# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 2895**

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**(INTERNAL QUESTION PAPER NO. 30)**

**Mr A M Shaik Emam (NFP) to ask the Minister of Health:**

Whether there are any mechanisms in place to ensure that he, as the National Minister of Health, plays a role in the appointment of competent provincial MECs for health; if not, (a) why not and (b) what steps does he intend to take to address this shortcoming which has a potential of resulting in poor health service delivery in various provinces if incompetent MECs for Health is appointed?

###### NW3362E

**REPLY:**

Honourable Member, as a Member of the Legislature and an Honourable Member of this House, I am sure you are well aware that the matter you are raising is clearly a Constitutional matter and not for the National Minister of Health and any Minister from the National Sphere of Government for that matter, to participate in.

If I can just assist the Honourable Member, please refer to Section 91(2) of the Constitution of the Republic of South, 1996 (Act No. 108 of 1996), on the appointment of Ministers by the President of the Republic. Similarly, the Honourable Member may refer to Section 132(2) of the Constitution, on the appointment of MECs by the Premier of a Province.

Therefore from these provisions of the Constitution, the Honourable Member will see that the matter of the appointment and/or dismissal of MECs is clearly articulated. Nowhere in the Constitution, as Supreme Law, or in any law of this Country is it provided for that a Minister should be involved in the appointment or dismissal of MECs in anyway whatsoever.

END.