# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 2617**

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**(INTERNAL QUESTION PAPER NO. 29)**

**Mr A C Roos (DA) to ask the Minister of Health:**

Whether, with reference to the meeting of the Portfolio Committee on Home Affairs on 9 November 2021 at which his department was identified as one of the departments that has not yet provided the necessary input for the section 97 Presidential Proclamation to be signed to transfer the relevant border law enforcement functions to the Minister of Home Affairs, he has been informed that this lack of input is holding up the implementation of the Border Management Authority; if not, what is the position in this regard; if so, (a) what is the reason for delayed response and (b) by what date will he provide the necessary input?

###### NW3093E

**REPLY:**

Yes.

1. The services provided by officials in the port of entry environment spans various areas, various legislation and some provided by the South African Health Products Regulatory Authority (SAHPRA). The nature of the various legislative mandates implemented in the border environment necessitated thorough assessment and engagements of the identified legislation to ensure relevant sections implemented within the border law environment are transferred to the Minister of Home Affairs. Engagements have had to be conducted with the Department of Home Affairs and the Border Management Authority office to ensure clear understanding of the intention so as to ensure BMA is adequately empowered with the correct provisions within the respective Acts. The SAHPRA has had to be engaged with respect to Acts enforced by the Entity and to receive their concurrence. Meetings between SAHPRA, Home Affairs and BMA have been facilitated by the department.

The department has been heavily involved in the Covid-19 response for the period under review, and that Port Health Service has been at the centre of the cross border monitoring and response to the pandemic in line with the Internaitonal Health Regulations. The Department has played a leading role in the response activities to mitigate against the spread of COVID-19 and strenghthening of our public health system in general. As we continue to respond to the COVID-19 pandemic, we experienced various challenges faced by ordinary South Africans and within our own work environment. It is my view that had things been normal, we would have responded much quicker to the section 97 proclamation as requested by the Minister of Home Affairs.

1. We await final response from SAHPRA, but are hopeful a response should be expected within the next month. It must be noted that SAHPRA has a Board and decisions are taken at the Board level. The meetings of the Board are scheduled on certain dates in a year. Fortunately SAHPRA is currently attending to the provisions of the Acts to be transferred to the Minister of Home Affairs.

END.