the Executive Director of the IPID. This judgement gave rise to a Committee Bill on the IPID to comply with the Constitutional Court judgement. The Committee introduced the Independent Police Investigative Directorate Amendment Bill [B25-2018] which aims to give effect to the Constitutional Court judgement. The Committee report was adopted in the Committee on 4 July 2018 and the House on 30 July 2018 (ATC NO 8—2018).

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

- The IPID suggested a full review of the IPID Act and the Civilian Secretariat will table amendments to strengthen the IPID.

10. Interventions

The following interventions were referred to and processed by the Committee:

Title	Date referred	Current status
Rule 201 Enquiry Report of the Portfolio Committee on Police in terms of the National Assembly Rules (8th edition, February 2014) dated 11 November 2015	The report was initiated by the Portfolio Committee on Police	The Report was tabled in the House (ATC No 49—2015), 12 November 2015

c) Challenges emerging

The following challenges were experienced during the processing of interventions:

- Technical/operational challenges

The SAPS initially refused to provide co-operation with the instructions of the Portfolio Committee with respect to withdrawing a press statement attributed to the Board of Commissioners which pledged support to the National Commissioner in the face of the Farlam Commission report. The outcome of the Rule 201 investigation had to go to the length of getting a ITC expert to make a copy of hard drives of a computer which contained information relating to the Board of Commissioners. The Committee spent quite a lot of time on the investigation and this had consequences for the Committee programme.

- Content-related challenges

The Committee was quite alarmed about the manner in which the Police Board of Commissioners defied the instructions of the Committee with respect to the press statements it released. The point was made during the hearings that the SAPS remains under civilian control and the Executive is accountable to Parliament. The Committee impressed on Executive Authority that consequence management was necessary for the errant Commissioner. The Rule 201 hearings reinforced the very important constitutional principle of civilian control over the police and policy making.

d) Issues for follow-up

Parliament should consider following up on the following concern that arose:

- The Portfolio Committee on Police should be vigilant to ensure the Police management provide the Committee the correct information in its responses to the Committee requests and recommendations. The 6th Parliament should endeavour to make sure that the SAPS implements all the recommendations made by the Committee.

11. Petitions

The following petitions were referred to and considered by the Committee:

Title	Date referred	Current status
Petition from Wards 65, 66 and 67 of the Ekurhuleni Metro, calling on the National Assembly to investigate the spiralling crime rate in Etwatwa, ensure more visible policing and to investigate the alleged complicity between the South African Police Service and crime syndicates (tabled by Hon. M Waters).	22 November 2016, ATC No 150—2016	The Committee met on 7 July 2017 with the SAPS to consider the petitions and responses from the SAPS and petitioners. The SAPS reported that additional deployments have been initiated which include the Cluster Public Order Policing (POP), Task Teams and Crime Intelligence. These deployments would remain in place until the area was stabilised. In addition, sector policing was intensified, crime hotspots were identified and a community safety intervention was initiated which included the following community projects: <ul style="list-style-type: none"> • Sport-against-Crime; • Rehabilitation of known drug addicts; and • Policing of drug outlets. The SAPS reported that crime in the area has decreased during the period October 2016 to June 2017.
Petition from residents of Soshanguve South calling for establishment of a satellite police station (tabled by Hon. D Bergman).	18 March 2015	The Committee met on 7 July 2017 with the SAPS to consider the petitions and responses from the SAPS and petitioners. The SAPS reported a satellite police station will be recommended for Soshanguve South. The SAPS noted that a work study investigation into the establishment of a satellite police station is in the final stages of completion. It was pointed out that a proposed site/land for the service point has not yet been identified.
Petition from the Unity Fellowship Church in Chiawelo, Soweto, calling for relief after the withdrawal of its operating licence by the City of Johannesburg and harassment of worshippers by the Johannesburg City Metro Police during church services (tabled by Hon. R W T Chance).	6 August 2010	The petition was dealt with by the Portfolio Committee on Cooperative Governance and Traditional Affairs Committee.

Petition from residents of Edenvale, Gauteng, calling on the Assembly to follow-up a Carte Blanche exposé – prompted by Case No 331/05/2015 – on police brutality, bribery and corruption at the Edenvale Police Station (tabled by Hon. M Waters).	28 February 2017	The Committee met on 7 July 2017 with the SAPS to consider the petitions and responses from the SAPS and petitioners. Departmental action was initiated against the SAPS member (DR13/2015) and investigated by Captain Bakker from the Provincial Head Office. The member was suspended during the investigation, but reinstated due to the complainant not testifying at the trial. The departmental investigation was finalised as “withdrawn” on 29 June 2016, as the complainant (Mr Gareth Williams) relocated to the United Kingdom. The complainant was contacted in England, but he refused to testify.
Petition from residents of Birch Acres, Kempton Park, calling for increased resources to be provided to the Norkem Park Police Station in order to ensure effective and visible policing (tabled by Hon. M Waters).	28 February 2017	The Committee met on 7 July 2017 with the SAPS to consider the petitions and responses from the SAPS and petitioners. In terms of the new Fixed Establishment for 2016-2019, the number of members at the station will be increased to 156, within the mentioned period. As far as personnel was concerned, the actual number of members at the police station was 143 and there was a shortage of 13 members. Four (4) captain posts have been prioritised for promotion and 13 entry-level Police Act post have been allocated for 2017/2018. One person was re-enlisted to the SAPS and posted at the station. The Norkem Park police station had a surplus of four vehicles and despite the surplus, the station received one vehicle for detectives and one for the Visible Policing section during the 2016/2017 financial year.
Petition by ex-members of the South African Police Force to be incorporated into the South African Police Service	27 June 2018	The Committee heard the petitioners and the response from SAPS in November 2018. The parties agreed to continue with their dialogue.

e) Challenges emerging

The following challenges were experienced during the processing of petitions:

- **Technical/operational challenges**

Petitioners were not always available to the Committee and had challenges attending the hearings. Members of Parliament represented the petitioners in the hearings on the petitions. In addition, the referral of petitions to two or three committees also created challenges with respect to which committee initiates the process of hearing the petition first.

- **Content-related challenges**

The responses of the police to petitioners is not adequate and in some cases, the input of petitioners are not on the list of priorities for the Department. This should be addressed as once a matter raised in a petition is processed by Parliament, it should receive urgency and priority from the Department. Some of the petitions do not directly affect policy and is not the mandate of the police.

f) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

- The issues raised by former members of the former Homelands (Transkei and Ciskei) police agencies for incorporation into the SAPS. Not all the applicants have a legitimate claim and the SAPS have promised to investigate those ones that had merit.

12. Obligations conferred on Committee by legislation:

The Committee has a constitutional responsibility to:

- Pass legislation
- Scrutinise and oversee executive action and organs of state such as the Department of Police, Civilian Secretariat for Police Service, Independent Police Investigative Directorate, and the Private Security Industry Regulatory Authority
- Facilitate public participation and involvement in the legislative and other processes
- Engaging, participating in and overseeing international treaties and protocols.
- Oversight over the Executive
- Review annual budgets, annual performance plans, strategic plans together with annual report information
- Monitoring the effects of the implementation of legislation

In addition, Section 5 of the Money Bills Amendment Procedures and Related Matters Act, No. 9 of 2009, states that:

- (1) The National Assembly, through its committees, must annually assess the performance of each national department, with reference to the following:
 - a) The medium-term estimates of expenditure of each national department, its strategic priorities and measurable objectives, as tabled in the National Assembly with the national budget;
 - b) Prevailing strategic plans;
 - c) The expenditure reports relating to such department published by the National Treasury in terms of section 32 of the Public Finance Management Act;
 - d) The financial statements and annual report of such department;
 - e) The reports of the Committee on Public Accounts relating to a department; and
 - f) Any other information requested by or presented to a House or Parliament.

a) Challenges emerging

The following challenges emerged during the statutory appointments:

- Technical/operational challenges
- Content-related challenges

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

- There needs to be quarterly reports on the firearms processing and legislative requirements

13. Summary of outstanding issues relating to the department/entities that the committee has been grappling with

The following key issues are outstanding from the committee's activities during the 5th Parliament:

Responsibility	Issue(s)
SAPS	Remuneration of the Head of the DPCI, appointment of CFO, AGSA Recommendations, Moerane Commission of Inquiry Recommendations, Finalisation of investigations on ICT contract fraud; Appointment of the CFO, Claassen Board of Inquiry (report); Remuneration Scales for National Head, Deputy National Head and Provincial Heads of the Directorate for Priority Crime Investigation (DPCI), submitted in terms of section 17CA (9) of the South African Police Service Act, 1995 (Act No.68 of 1995).
Civilian Secretariat for Police Service	Outstanding Legislation: SAPS Amendment Bill; Animal Movement and Animal Products Bill; IPID Amendment Bill; Firearms Control Amendment Bill, Review of Public Service Commission report
IPID	Appointment of the Executive Director as per the Act.
PSIRA	Finalisation of the PSIRA Amendment Bill; Implementation of Audit Action Plan; PSIRA Funding Model prioritisation; Agreement with PRASA on Railway Safety

14. LEGACY REPORT RECOMMENDATIONS

SAPS

1. The Committee recommends that the NDP recommendations be considered and implemented by the SAPS management. The implementation of the recommendations must be monitored by the SAPS.
2. The Committee recommends that the 6th Parliament scrutinises the financial performance of the SAPS to turn around the regression with respect to its Audit outcomes.
3. The Committee recommends that all the recommendations of the High Level Panel for the SAPS be implemented and monitored by the Committee.
4. The Committee recommends that all the Auditor General of South Africa (AGSA) recommendations with respect to the SAPS be implemented and that a regular quarterly report be developed on all the recommendations.
5. The Committee recommends that the Audit outcomes be closely tracked by the 6th Parliament.
6. The Committee recommends that the leadership of the SAPS be subjected to regular vetting and lifestyle audits.

7. The Committee recommends that all critical leadership and senior management posts be filled, especially that of the Chief Finance Officer.
8. The Committee recommends that the SAPS implements the principle of rotation of station and cluster commanders as well as staff at key Border Points and Ports of Entry.
9. The Committee recommends that the Detectives Division implements training and retraining for all its detectives, including how to keep complainants informed of the progress of their cases.
10. The Committee recommends that the 6th Parliament prioritises and monitors how the Detectives Programme prioritises crimes against women and children.
11. The Committee recommends that all Crime Intelligence and VIP Protection staff must undergo mandatory vetting and lifestyle audits.
12. The Committee recommends that the 6th Parliament continuously monitors the SAPS Building maintenance and Building programmes, budgets, tenders and spending.
13. The Committee recommends that all Regulation 45 appointments be subject to approval by the 6th Parliament prior to it coming into effect.
14. The Committee recommends that a new firearm safety regime be considered by the 6th Parliament to protect all police officers and their families.
15. The Committee recommends that all procurement and supply chain management processes in the SAPS be monitored on a regular basis by the 6th Parliament.
16. The Committee recommends that the new DPCI firearms and Narcotics units be implemented and monitored on a regular basis in Parliament.
17. The Committee recommends that the Integrated Justice System (IJS) Revamp budget and programme implementation be closely monitored by the 6th Parliament.
18. The Committee recommends that the DPCI focus on corruption be intensified.
19. The Committee recommends that the SAPS fast-track resourcing and firearms management systems of the Firearms Registry.
20. The Committee recommends that the material and human resources of police stations as the basic unit of crime fighting be increased in high crime areas.
21. The Committee recommends the SAPS speeds up the implementation of specialised units such as the Anti-Gang Unit.

CSPS

1. The Committee recommends that all the recommendations of the AGSA be implemented, tracked and monitored.
2. The Committee recommends that the Civilian Secretariat finalises its dependencies on the SAPS financial management system and implements its own financial management regime. The Committee proposes that this is closely monitored by the 6th Parliament.
3. The Committee recommends that all senior staff vacancies in the Civilian Secretariat be filled with immediate effect.

4. The Committee recommends that Civilian Secretariat, as the technical adviser to the Minister of Police fast tracks and prioritises the review of the SAPS Amendment Bill and all other legislation during the 6th Parliament.
5. The Committee recommends that the composition of the DNA Board be reviewed and deficiencies be replaced.
6. The Committee recommends that sufficient resources are made available to the DNA Board and the Office of the DPCI Judge by the Civilian Secretariat.
7. The Committee recommends that the Civilian Secretariat finalises the funding model for community police forums (CPFs).
8. The Committee recommends that the Civilian Secretariat sharpens its performance indicators with a view to service delivery.
9. The Committee recommends that the Civilian Secretariat enters into a Memorandum of Understanding (MOU) to sharpen its research and monitoring and evaluation focus.
10. The Committee recommends that the 6th Parliament closely monitors the budgeting, spending patterns and financial management systems of the Civilian Secretariat.
11. The Committee recommends that the Civilian Secretariat finalises all outstanding policies and legislation which must come to Parliament.

IPID

1. The Committee recommend that the 6th Parliament supports the growth of the staff establishment of the IPID by filling all vacancies in view of its growing portfolio of cases within the SAPS.
2. The Committee recommends that the funding model of the IPID be reviewed and additional sources of funding be sourced for its operations.
3. The Committee recommends that the IPID clears the source of its material misstatements and implements all the recommendations of the AGSA.
4. The Committee recommends that the IPID develops a comprehensive approach and response to the outcomes of the Audit through an Audit Action Plan.
5. The Committee recommends that the IPID under-performance be subjected to consequence management.
6. The Committee recommends that irregular expenditure within IPID be addressed by the senior management and monitored on a regular basis.
7. The Committee recommends that the IPID institutes a new regime for performance management.
8. The Committee recommends that all investigators of the IPID are vetted and trained.
9. The Committee recommends that City Forum building contract be finalised with respect to the IPID finding a new headquarters.
10. The Committee recommends that the IPID finalises all outstanding investigations with respect to the Farlam recommendations.

11. The Committee recommends that the 6th Parliament tracks and monitors the backlogs with respect to the NPA decisions on IPID investigations.

PSIRA

1. The Committee recommends that the Council should put mechanisms in place to strengthen all aspects of internal control and governance.
2. The Committee recommends that the Authority should implement all aspects of the Audit Action Plan to ensure that the 2018/19 audit outcomes are improved.
3. The Committee recommends that the Authority should address matters relating to its financial health, especially regarding the material uncertainty and address concerns about its ability to continue as a going concern.
4. The Committee recommends that the Authority should prioritise the review of its Funding Model through the implementation of the Private Security Industry Levies Act, 2002.
5. The Committee recommends that the Authority should ensure that money owed to it is collected in terms of section 51(1)(b)(i) of the PFMA.
6. The Committee recommends that the Authority should focus on the accreditation of training service providers. It is of critical importance that security officers are well trained and able to receive course certification on the NQF.
7. The Committee recommends that the Authority should further encourage the entrance of female security officers to the private security industry.
8. The Committee recommends that the Authority should prioritise the review of its complaints mechanism.
9. The Committee recommends that the Authority should prioritise engagements with PRASA on the contracting of private security in the railway environment. Train sabotage and general crime in this environment is escalating. A partnership with the SAPS must be established to provide a holistic approach to safety in the railway environment.

The following report replaces the report of the Standing Committee on Appropriations which was published in ATC NO 153 on 20 October 2018.

2. REPORT OF THE STANDING COMMITTEE ON APPROPRIATIONS ON ITS OVERSIGHT VISIT TO FREE STATE PROVINCE FROM 13 TO 17 AUGUST 2018, DATED 17 OCTOBER 2018

The Standing Committee on Appropriations, having undertaken an oversight visit to the Free State Province from 13 to 17 August 2018, reports as follows:

1. Introduction

The Standing Committee on Appropriations (the Committee) was established in terms of section 4(3) of the Money Bills Amendment Procedure and Related Matters Act, No.9 of 2009. The Act requires the Committee to focus on the following:

- Spending issues;
- Amendments to the Division of Revenue Bill, the Appropriation Bill, Supplementary Appropriation Bill and the Adjusted Appropriation Bill;
- Recommendations of the Financial and Fiscal Commission (FFC), including those referred to in the Intergovernmental Fiscal Relations Act, 1997 (Act No. 97 of 1997);
- Reports on actual expenditure published by the National Treasury (section 32 reports); and
- Any other related matters.

Within the current difficult fiscal context and limited resources, the Committee is of the view that all programmes, projects and activities for the 2018 Term Expenditure Framework (MTEF) should be rolled out in an effective and efficient manner, and in compliance with the relevant laws and regulations. This means that all state agencies must

take active steps to improve operational efficiencies and accelerate the effectiveness of service delivery and attain value for money.

The Committee undertook an oversight visit to the Free State province in order to visit the Tempe Military Base to ascertain the state and conditions of the Army Support Base (ASB), the 3 Military Hospital, and the Air Force Base Bloemfontein which are situated in Bloemfontein. The Committee visited the aforementioned facilities and met with the relevant senior officers on 13 August 2018.

The Committee also inspected the healthcare facilities to ascertain the conditions and quality of services rendered at the Dr JS Moroka in Thaba Nchu, Nelson Mandela Clinic in Edenburg and Phekolong Clinic in Reddersburg. The site visit was on 14 August 2018.

The Committee also embarked on a fact finding visit to the Mangaung Metropolitan Municipality and Setsoto Local Municipality on 15 and 16 August respectively to ascertain the status of the provision of sanitation services and the Bucket Eradication Programme (BEP). The Committee met with various stakeholders on 15 August 2018 at the Bram Fischer Building in Bloemfontein and undertook site inspections at Thaba Nchu, Botshabelo, Clocolan, Marquard and Senekal. The Committee was joined by the Portfolio Committee on Water and Sanitation on 15 and 16 August 2018.

2. Delegation

The delegation was as follows: Ms YN Phosa (Chairperson), Mr NE Gcwabaza (ANC), Ms D Senokoanyane (ANC), Ms MNS Manana (ANC), and Ms SCN Shope-Sithole. The delegation was accompanied by the following parliamentary officials: Mr D Arends (Committee Secretary), Mr T Masoeu (Content Advisor), Mr M Zamisa (Committee Researcher), Ms N Chaso (Committee Assistant), and Mr A Duka (Parliamentary Communication Specialist).

The delegation from the Portfolio Committee on Water and Sanitation was as follows: Mr M Johnson (Chairperson), Mr D Mnguni, Ms HB Kekana, Ms NK Bilankulu, Mr LJ Basson, Ms C Visser, and Ms M Khawula. The delegation was accompanied by the following parliamentary officials: Ms M Solomons (Committee Secretary), Mr T Manungufala (Researcher), Ms S Dawood (Content Advisor), and Ms NB Twala (Committee Assistant).

The Committee met with the following stakeholders at the various sites and stakeholder meetings during the oversight visit:

Ministry of Defence: Mr P Nkabinde (Parliamentary Liaison Officer)

Department of Defence: Col. RE Aucamp (Counter Intelligence); Cpt SE Pula; Col. AT Motloun (Parliamentary Liaison Officer)

3 Military Hospital Bloemfontein: Maj. Me Schuster (HOD: Family Medicine); Col. WC Hendricks (Commanding Officer); Maj. R Coetzee (Corporate Communication); Ms KE Mokhuane (Assistant Nursing Manager); Ms J du Plessis (Maintenance); Maj. PL Kruger (SO Force Support)

Bloemfontein Army Support Base: Brig. Gen. RV Ludonga; Lt. Col. LA Korh (Officer Commanding: Regiment President Steyn); Lt. Col. MSA Tseki (Officer Commanding: 1 South Mechanised Infantry Battalion); Lt. Col. DL Romain (Officer Commanding: 1 Special Service Battalion); Mr S Jiyano (Officer Commanding); Mr PG Mangana (Officer Commanding: School of Armour); Col. GT Maso (Officer Commanding); Maj. CL Pretorius (Acting Officer Commanding: Facility Management Service Centre); Lt. Col. XV Kose (Acting Officer Commanding: 44 Parachute Regiment); Maj. EL Swartbooi (Acting Second in Command); Col. MW Nondala (project Officer); Maj. BP Vanneel (Fleet Manager); WOI. KD radebe (Occupational Health and Safety); WOI. JH Wiese (Officer in charge: Emergency Services); Capt. VL Fokase (Human Resource Manager); Capt. KS Molebatsi (Technical Maintenance Officer); Chaplan M Goba (Military Chaplan); Lt. A Buys (Corporate Communication Functionary)

Air Force Base Bloemspruit: Col A Naik (Commanding Officer: Bloemspruit AFB); Lt. Col. F Grunewald (Base Aviation Safety Co-ordinator); Maj. JD Sterling (Operations Co-ordinator); Lt. Col. CT Motaung (Commanding Officer: 506 Squadron Protection); SWO. PC Makgoka (Regimental Warrant Officer); Lt. Col. DA Bellinger (Commanding Officer: 16 Squadron); Lt. Col. RM Buys (Air Wing Co-ordinator); Maj. DG Williams (Base OBS Officer); Maj. G Williams (Military Intelligence Officer); Mr ES van Eck (Aviation Section Head); Mr RC Griffin (Air Wing Technical Officer); Lt. Col. L Maku (Base logistics Co-ordinator); Lt. Col. S Gayiya (Commanding Officer: 6 Air Servicing Unit)

Department of Health: Mr R Morewane (Chief Director)

Department of Water and Sanitation: Dr T Ntili (Provincial Head: Free State); Ms T Mpotulo (Chief Engineer); Mr HM Shokane (Candidate Engineer); Mr MA Mohapi (Sanitation Manager); Ms MJ Manyama (Project Manager); Mr LG Crisp (Communication Manager); Me EM Mgwambani (Director: Water Regulation)

National Treasury: Ms A Xaba (Provincial Budget Analyst)

Free State Department of Cooperative Governance and Traditional Affairs: Mr MJ Toona (Director: Municipal Infrastructure); Ms M Macheli (Director: Local Government Improvement Programme); Ms M Machesi (Director: LGIP).

Municipal Infrastructure Support Agency: Mr KS Rapulane (Provincial Head: Free State); Mr WR McLeod (Civil Engineer).

Free State Department of Health: Ms NJ Ramarau-Makhoali (District Manager); Dr A Torres (CEO: Botshabelo Hospital); Ms MC Mosunkuta (Local Area Manager)

Mangaung Metropolitan Municipality: Ms S Mlamleli (Executive Mayor); Ms M Mahase (Member of Municipal Council, MMC, Social Community Service); Ms J Nothnagel (MMC: Rural Development); (Adv. TB Mea (Municipal Manager); Mr M Ndlovu (HOD: Engineering Services); Adv. MJN Phaladi (HOD: Human Settlements); Mr T Mabuza (Acting Head: Planning Services); Mr MM Fikizolo (Head: Administration in the Office of the Executive Mayor); Mr S More (head: Waste and Fleet); Mr JD Lamprecht (Division Head: Environmental Health); Mr P Moeti (Environmental Health Practitioner); Ms LA Sontashe (Environmental Health Practitioner); Ms P Moletsane (Environmental Health Practitioner); Ms N Lerotholi (Environmental Health Practitioner); Mr LN Ntlabezo (Manager: Sanitation); Ms BL Henama (General Manager: Social Development)

Setsoto Local Municipality: Ms N Maoke (Executive Mayor); Mr ST Ramakarane (Municipal Manager); Mr M Seliasi (MMC: Infrastructure); Ms SS Kunene (Manager: Project Management Unit)

South African Local Government Association, Free State: Mr MA Siyomzana (Chairperson: Governance and IGR); Mr CT Mbatha (Programme Manager: Municipal Finance)

Free State Provincial Legislature: Mr DE Janse van Vuuren (Member of Provincial Legislature, MPL, Finance and Provincial Public Accounts Committee); Mr K Morapela (MPL: Finance and Provincial Public Accounts Committee); Ms K Phukuntsi (MPL: Finance and Provincial Public Accounts Committee); Dr R Jankielsohn (MPL: Finance and Provincial Public Accounts Committee); Ms TJ Ramokhoase (MPL: House Chairperson); Ms SP Mokhesi (Researcher: Finance and Public Accounts Committee); Ms IS Moroketsi (Committee Coordinator); Mr MS Mamashie (Committee Coordinator); Ms M Senago (Researcher)

Dr JS Moroka Hospital: Mr MD Makgisa (Chief Executive Officer); Ms M Moroka (Head of Nursing); Mr ME Acting Head: Administration and Support)

Phekolong Clinic (Reddersburg): Ms I Rautenbach (Operations Manager)

Nelson Mandela Clinic (Edenburg): Ms L Moloi (Operations Manager)

Bloem Water: Mr TS Ngebeni (Executive Engineer and Projects)

South African Local Government Association: Mr SN Mavundla
(Specialist: Municipal Health)

Water Research Commission: Dr S Pillay (Research Manager: Sanitation)

Vharanani Properties: Mr CM Mthombeni (Operations Director); Ms ME
Sambo (Occupational Health and Safety Agent);

ISA and Partners Consulting Engineers: Mr CN Kimaru (Project
Engineer);

3. Defence and Military Veterans

The Committee approves an allocation of resources directed at financing the construction and maintenance of new and existing defence facilities. The Department's infrastructure programme channels resources into the construction and refurbishment of military health facilities, the refurbishment of military bases and units, and improvements to accommodation, kitchen and security facilities. Some of the largest infrastructure project over the MTEF period include refurbishing air force bases in Bloemspruit and Overberg, which are in the design and construction stages and expected to be completed in 2024/25 and 2020/21 respectively.

The Committee visited the Bloemfontein 3 Military Hospital, the Bloemfontein Army Support Base, and the Air Force Base Bloemspruit to assess the state of infrastructure. The Committee met with the relevant

senior officials from the three stated facilities and requested them to identify the priority areas that required urgent attention.

On 4 September 2018, the Committee also held a meeting with the Departments of Defence, Public Works, Health and National Treasury to further discuss the infrastructure refurbishment and maintenance challenges experienced at the defence facilities in Bloemfontein. The meeting was held in Parliament, and the main discussion points and key decisions forms part of the findings and recommendations of this report.

3.1 Bloemfontein 3 Military Hospital

The Committee received and deliberated on a presentation from the officials, and conducted a physical inspection of the 3 Military Hospital. Overall, the presentation and discussions centred on a bleak condition of the 3 Military Hospital. The issues raised included, among other things:

- Poor workmanship by contractors including deviation from the original design, glaring and dangerous structural design issues (narrow corridors; inadequate size of lifts and hospital wards; insufficient space for offices, corridors and refrigeration; no mortuary, and laundry facilities etc.);
- Poor maintenance and refurbishment (leaking roofs, burst water storage vessels, incorrect air-conditioning system, insufficient electrification). These challenges mainly resulted from slow response from the Department of Public Works as well as budget constraints; and
- Poor Safety and Security (faulty alarm system, inadequate panic alarm system, poor fencing, dysfunctional boom gates, outdated technology for CCTV cameras).

On the basis of the above discussed and identified challenges, the following ten priority areas requiring urgent attention was submitted in respect of the 3 Military Hospital in Bloemfontein:

- Department of Public Works (DPW) to perform an all-inclusive assessment of the facility with the aim to resolve all the inherent structural and design shortcomings;
- To establish a 24 hour DPW maintenance control room on site, managed by a DPW technical team to resolve all maintenance issues as they occur. This facility should render the same level of services as rendered by the established control rooms at 1 and 2 Military Hospitals;
- Urgent replacement/repair of the roofs of the main hospital building as well as the surrounding buildings. The vacant third floor can only be occupied and utilised, the rain damaged fire alarms on the third floor can be repaired and the proposed helipad can be built as soon as the roofs are replaced;
- Urgent replacing of the Hot Water Storage Vessel on the fourth floor to stop all further leaks that can lead to further water damage;
- To join the main hospital with a corridor to the Maternity Section to ensure a safe transportation of patients to the theatres and other sections of the hospital as was indicated in the original plans;
- A total revamp of the Mfezi Living-In Quarters, which will eradicate the current plumbing and electricity issues;
- Service and repair of all air-conditioning systems to ensure a healthy working environment and wound care. This will also prevent potential growth of harmful bacteria that could flourish in an uncontrolled environment.
- Urgent replacement of five lead reinforced doors at the Radiology Section, which, were installed by the contractors during the building of the facility. These doors are very expensive and cannot be replaced from the 3 Military Hospital's own budget;
- A total security system upgrade; which must include alarm, CCTV, fire alarm, fire detection and access control systems with maintenance contracts to ensure the safety of all patients and staff members as well as to safeguard lifesaving equipment; and

- The building of an on-site helipad for utilisation during disaster situations. Currently all helicopter medical evacuations are redirected to the nearby Tempe Sports grounds. From there patients are transported by outsourced ambulance services to the trauma facility which is not an ideal situation.

3.2 Bloemfontein Army Support Base

The Committee met with the various senior officials at the Bloemfontein Army Support Base (ASB) and deliberated on the presentation made. Following the presentation and discussion of the challenges, the Committee conducted a site inspection of the facilities at the ASB Bloemfontein. The following priority areas which required urgent attention were reported by the officials:

- Refurbishment of the single living-in quarters block 10 and family married quarters house 5 in Thaba Nchu;
- Refurbishment of 15 family married quarters, five in Tempe, five in Bloemfontein, and 5 in Thaba Nchu;
- Revamping of kitchen equipment including cold rooms, walk-in fridges, tilting equipment and food preparation equipment;
- Fencing around the General De Wet training area at De Brug;
- Security systems in the Tempe military area and Department of Defence Mobilisation;
- Fuel replenishment points (pumps and tanks) at the ASB Bloemfontein Supply Support Services;
- Permanent accommodation at the shooting range of the General De Wet training area;
- The sewerage and water pipe systems in the Tempe Military Base;
- Vacant Public Service Act Personnel (PSAP) posts in Tempe Military Base and Department of Defence Mobilisation; and
- Old and redundant Delta vehicles (sedan) and Bravo vehicles (freight carriers/logistical) in the Tempe Military area.

3.3 Bloemspruit Air Force Base

The Committee met with the senior officials at the Air Force Base (AFB) Bloemspruit where it received a presentation on the condition of the facilities on site. The Committee also conducted a site inspection at the facilities at the Bloemspruit AFB. The below issues were reported by the AFB as requiring urgent attention.

Safeguarding of Bloemspruit AFB

- The lack of a boundary wall together with a damaged perimeter fence through which vehicles can enter makes securing Bloemspruit AFB's assets virtually impossible. 506 Security Squadron is doing their utmost to provide some security to Bloemspruit AFB but unfortunately, with the lack of manpower and infrastructure, it is not enough to stop criminal activities within the base. A wall should be built around the facility to secure all the assets including living quarters.
- Lack of security equipment to control entry and exit to Bloemspruit AFB means that areas of the unit cannot be adequately secured. With the correct monitoring equipment (e.g. Cameras, x-ray machines and entry/exit equipment), this can be controlled.
- The fire detection system in some of the aircraft hangars which is not serviceable poses a serious risk in case of a fire. Not all of the alarm systems are connected to the mimic board at the Fire Section. Due to the value of the equipment being secured at Bloemspruit AFB, this should be repaired with a sense of urgency.

Accommodation/ Facilities

- Refurbishing of the Officers Mess (living area), Senior Mess and Junior Mess is fundamental for the continued operation and utilisation of Bloemspruit AFB. Senior military staff is forced to share living quarters with junior military staff due to the appalling state of accommodation facilities.

- Due to the numerous excavations that occurred during the replacement of the sewerage system but was never returned to the original condition, holes and trenches on various roads leading to the different areas within the base and living areas are not in a suitable condition to travel on

Hangar/Aircraft Facilities

- The Hangar facilities which were poorly constructed poses not only a health risk to members that work in certain hangars but also damage to aircraft engines due to flaking of the roof insulation. This must be rectified to allow the units under command to effectively deliver on their mandate.
- Aircraft Wash Bay at 87 Helicopter Flying School must be re built as it was being renovated but all work ceased due to unknown reasons. 16 Squadron requires urgent maintenance to its Wash Bay. These facilities are essential for the proper maintenance to take place on the aircraft.

4. Free State Provincial Health Infrastructure

The focus of the Committee visit was also to assess the adequacy of health infrastructure and the maintenance thereof in the province. The Free State Province has prioritised the following in terms of health services: eradication of all building, mechanical and electrical maintenance backlogs; eradication of backlogs in provision of medical equipment; implementation of the Free State Infrastructure Delivery Management Systems with all associated best practises to ensure effective and efficient management of all provincial health facilities as well as effective and efficient implementation of infrastructure projects and also to strengthen human resource capacity. The national department is in the process of finalising a 10-year infrastructure plan to determine areas with the greatest need for capital investments, based on population projections up to 2025. Health infrastructure is the backbone of public health care, which is in turn the pillar of a vibrant, health and prosperous society and economy.

On 14 August 2018, the Committee visited and met officials from the Dr JS Moroka Hospital, Phekolong and Nelson Mandela Clinics. However, the Committee was concerned about the officials who seemed unprepared and unaware about the agreed dates for the visits. The Committee also expressed its dissatisfaction about the absence of officials from the Free State Provincial Department of Health.

4.1 Dr JS Moroka Hospital – Thaba Nchu

The Chief Executive Officer of the abovementioned facility made a presentation after which the Committee conducted a site inspection. The Committee found that there was no maintenance budget for the facility however the officials reported that there was an undertaking that the hospital would be fully revitalised in due course. The officials could however not provide the Committee with the timeframes and budget allocations for the said revitalisation of the hospital. The Committee viewed this as reflective of poor planning. The Committee also noted with concern the reported outstanding payment of overtime for staff amounting to about R950 000 which would have to be funded from the existing budget and would result in over expenditure of the allocation for the 2018/19 financial year. The Committee further expressed concerns at the reported staff shortage and leaking roofs within the facility.

4.2 Phekolong Clinic - Reddersburg

The Committee received a presentation from the Operations Manager and inspected the facility. Overall, the Committee was impressed with the state of the facility and the quality of the service it renders to the community. The facility had received gold status.

4.3 Nelson Mandela Clinic - Edenburg

The Committee found upon inspection that the facility was generally in a good condition and that it was an ideal clinic which has received gold status. The only challenge reported was staff shortages.

5. Bucket Eradication Programme

The 2014-2019 Medium Term Strategic Framework (MTSF) target for sanitation is to increase the percentage of households with access to a functional sanitation service from 84% in 2013 to 90% by 2019 and to eliminate bucket sanitation in the formal areas. The Water Services Infrastructure Grant is used to support the completion of the bucket eradication programme in formal residential areas and has a total allocation R1.8 billion for the indirect portion of the grant while the direct portion receives R10.6 billion over the 2017 MTEF period.

The Water Services Infrastructure Grant is expected to be used to replace the remaining 11 844 bucket sanitation systems in Free State and Northern Cape with waterborne sanitation services in 2018/19, and to construct 180 small interim water and sanitation systems across the country. The Regional Bulk Infrastructure Grant funds the bulk infrastructure needed to provide reticulated water and sanitation services to individual households and where municipalities have the capacity to implement projects themselves, funds are transferred through a direct grant. The Regional Bulk Infrastructure Grant has a total allocation of R14.8 billion over the 2017 MTEF period. By the end of 2018/19, the Department of Water and Sanitation expects to have eradicated all bucket sanitation systems that were in existence in 2014. This was the basis for the Committee to visit the BEP sites in the Free State Province.

The Committee along with the Portfolio Committee on Water and Sanitation received presentations from the Department of Water and Sanitation, Mangaung Metropolitan Municipality and the Water Research Commission (WRC) on 15 August 2018 at the Bram Fischer Building, Nelson Mandela Drive, Bloemfontein. The WRC gave an overview of the various sanitation options available to South Africa and also highlighted the challenges related to the usage of waterborne sewerage systems.

The Department of Water and Sanitation is responsible for implementing the Bucket Eradication Programme at the Setsoto Local Municipality whilst the Mangaung Metropolitan Municipality receives funds through the Urban Settlements Development Grant and also uses own-funding to eradicate buckets and Ventilated Improved Pit Latrine (VIP) toilets.

The sections below would provide an overview of the implementation of the Bucket Eradication Programme at the Mangaung Metropolitan Municipality as well as the Setsoto Local Municipality.

5.1 Mangaung Metropolitan Municipality

The Mangaung Metropolitan Municipality (Mangaung Metro) finances the reduction of buckets and Ventilated Improved Pit Latrine (VIP) toilets through the Urban Settlements Development Grant (the USDG) and own-funding. The said municipality received R742.826 million through the USDG for the 2018/19 financial year.

The Mangaung Metro reported that it had spent a total of R310.851 million on phases 1 and 2 on the bucket/VIP eradication between 2009 and 2014. It reported that 23 122 buckets/VIPs were eradicated from 2009 to 2018 and that 4 212 VIPs would be eradicated in the 2018/19 financial year. The municipality reported that phase 3 commenced in 2015 and has eradicated 9 646 buckets/VIPs to date. The expenditure on phase 3.1 for the period 2015 to 2018 was R839.904 million. The expenditure on phase 3.2 for the period 2018 to date was R10.209 million. Phase 3 would provide a total of 58 650 sites with waterborne sanitation and the municipality needed a budget of R4.1 billion for waterborne connections, R1 billion for bulk sanitation, and R1 billion for bulk water augmentation.

5.2 Setsoto Local Municipality

Table 1 below provides an overview of the delivery progress reported by the Department of Water and Sanitation on 15 August 2018 in terms of the internal reticulation work for the Setsoto Local Municipality.

Town	Target	Flushing	Not Flushing	Status
Marquard	583	583	0	Completed
Senekal	2913	0	2435	In progress
Clocolan	3379	0	3379	In progress
Ficksburg	1469	1251	218	In progress

Department of Water and Sanitation (2018)

The Committee visited project sites in Clocolan, Marquard and Senekal within the Setsoto Local Municipality. The main observations made at the afore-mentioned areas follow hereunder.

5.2.1 Clocolan

The total project cost for Clocolan was R272.102 million of which R249.756 million had been spent at the time of the oversight visit. This area had full waterborne sanitation services with 1433 toilets however the installation of bulk infrastructure services still needed to be finalised thus resulting in sewerage spillages in the area.

It was reported that the initial contract included bulk infrastructure installation but that it was removed at a later stage by the DWS from the scope of work. To this end, the DWS would have to go through the entire procurement process to address the matter of the bulk infrastructure in the area as residents were flushing the toilets on internal reticulation hence the spillages. These spillages pose a serious health hazard to the community and the contractor, Vharanani Properties, undertook to redirect spillage away from residential areas to water stream. The said redirection process would be completed by the end of November 2018.

5.2.2 Marquard

The DWS reported at the meeting held on 15 August 2018 that it had completed 583 toilets in the area and that all were flushing. The total projected cost of R6.219 million had been spent at the time of the oversight visit. However, the Committee found that none of the 583 toilets were flushing due to low water pressure. The DWS reported that a pumping station was in the process of being constructed to address the aforementioned situation but could not furnish the Committee with a definitive completion date. To this end, the community was using buckets until such time the issue of the water pressure would be resolved. Serious concerns were expressed that the BEP data provided by the DWS was not reliable and the Department was requested to disaggregate all data on the BEP programme in the Free State.

5.2.3 Senekal

The reported total project cost for the eradication of buckets in Senekal was R226.180 million of which R100.878 million had been spent at the time of the oversight visit. From a target of 2913 toilets, it was reported that 2435 were still not flushing and that the area required bulk infrastructure to be installed. The project would be completed by the end of November, however, the residents would not be able to utilise the facilities as the bulk infrastructure would not have been installed. It was found that there was a lack of adequate education and public engagements with residents in the community, and there is a need for significant improvement from the local municipality in this regard.

5.3 Water Research Commission

The Water Research Commission highlighted the following issues in developing countries surrounding the provision of sanitation services:

- Significant investment for centralised sewerage infrastructure;

- Several technical requirements need to be met (energy, pipes, water);
- Even in developed countries, some are directly cross-subsidised to enable financial sustainability;
- The World Health Organisation and the United Nations Children Fund reported that the cost per person for connecting to sewer networks was up to 50% higher than on-site alternatives;
- Operating and Management issues included parts and spares availability, high-level operators & engineers needed, and sludge disposal issues; and
- In South Africa there was a small percentage of plants which operated well and there was a critical shortage of skills for Operating and Maintenance.

The WRC further submitted that the current approaches to sanitation were civil engineering orientated and there were challenges with ownership and accountability after the bulk infrastructure has been developed. Rapid urbanization was also cited as being a challenge along with the disposal of fecal sludge. The WRC submitted that the Operating and Maintenance costs were often neglected in departmental and municipal budgets. To this end, WRC advocated for suitable technology alternatives which take user acceptance and available resources into account. Furthermore, the issue of the scarcity of water in certain regions of South Africa was highlighted as a major pitfall to waterborne sanitation services.

6 Overall Committee Observations and Findings

The observations and findings which were highlighted by the Committee during the deliberations with the various stakeholders and subsequent site visits are outlined below as per the three different themes for the oversight:

6.1 Bloemfontein 3 Military Hospital

6.1.1 The Committee found that infrastructure refurbishment and maintenance is the mandate of the Department of Public Works. The Committee therefore arranged a meeting between the Department of Defence (DOD) or the South African National Defence Force (SANDF) and the Department of Public Works (DPW) along with National Treasury and the Department of Health to discuss the challenges as outlined throughout the site visits. The outcomes of the said meeting that was held on 4 September 2018 in Parliament were as follows:

- The cost escalations and implications for termination of contracts and the re-appointment of contractors as well as the unutilised or non-functional infrastructure due to incorrect design specifications for military hospitals was a cause of concern. The Committee viewed the aforementioned as fruitless and wasteful expenditure.
- The Committee noted that the DOD has its own Medico Unit headed by the Surgeon-General and that both this unit and the Department of Health receive support from the Infrastructure Support Unit of the National Health Council/Minmec in terms of design specifications for health facilities.
- The Committee noted with concern that the DOD transferred about R1.8 billion per annum to the DPW for infrastructure delivery needs as per the DOD maintenance plan. It was reported that DPW has accumulated unspent funds of R1,9 billion in recent years due to its lack of capacity to implement infrastructure delivery at SANDF facilities.
- The Committee viewed the lack of capacity at the DPW to maintain DOD facilities and implement infrastructure projects as compromising to the mandate of the SANDF to keep the country secure. The Committee was further of the view that it was a security risk for the DPW to conduct work at SANDF facilities.

- The Committee agreed that there should be an inter-ministerial committee between DOD and DPW to consider the devolving of the infrastructure delivery function from DPW to DOD and consult National Treasury accordingly.
- 6.1.2 There was poor planning and consequence management for delinquent contractors by the Department of Public Works.
- 6.1.3 Of concern to the Committee were the lack of a maintenance plan and procurement plan as well as the related budgets for these plans.
- 6.1.4 There were slow responses by the Department of Public Works in respect of maintenance requests by the hospital. For instance, it took up to two years for the department to repair and maintain the roof of the hospital.
- 6.1.5 There are serious concerns in respect of the compliance with National Core Standards for Health Establishments and other regulated standards. This poses a serious risk of litigation for the Department of Defence.

6.2 Bloemfontein Army Support Base

- 6.2.1 The Bloemfontein ASB requested a maintenance budget of R1.369 million for the 2018/19 financial year and was only allocated R560 250 which was subsequently reduced to R425 184. Of concern to the Committee were the lack of a maintenance plan and procurement plan as well as the related budgets for these plans.
- 6.2.2 The slow response by DPW to requests for maintenance and repairs was emphasised. The facility reported that it had no maintenance budget for infrastructure and that it only had R90 000 for minor repairs at the time of the oversight visit.
- 6.2.3 Concerns were expressed that some SANDF members do not qualify for RDP housing and that it had 725 staff members in ASB Bloemfontein and could only house 186 families at the time of the oversight visit.
- 6.2.4 The reduced budgets impacted negatively on the overall operations of the SANDF.

- 6.2.5 There was a reported shortage of staff especially related to the Public Service Act Personnel (PSAP) members (i.e. gardeners, general cleaners etc).

6.3 Bloemspruit Air Force Base

- 6.3.1 Bloemspruit AFB has very expensive equipment yet the state of the security was in a poor condition which was a serious cause for concern. The priority list of the Bloemspruit AFB submitted to the Committee lists security as the top concern which needed to be addressed.
- 6.3.2 There were challenges with planning and whilst the Independent Development Trust was appointed to refurbish the entire facility, timeframes and budgets have not been provided for the project.
- 6.3.3 The upgrade of the sewerage and water services infrastructure is the responsibility of the DPW however the AFB was forced to use Jojo tanks due to recurring water shortages.
- 6.3.4 The Bloemspruit AFB supported a number of youth empowerment initiatives such as Matric programmes yet the facility was falling into a state of disrepair.
- 6.3.5 There was a lack of consequence management for delinquent contractors by the DPW. Of more concern, was the report that some sub-contractors have resorted to demolishing some newly installed fixtures due to non-payment by the main contractors.

6.4 Bucket Eradication Programme

- 6.4.1 Proper Sanitation means dignity for the citizens. This still does not reflect in the commitment and work ethic of DWS where poor planning has led to top structures being erected before bulk water and sanitation infrastructure has been installed in the Setsoto Local Municipality.

- 6.4.2 There were projects which were not finalised due to incomplete bulk water and sanitation infrastructure and/or incomplete internal reticulation within Free State. These projects were in Reitz, Petrus Steyn, Arlington, Senekal, Clocolan, and Ficksburg. Completed top structures which are not yet functional due to lack of bulk infrastructure are being vandalised and this would result in delays of fully eradicating buckets within the province. Furthermore, this would result in fruitless and wasteful expenditure.
- 6.4.3 The total expenditure to date on the Bucket Eradication Programme in Free State is R1.363 billion. Cost escalations were experienced within the province due to hard rock on some project sites as well as the non-payment of contractors by the DWS which resulted in delays. The DWS has however assured the Committee that irrespective of the reported challenges experienced, the projects under the Bucket Eradication Programme in Free State would be finalised by the end of March 2019.
- 6.4.4 The effectiveness of current integrated planning fora within the province was a major cause for concern. DWS submitted that joint meetings were held between the Free State Provincial Treasury, Department of Cooperative Governance, Department of Human Settlements, Bloem Water, Mangaung Metropolitan Municipality, and Free State Premier's Office. The Committee established that this forum was clearly not effective and that there was a lack of collaboration with research and evidence from the Water Research Council which has been established to support the water sector.
- 6.4.5 The Committee is seriously concerned about the unreliable information regarding the completed project especially in Marquard which has been furnished by the Department of Water and Sanitation at the meeting held on 15 August 2018. Furthermore, the Committee heard that the same presentation has been presented to the Finance and Provincial Public Accounts Committee in the Free State Legislature in October 2017.

- 6.4.6 A total of 58 650 sites are to be provided with waterborne sanitation as part of phase 3 in the Mangaung Metropolitan Municipality. The backlog has been increasing due to the formalization of informal settlements and the amalgamation of Mangaung with the old Naledi Municipality and Soutpan which was part of the Masilonyana Municipality.
- 6.4.7 The main challenge within the Mangaung Metropolitan Municipality was VIP toilets (57 859 units) which totalled 97.6% of the overall backlog while buckets only constituted of 2.4% (1411 units) of the backlog. The Municipality has found it difficult to prioritise bucket eradication due to community unrest. Furthermore, communities have generally rejected alternative technologies on sanitation.
- 6.4.8 The budget required, inclusive of bulk infrastructure, to eradicate the overall backlog of buckets and VIPs within Mangaung was R6 billion. The municipality did not provide timeframes regarding the completion of the project. Only 47 143 sites could be serviced with current space capacity at waste water works of the Mangaung Metro.

7 Recommendations

The Committee having engaged with the above-mentioned stakeholders and undertaken site visits to various identified projects in the Free State Province, recommends as follows:

- 7.1 That the Minister of Defence and Military Veterans should ensure the following:
- 7.1.1 That the Supply Chain Management process as well as the short, medium and long term planning within South African National Defence Force (SANDF) be properly implemented.
- 7.1.2 Budget reprioritisation processes should consider the cost implications on the SANDF facilities in the long term.
- 7.2 That the Minister of Public Works should ensure the following:
- 7.2.1 That consequence management be applied on delinquent contractors.

- 7.2.2 That maintenance budgets be entrenched in annual performance plans and operational plans of institutions especially at health care facilities in the South African National Defence Force.
- 7.3 That the Ministers of Public Works and Defence and Military Veterans should establish an inter-ministerial committee between the Department of Defence (DOD) and the Department of Public Works (DPW) to consider the devolving of the infrastructure refurbishment and maintenance function from DPW to DOD and to consult National Treasury and the Department of Public Service and Administration accordingly.
- 7.4 That the Minister of Health should ensure the following:
 - 7.4.1 That adequate measures be introduced to strengthen the planning capacity at provincial and regional health offices.
 - 7.4.2 That comprehensive maintenance plans and budget implementation plans be made compulsory for all provincial health departments.
 - 7.4.3 That communication be strengthened by the Department of Health in respect of the Health Revitalisation Grant.
- 7.5 That the Minister of Water and Sanitation should ensure the following:
 - 7.5.1 That the Bucket Eradication Programme be entrenched in the Annual Performance Plans of all water and sanitation stakeholders i.e. the Department of Water and Sanitation, municipalities and Water Boards
 - 7.5.2 That consequence management be applied in respect of non-performing Department of Water and Sanitation officials especially those responsible for the poor planning in respect of the Bucket Eradication Programme which has led to top structures being erected before bulk water infrastructure has been installed.
 - 7.5.3 That consequence management be applied in respect of non-performing contractors and that money be recovered where possible.

- 7.5.4 That the Department of Water and Sanitation furnishes the Committee with a comprehensive report on what is being done to share cost effective and best practice strategies across all municipalities in the rollout of the sanitation programme.
- 7.5.5 That the Department of Water and Sanitation conducts a comprehensive expenditure review of the water sector.
- 7.5.6 That the construction of the water pump station in Marquard be expedited.
- 7.5 That the Auditor General South Africa consider conducting performance audits on the implementation of the Bucket Eradication Programme in the Free State Province.

8 Conclusion

The Committee undertook to have quarterly briefings with the Department of Water and Sanitation regarding the implementation progress in terms of the Bucket Eradication Programme in Free State.

The responses to the recommendations as set out in section 6 above by the relevant Executive Authorities must be sent to Parliament as well as the Committee within 60 days of the adoption of this report by the National Assembly.

Report to be considered.