



**NATIONAL ASSEMBLY PROGRAMME COMMITTEE**

Chairperson:  
Speaker of the National Assembly

Committee Secretary:  
A Mbanga x 3218

**DRAFT MINUTES OF PROCEEDINGS**

Thursday, 6 May 2021 [Virtual Meeting]

Present:

S L Tsenoli (Deputy Speaker)

Boroto, M G (House Chairperson)	Ntlangwini, E N
Koornhof, Dr G W (Parliamentary Counsellor to the President)	Ntombela, M L D (House Chairperson)
Kwankwa, N L S	Papo, A H M (Parliamentary Counsellor to the Deputy President)
Majodina, P C P (Chief Whip of the Majority Party)	Pilane-Majake, Dr M C C (Programming Whip)
Mazzone, N W A (Chief Whip of the Opposition)	Swart, S N
Mkhaliphi, H O	Wessels, W W
Mulder, Dr C P	

Staff in attendance:

Ms P N Tyawa (Acting Secretary to Parliament), Mr M Xaso (NA Table), Adv. M Tau (Committees), Ms T Mtyobile and Adv C R van der Merwe (Constitutional and Legal Services Office).

**1. Opening**

The Deputy Speaker opened the meeting at 08:32 and welcomed all members.

**2. Apologies**

Apologies were received from the Speaker Ms T R Modise, House Chairperson Mr C T Frolick, Deputy Chief Whip of the Majority Party Ms D E Dlakude and Messrs M N Nxumalo

and A M Shaik Emam. It was **AGREED** that, on behalf of the Programme Committee, a message of good wishes should be sent to the Speaker, who was not feeling well.

### **3. Consideration of draft agenda**

The draft agenda was adopted, as proposed.

### **4. Consideration of minutes of meeting of 18 March 2021**

On the proposal of the Chief Whip of the Majority Party, seconded by Mr Swart, the minutes of 18 March were adopted.

### **5. Matters arising**

Mr Wessels asked if the addendum to the Minutes of Proceedings reflecting how parties had voted during consideration of the report on *Processing of the Report of the Independent Panel tasked with Conducting a Preliminary Assessment of the Motion to Initiate a Process to Remove the Public Protector from office* on 16 March 2021 had been made available to parties, as was undertaken by the administration. Mr Xaso reported that the addendum had been sent to parties, and this would be done to the extent possible. He stated that it would be a challenge to make available the addendum in instances such as the consideration of the Votes and Schedule to the Appropriation Bill due to the number of votes to be considered that day. A process was in place, working with the Information, Communications and Technology (ICT) section, to find a solution to the recording of individual members' votes in a hybrid plenary system.

### **6. Report by Committee Section**

Adv. Tau presented a report on matters before committees and highlighted the following:

The *Ad Hoc* Committee to initiate and introduce legislation amending Section 25 of the Constitution intended to finalise its report on 21 May.

- The Portfolio Committee on Justice and Correctional Services intended to finalise the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill and Domestic Violence Amendment Bill on 28 May.
- The Portfolio Committee on Agriculture, Land Reform and Rural Development intended to finalise the Liquor Products Amendment Bill on 11 May.

Adv Tau also informed the meeting that Committee Section was preparing for the first meeting of the *Ad Hoc* Committee on Section 194 Enquiry.

The Chief Whip of the Majority Party advised that some committees would be allowed to meet during the forthcoming Constituency Period. She also requested that the meeting be advised of the list of legislation that needed to be finalised for consideration by the House in the current term as well as legislation relating to gender-based violence and femicide. Such a list should be made available in the next meeting. Mr Singh expressed concern that there appeared to be no coordination between committees and the programming structures of the Assembly as it was the norm that committees should not be scheduled during mini-plenaries. He urged that there should be certainty on exactly which committees would be allowed to meet during the recess period, as parties were expected to prepare for the forthcoming Local Government Elections on 27 October 2021. The Programming Whip replied that the concerns around coordination of activities had been noted and that such matters were being addressed at another level.

In response to the Deputy Speaker on how long it took for a committee to process legislation, Adv Tau explained that, in principle, committees were expected to receive a briefing, have deliberations and conduct hearings in various provinces on a bill within a specified timeframe. He also noted that certain committees, for example the Standing Committees on Finance and Appropriations, normally adhered to their set programme when processing Money Bills and were therefore able to finalise legislation accordingly.

## **7. Report by Bills Office**

Ms Mtyobile presented a report on legislation before Committees and indicated that the Civil Aviation Amendment Bill was on the Order Paper for consideration. She added that there were 37 Bills before committee and that 10 Bills had since been sent to the President for assent. In response to Mr Singh, Ms Mtyobile indicated that a list of bills for assent would be sent to members, indicating when they had been sent.

### *Report on Constitutional Court deadlines*

Adv Van der Merwe presented a report on Constitutional Court deadlines as follows:

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

Suspension of the order lapsed on 2 May 2021. A read in provision applied during the period of suspension. The Bill had been submitted to the President for assent on 22 April 2021.

#### Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991)

Suspension of the order lapsed on 29 April 2021 and no read-in provision or remedy was provided. The Bill had been submitted to the President for assent on 22 April 2021.

Recognition of Customary Marriages Act, 1998 (Act No. 120 of 1998)

Suspension of the order lapsed on 29 November 2019. A remedy was provided by the Constitutional Court. The Bill had been submitted to the President for assent on 10 March 2021.

## **8. Consideration of draft Parliamentary programme**

The Programming Whip presented the Parliamentary Programme for the Second Term and highlighted the following:

Questions to the President was scheduled for that afternoon. On Tuesday, 11 May, Second Reading debate on Civil Aviation Amendment Bill and the debate on the 'unfolding DNA crisis at the South African Police Services' as a matter of national public importance were scheduled.

Questions to the Deputy President were scheduled for Wednesday, 12 May.

Mini-plenaries on budget votes were scheduled for 13 – 25 May. On 26 May, the condolence motion for Ms J M Mofokeng and committee reports were scheduled.

With regards to the scheduling of the Workers' Parliament and Youth Parliament in the National Council of Provinces (NCOP) as well as the invitation to some members of the National Assembly, the Programming Whip noted that the scheduling of sectoral events in the institution was a concern and something that needed to be addressed by the Executive Authority. The Deputy Speaker replied that there were discussions on the matter and that he would consult and advise parties accordingly, in due course. The Programming Whip suggested that an activity could be considered to commemorate Africa Day on 25 May.

Ms Mkhalihi expressed concern that members were expected to be in Parliament in the midst of the rise of the pandemic. Mr Xaso explained that mini-plenaries would be conducted on the virtual platform, and therefore members were not expected to be in the House. Ms Mkhalihi also asked what would be the business of Parliament in the next term, considering that parties were expected to embark on campaigns for the Elections.

House Chairperson Mr Ntombela indicated that the meeting of the Parliamentary Group on International Relations (PGIR), which was scheduled for 14 May, would have to be rescheduled for a later date as it would be poorly attended, due to the budget votes that were scheduled for that day. He added that the PGIR had a serious backlog with its reports.

The Chief Whip of the Opposition asked if the committees on Powers and Privileges, Rules and Joint Committee on Ethics and Members' Interests would also be meeting during the extended Constituency Period as they were far behind with their work. Ms Ntlangwini suggested that the administration should advise parties as to which committees would be meeting during the recess period, so as to avoid members expressing complaints during committee meetings. Mr Xaso replied that such a list would be made available.

Mr Xaso advised that a request had been received from the Minister of Justice and Correctional Services for a Joint Sitting in order to commemorate 25<sup>th</sup> Anniversary of the Constitution. The matter was receiving attention in the two Houses and a suitable date would be communicated once finalised. As the Standing Committee on Appropriations was likely to report the day before the consideration of the budget votes by the House, a motion to suspend the three-day rule would be required in order to allow the House to consider the Votes and Schedule to the Appropriation Bill on 4 June.

## **9. Announcements**

There were no announcements.

## **10. Closure**

The meeting adjourned at 09:30.