

**Report of the Select Committee on Communications and Public Enterprises on its activities undertaken during the 5th Parliament (May 2014 – March 2019)**

**Key highlights**

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

In each year in the past four years the committee will undertook a two-day planning session for the development and adoption of the Committee’s Annual Performance Plan (APP). The Annual Performance Plan will highlight the previous year’s achievements and challenges, and based on these it will identify strategic interventions to address the challenges whilst also outlining focus areas to improve performance.

The committee’s main focus was centred around Parliament’s five strategic objectives namely oversight, legislation, public participation, inter-governmental relations and international agreements.Based on what was happening in the departments under the committee’s auspices the committee put more emphasis on oversight, especially on departments such as the Department of Public Enterprises (DPE), the Department of Telecommunication and Postal Services as well as the Department of Communication.

The overall objective was to ensure that challenges faced by State-owned companies (SOCs) especially around funding, managerial issues as well as irregular expenditures happening in SOCs such as South African Express, Eskom, South African Airways, Safcol, Alexkor, the South African Post Office were resolved. The main focus in the Department of Communication was the successful implementation of the Digital Migration project which has been postponed on a number of occasions.

The committee managed to meet with both Safcol and Alexkor’s management team together with all the various stakeholders that were part of implementing the Deed of Settlement which was the order of the court to resolve the Richtersveld land claims. All the parties agreed to meet and resolve their differences by electing the Community Property Association committee and to ensure that the mining joint venture between the community and the department becomes profitable, and that members of the community are given the money due to them. It turned out later that this was a protracted process with its own internal challenges fuelled by differences between members of the community themselves.

Similarly, the committee met with all the relevant stakeholders involved in the land claim dispute between Safcol and community land claimants including the Department of Rural Development and Land Reform. Decisions were taken and commitments were made and the process is still ongoing in terms of the post-settlement model.

The issues that faced State-owned companies were much more difficult to deal with by the committee, and what however became clear is that the country’s State-owned companies were in deep financial problems. The committee visited South African Express, Transnet, Eskom, Safcol and Alexkor among other Sate-owned companies for a better understanding of their challenges and for solutions to their problems. The resignations of executive managers and the change in Board members in most of the State-owned companies made their problems even more cumbersome in solving them.The political nature of the past four years made it a challenge for the committee to achieve all of its yearly objectives. Major State-owned companies were fingered in the Public Protector’s report and further investigations were instituted and some are still ongoing.

1. **Committee’s focus areas during the 5th Parliament**

. The successful implementation of the Deed of Settlement between Alexkor and the DPE

. Resolving the land claim matter between Safcol and land claimants and adopting the post-settlement model

. Implementation of the Digital Migration project from analogue to digital

. Reduction of the cost to communicate

. Broadband roll-out or the implementation of the SA Connect project

. The implementation of SOCs turn-around strategies

1. **Key areas for future work**

. The implementation of the Deed of Settlement is an ongoing matter especially with regard to the review of the court order

. Similarly, the land claim matter between Safcol and community land claimants is also an ongoing matter that will continue to need parliament’s attention

. Cost to communicate have not been reduced but a new ICT Policy is addressing, among other things the cost to communicate

. Major State-owned companies are in financial crises and investigations are still underway and they will identify how such problems started and what in the future need to be done to avoid similar situations. Parliament need to pay close attention on the investigations as well as closely monitor SOCs’ managerial capabilities going forward

. The committee should continue monitoring the digital migration project

1. **Key challenges emerging**

The ongoing investigations on State-owned companies and the Commission on State Capture which is investigating allegations of corruption on major State-owned companies has impacted the work of the committee due to some of the information being under sub-judice. The non-approval of the committee’s international study robbed the committee of the opportunity to learn international best practices that would have been used to benchmarkthe country’s departmental performances so as to be on par with the rest of developing countries. One major challenge is the poor attendance of the executive (Ministers) of committee meetings. There have been occasions were both the Minister and his/her Deputy do not attend, sometimes due to prior engagements. This is a serious matter and by implication it sends the wrong message that the NCOP is not an important chamber of the national legislature.

1. **Recommendations**

* Most of the unresolved issues by departments and State-owned companies (Safcol, Alexkor, South African express, etc) are legacy issues that came from the 4th Parliament, and with the 5th Parliament coming to an end, these issues remain unresolved. There’s an urgent need for Parliament to make the executive arm of government (particularly the relevant ministries) aware of the time period it has taken Parliament to resolve these matters and perhaps to agree on a time frame since they have a huge impact on service delivery.
* A more contributing factor in most of the unresolved issues are the changes made when Ministers are changed, a process that also affect the department’s senior staff and on occasions such changes affect even how State-owned companies are managed as they are also affected by resignations as well as new appointments of executive staff and board members – a process that also affect the pace at which SOCs fulfil their developmental mandates.

1. **Introduction**

Parliament is made up of two Houses, namely the National Assembly (NA) and the National Council of Provinces (NCOP). In terms of the South African Constitution (No. 108 of 1996) Parliament’s role is to make laws. The National Assembly represents the people nationally, while the NCOP represent provinces to ensure that provincial interests are taken into account in the national sphere of government. Since 2014 Parliament has passed no less than 1000 Bills and all these Bills are meant to transform the South African Society into a truly non-racial, non-sexist, democratic and prosperous society. The 5th Parliament prides itself in being a “People’s Parliament”, by providing a national forum for the public’s participation in the law making process.

As the 5th Parliament approaches its end of term, it is imperative for the institution not only to reflect on the progress made since 2014 but also to identify whatever challenges encountered in the course of executing its mandate. Parliament in any democratic society will always evolve in tandem with the evolving democratic process as driven by the will of the people, and also shaped by the country’s socio-economic conditions. These factors are central to Parliament’s legislative activities and are what makes the country’s Constitution and political system the envy of the world.

Having said that, this report gives an overview of the legislative activities of the 5th Parliament, the role of Committees and their oversight activities. The focus is on the Committee’s legislative mandate, the effectiveness of parliamentary oversight functions over the executive. The significant part of the report includes issues that may need further monitoring beyond the 5th Parliament. These are issues that the 6th Parliament will have to deal with whilst executing its legislative oversight mandate. The report rounds-off with a summary of the Committee’s strategic plan, outlining the committee’s plans for the year ahead.

* 1. **Department/s and Entities falling within the committee’s portfolio**

The Select Committee on Communications and Public Enterprises has oversight responsibilities over four national departments, namely the Department of Communication (**DoC**), the Department of Public Enterprise (**DPE),** Department of Science and Technology (**DST**) and the Department of Telecommunications and Postal Services **(DTPS**). Each of the departments has no less than four entities falling under its jurisdiction. For example the Department of Communication has seven entities under its auspices; the Department of Public Enterprises has seven entities; the Department of Science and Technology has four entities and also the Department of Telecommunications and Postal Services has four entities falling under its jurisdiction.

**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) Department of Communication**

**1.1.1. Mandate**

To create a vibrant ICT sector that ensures that all South Africans have access to robust, reliable, affordable and secure ICT services in order to advance socio-economic development goals and support the Africa agenda and contribute to building a better world.

**1.1.2. Strategic Objectives**

* To develop ICT policies and legislation that create conditions for an accelerated and shared growth of the South African economy, which positively impacts on the wellbeing of all our people and is sustainable
* To ensure the development of robust, reliable, secure and affordable ICT infrastructure that supports and enable the provision of a multiplicity of applications and services to meet the needs of the country and its people
* To contribute to the development of an inclusive information society which is aimed at establishing South Africa as an advanced information-based society in which information and ICT tools are key drivers of economic and societal development
* To contribute to e-Skilling the nation for equitable prosperity and global competitiveness
* To strengthen the Independent Communications Authority of South Africa (ICASA), in order to enable it to regulate the sector in the public interest and ensure growth and stability in the sector.

**Entities**

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| --- | --- |
| **DEPARTMENT OF COMMUNICATIONS** | |
| **Name of Entity** | **Mandate of Entity** |
| Independent Communications Authority of South Africa (ICASA) | To license and regulate electronic communications and broadcasting services and the postal sector. |
| South African Broadcasting Corporation (SABC) | To supply broadcasting and information services and services that are ancillary thereto, to the general public in the Republic of South Africa and beyond its borders and to achieve the objectives as set out in the Broadcasting Act 4 of 1999. |
| Sentech | To provide the Electronic Communications and Electronic Communications Network Services as stipulated in the Electronic Communications Act 36 2005 |
| National Electronic Media Institute of South Africa (NEMISA) | To provide much needed skills training at an advanced level for the broadcasting industry. |
| Universal Service and Access Agency of South Africa (USAASA) | USAASA is established in terms of an Act of Parliament. The existence, functions, duties and mandate of the Agency are governed by sections 80 – 91 of the Electronic Communications Act 36 of 2005 (“the EC Act”) which came into operation on 19 July 2006.  USAASA ensures easy and affordable communication to the general societies. |
| .za DNa | To administer and man­age the .za domain name space in compliance with international best practice. |
| Media Development and Diversity Agency (MDDA) | To create an enabling environment for media development and diversity which reflects the needs and aspirations of all South Africans?  To redress exclusion and marginalisation of disadvantaged communities and persons from access to the media and the media industry.  To promote media development and diversity by providing support primarily to community and small commercial media projects. |

**(b) Department of Public Enterprises**

**1.1.3. Mandate**

The aim of the Department of Public Enterprises (DPE) is to drive investment, productivity and transformation in the department’s portfolio of State Owned Companies, their customer and suppliers so as to unlock growth, drive industrialisation, create jobs and develop skills.

**1.1.4. Strategic Objectives**

The State Owned Companies are strategic instruments of industrial policy and core players in the New Growth Path. The department aims to provide decisive strategic direction to the SOC, so that their businesses are aligned with the national growth strategies arising out of the New Growth Path. It will do this by ensuring that their planning and performance, and investments and activities, are in line with Government’s Medium Term Strategic Framework and the Minister’s service delivery agreement.

**Entities:**

|  |  |
| --- | --- |
| **DEPARTMENT OF PUBLIC ENTERPRISES** | |
| **Name of Entity** | **Mandate of Entity** |
| **Alexkor** | Committed to the profitable and sustainable development of mineral and natural resources for the economic benefit of the Namaqualand region and all its stakeholders |
| **Broadband Infraco** | Provides affordable access to long-distance telecommunications network infrastructure and broadband telecommunications connectivity services in South Africa |
| **Denel** | Operates in the military aerospace and landward defence environment |
| **Eskom Holdings Limited (Eskom)** | Generates, transmits and distributes electricity to industrial, mining, commercial, agricultural and residential customers and redistributors |
| **South African Forestry Company Limited (Safcol)** | Dedicated to growing its business in the forestry and forest products industry |
| **Transnet Limited** | A focused freight transport company, delivering integrated, efficient, safe, reliable and cost-effective services to promote economic growth in South Africa |
| **South African Express Airways** | A regional airline which operates predominantly on routes that are secondary in South Africa and the region |

**(c) Department of Science and Technology**

**1.1.4.1 The mandate**

The mandate of the Department of Science and technology is to develop, coordinate and manage a national system of innovation that will bring about maximum human capital and sustainable economic growth that will improve the quality of life for all.

**1.1.4.2 Strategic Objectives**

Focus on Research and Development through various research institutions or labolatories for development of indigenous technologies such as in bio-fuel production; processing, standardisation and applications working with the relevant departments and/or ministries.

A focus on activities that promote the utilization of by-products to develop value added chemicals

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|  | **DEPARTMENT OF SCIENCE AND TECHNOLOGY** |
| **Name of entity** | **Mandate of entity** |
| Council for Scientific and Industrial Research (CSIR) | The CSIR is one of the leading S&T, R&D and implementation organisations in Africa. |
| Human Science Research Council (HSRC) | The HSRC is mandated to address developmental problems in South Africa, Africa and the rest of the world through its research, thereby contributing to the improvement of the quality of lives of vulnerable and marginalised groups |
| National Research Foundation (NRF). | The mandate of the NRF is to promote and support research through funding, human resource development and the provision of the necessary research facilities in order to facilitate the creation of knowledge, innovation and development in all fields of science and technology, including indigenous knowledge, and thereby contribute to the improvement of the quality of life of all South Africans. |
| National Advisory Council on Innovation | The Council's mandate involves: coordination and stimulation of the National System of Innovation (NSI); promotion of cooperation within the NSI; structuring, governance and coordination of the Science and Technology (S&T) system; revision of the innovation policy; strategies for the promotion of all aspects of technological innovation; identification of Research and Development (R&D) priorities; and funding of the S&T system. |

**(d) Department of Telecommunications and Postal Services (DTPS)**

**1.1.7 Mandate**

To create a vibrant ICT sector that ensures that all South Africans have access to robust, reliable, affordable and secure ICT services in order to advance socio-economic development goals and support the Africa agenda and contribute to building a better world”.

**1.1.8 Strategic Objective**

Implementation of the National Integrated ICT Policy White Paper, the national e-Strategy, the ICT SMME development Strategy, e-Government Strategy as well as the SA Connect broadband connectivity

|  |  |
| --- | --- |
| **Department of Telecommunications and Postal Services** | |
| **Name of entities** | **Mandate of entity** |
| South African Post Office (SAPO) | To provide affordable and accessible postal and financial services to South Africans. |
| Sentech | Provides broadcasting signal distribution for broadcasting licences |
| Universal Service and Access Agency of South  Africa (USAASA) | The Universal Service and Access Agency is mandated by law to oversee,  advocate and initiate all matters universal service and access related within ICT. |
| Independent Communications Authority of South Africa (ICASA) | ICASA’s mandate is to advance the building of the digital society in order that ensure that all South Africans have access to a wide range of high quality communication services at affordable prices. |

* 1. **Functions of 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.
* Facilitate public participation in Parliament relating to issues of oversight and legislation.
  1. **Method of work of the committee (if committee adopted a particular method of work e.g. SCOPA.)**

The Committee meets every Wednesday as it shares membership with the Select Committee on Land and Mineral Resources Public Services. For the Committee to achieve its objectives, it calls the department and/or their entities for briefings on matters at hand. Should there be a need for the Committee to call for the public comments on certain issues – the Committee advertises for public written submissions/comments and thereafter calls for oral presentations.

In processing legislation – the Committee ensures that the process is in line with the rules of the National Council of Provinces (as it is the Select Committee) and the Constitution.

* 1. **Purpose of the report**

The purpose of this report is to provide an account of the Select Committee on Communications and Public Enterprises’ 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 Communications, Department of telecommunications and Postal Services, the Department of Public Enterprises and the Department of Science and Technology and their entities.

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.

1. **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 | **11** | **18** | **22** | **25** | **27** | **103** |
| Legislation processed | **N/A** | **N/A** | **N/A** | **N/A** | **3** | **3** |
| Oversight trips undertaken | **1** | **2** | **3** | **1** | **1** | **8** |
| Study tours undertaken | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** |
| International agreements processed | **N/A** | **N/A** | **2** | **N/A** | **N/A** | **2** |
| Statutory appointments made | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** |
| Interventions considered | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** |
| Petitions considered | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** | **N/A** |

1. **Stakeholders:**

The committee’s stakeholders are the public, provincial departments relevant to the oversight responsibilities of the committee as well as municipalities, unions (State-owned companies) and traditional leaders where issues involve the land such as the land claim involving Safcol. The committee has been able during oversight visits to involve all the relevant stakeholders as mentioned above.

1. **Briefings and/or public hearings**

In processing the Films and Publication Bill (B37B-2015), the committee had to extend the deadline for public comments so as to ensure all interested parties make their submissions. Some civil society organisations went so far as to even suggest that the committee changes its programme to accommodate their interests to which the committee refused.

1. **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** | None |  |  |  |
|  |  |  |  |  |
| **2015/16** | None |  |  |  |
|  |  |  |  |  |
| **2016/17** | None |  |  |  |
|  |  |  |  |  |
| **2017/18** | None |  |  |  |
|  |  |  |  |  |
| **2018/19** | * Protection, Promotion, Management and Development of Indigenous Knowledge Bill [B 6B-2016]. **Referred 14 Nov 2017** * Films and Publication A/B [B 37B-2015] **Referred 6 Mar 2018** * National Research Foundation [B 23B-2017] **Referred 9 May 2018** * Repeal of the Overvaal Resorts Limited Bill [B 36-2017] **referred** **20 November 2018** * IKamva Digital Skills Institute Bill [B 10B-2018] **referred** **4 December 2018** | S 76  S 75  S 75  S 75  S 75 | The Bill provides for, amongst others, the establishment and functions of the National Indigenous Knowledge Systems Office, and management of the rights of indigenous communities. It further provides for the establishment and functions of the Advisory Panel on indigenous knowledge, access and conditions of access to the knowledge of indigenous communities. Furthermore, the bill calls for the establishment of a register of indigenous knowledge, accreditation of assessors and certification of indigenous knowledge practitioners, as well as facilitation and coordination of indigenous knowledge-based innovations.  To amend the Films and Publications Act, 1996, so as to insert and amend certain definitions; to provide for the establishment, composition and appointment of members of the Enforcement Committee; to provide for the powers and duties of the Enforcement Committee; to regulate online distribution of films and games; to extend the compliance obligations of the Films and Publications Act and the compliance and monitoring functions of the Film and Publication Board to online distributors; to revise and further regulate the functions of compliance officers regarding entering and inspection of premises and facilities in which the business of the sale, hire or exhibition of films or games is being conducted; to further regulate the classification of publications, films and games; to provide for accreditation of independent commercial online distributors by the Film and Publication Board; to provide for classification of publications, films and games by the independent industry classification bodies; to provide for foreign and international classification systems and approval thereof by the Film and Publication Board; to provide for the use of classification ratings issued by a foreign and international classification authority or body; to provide for the right of appeal against classifications issued by independent industry classification bodies; to provide for exemptions in respect of online distribution of films and games; to further provide for the obligations of internet access providers regarding curbing the use of their services in propagating prohibited content; to revise and strengthen penal provisions; and to provide for matters connected therewith.  The objective of this Bill is to amend the National Research Foundation Act, 1998, so as to delete and insert certain definitions; to provide for the Minister to determine national policies and issue policy guidelines for implementation; to extend the functions, powers and duties of the Foundation; to empower the Minister to make regulations relating to the determination of national research facilities; to provide for the withdrawal of the determination or transfer of a national research facility; to empower the Minister to declare a research institution and its eligibility to receive funding; to  make certain textual alterations; to provide for the liquidation of the Foundation; to delete certain inappropriate or obsolete provisions; and to provide for matters connected therewith**.**  The objective of the Bill is to repeal the Overvaal resorts Limited Act, 1993; and to provide for matters connected therewith**.**  The objective is to provide for the promotion of the development and meaningful use of digital skills; to provide for the establishment of the IKamva Digital Skills Institute; to provide for the objects and functions of the Institute; to provide for the establishment and functions of collaborative laboratories for digiutal skills knowledge production, training and coordination, to provide for the governance and management arrangements of the Institute,; and to provide for matters connected therewith. | Yes, completed on 20 Nov 2018  Yes, completed on 20 Nov 2018  Yes, completed on 20 Nov 2018  Yes, completed on 20 Mar 2019  Yes, Completed on 20 March 2019 |

1. **Challenges emerging**

The following challenges emerged during the processing of legislation:

* Parliamentary Legal Advisors should whenever time allows them attend committee meetings even if there are no Bills being processed. Their attendance will give them a better understanding of the membership of the committee. This will make their presentation during Bill processing more effective as they have a better understanding of the committee.

1. **Issues for follow-up. None**
2. **Oversight trips undertaken**

The following oversight trips were undertaken:

| **Date** | **Area Visited** | **Objective** | **Recommendations** | **Responses to Recommendations** | **Follow-up Issues** | **Status of Report** |
| --- | --- | --- | --- | --- | --- | --- |
| 23 October 2014 | Denel - Gauteng | For committee members to familiarise themselves with the activities and projects carried out by the relevant State-owned companies | The Minister must ensure that maths and science programmes by SOCs are co-ordinated and are accessible to all students and across provinces | There has been no clear response as SOC continue to do their Maths and science programmes in silos | To continue to ensure that these programmes are accessible and to avoid unnecessary duplication by SOCs | Adopted |
| 23 October 2014 | Transnet Koedoespoort – Gauteng | For committee members to familiarise themselves with the activities and projects carried out by the relevant State-owned companies | The Minister ensures that trainings provided by SOCs such as at Koedorspoort are accessible to all and across provinces | Learnerships will be advertised to newspapers that people can easily access as well as on Transnet’s website | To closely monitor the accessibility of the trainings to ensure that all South Africans can take advantage of the opportunities | Adopted |
| 24 October 2014 | SAA - Kempton Park – Gauteng | For committee members to familiarise themselves with the activities and projects carried out by the relevant State-owned companies. | That the Minister of Public Enterprises urgently develops a funding model for all SCOs facing financial challenges | SAA was put under-administration because of its inability to source funding from the credit market | The airline is still experiencing funding challenges and needs close monitoring | Adopted |
| 24 October 2014 | SAX - Kempton Park – Gauteng | For committee members to familiarise themselves with the activities and projects carried out by the relevant State-owned companies | SAX’s Pilot Cadet Project (Pilot Training) must be made accessible to all potential students and funding challenges be addressed | SAX’s road shows were augmented with career exhibition that included the Pilot Cadet Programme | Financial challenges continue to trouble the airline and a capital injection from government need to be monitored to ensure it improves the airlines standing in the industry | Adopted |
| 20 August 2015 | Medupi Power Station - Limpopo | The visit was meant to ensure that the construction of the power station was on track, within deadlines and that stability between workers and management had been restored to avoid further industrial strikes. | The Minster must ensure that there are no further delays nor cost-overruns in the construction of the power station as this amounts to wasteful expenditure | The Medupi power station’s unit 2 was brought online in 2018, the process was slow considering that unit one was brought online in 2015 | The construction of the medupi powers station continues depite at a slow pace and this need close minitoring | Adopted |
| 21 August 2015 | Council for Scientific and Industrial Research (CSIR). | The committee sought to understand the country’s technological capacity in driving the country’s industrialisation project, and also to have a look at some of the exemplary projects brought about by the Council for Scientific and Industrial Research (CSIR). | The Minister must ensure that entrepreneurs from CSIR incubation programme are given the necessary financial support to be fully fledged industrialists | Funding challenges continue to affect small industrialist as the Sinjana Engineering case in Pretoria was brought to the attention of the committee | Funds made available to support small industrialist must be monitored to ensure they do what they are meant for | Adopted |
| 10 – 11 September 2015 | Safcol - Mpumalanga | The main purpose of the visit was to engage Safcol on the sustainability of the business in view of the land claim process. This included an engagement with key stakeholders, such as traditional leadership, the municipality and members of the community in general. | The meeting did not go well as the Executive Management were not present and therefore it was suggested that another visit be planned in ensuring that the objective of the visit was realised. | The Committee ended up inviting the Executive Mangers to a meeting in Parliament and some of the issues were addressed. | The post-settlement model continues to be a point of discussion between the DPE and the land claimants, no solution as yet. | Adopted |
| 29/8 – 2/9/2016 | Richards Bay in KwaZulu Natal | To practically assess the performance of the relevant SOCs and acquainting MPs with relevant factors responsible for challenges facing policy implementation, where such issues are identified. | The Minister in the Department of Communications should look at the viability of classifying community broadcasters as non-profit organisations in view of their sustainability challenges. | It was brought to the attention of the Committee that the IKZN TV Station got the funding of R2 million within three (3) after the oversight visit | That all community broadcasters get the necessary support from the MDDA | Adopted |
| 14 – 18 Aug 2017 | BBI, Eskom, SABC and Transnet in Gauteng | The purpose of the visit was to ensure that the work done by State-owned companies is not confined to any particular province but that it cuts across provinces in line with the NCOP’s constitutional mandate of representing provinces | The SABC was required in terms of Section 6 of the Broadcasting Act to develop policies that are intended to ensure compliance with the Authority’s Code of Conduct, the Corporation’s licence conditions, and the provisions of the Act. The Corporation had reverted to the Editorial Policies of 2004 and are currently reviewing these policies. | As the Committee could not meet with the Senior Management of Transnet, it was recommended that another visit be planned, which happened on 31 July 2018. | The new board of SABC must ensure that all money lost through alleged corruption is recovered and that the national broadcaster is financially stable to fulfil its public mandate. | Adopted |
| 31 July – 3 Aug 2018 | Transet, SAX, Sentech and USAASA | The committee’s objective was to gain insight into the entities’ capacity or lack thereof in fulfilling their mandates and where possible, to identify challenges whilst also proposing solutions for the effective implementation of government policy | Alleged case of corruption at Transnet and managerial issues at USAASA need to be addressed urgently. | Transnet’s CEO was sacked by the board and investigations are underway about alleged corruption practices, the former CEO of USAASA is back but stability need to be maintained. | Investigations are underway including the State Capture Commission which identifies Transnet and Eskom as implicated in corruption practices | Adopted |

1. **Challenges emerging**

The following challenges emerged during the oversight visit:

* Oversight visits have lately been a challenge in terms of logistics. Members of the committee always preferred that accommodation should not be too far from departments/entities to be visited citing traffic congestions and long road trips and the risks associated with all of that.
* The investigation carried out currently involving some State-owned companies has made it difficult for the committee during oversight visit to be appraised of the reality of the situation as senior executives and board members are not willing to divulge “sensitive” information.

1. **Issues for follow-up**

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

* Parliament should look at alternative ways of transport for oversight visits especially where long road-trips are involved. For example, it has been difficult for the committee to visit the Richtersveld community as their challenges required more than one visit.
* Departments and entities must be open about their challenges and/or problems instead of being reluctant of sharing such information with members of the committee. It is frustrating for the committee to get information about the state of affairs in some of the entities and/or departments from the media especially when the committee had visited the entity or department a day or two ago.

1. **Study tours undertaken: None**
2. **International Agreements:**

The following international agreements were processed and reported on:

| **Date referred** | **Name of International Agreement** | **Objective** | **Status of Report** | **Date of enforcement** |
| --- | --- | --- | --- | --- |
|  | International Telecommunications Regulations 2012 and Explanatory Memorandum thereto, referred to it in terms of section 231(2) of the Constitution, 1996.  The World Radio Communications Conference 2015 (WRC-15) Final Acts and Explanatory Memorandum thereto, referred to it in terms of section 231(2) of the Constitution, 1996. | The treaty sets out general principles for assuring the free flow of information whilst also promotes affordable and equitable access for all.  For the standardisation and management of the radio frequency spectrum | The report was adopted by the Committee on 8 February 2017  The report was adopted by the Committee on 8 February 2017 | **22 March 2017**  (Adopted by the House) |
|  | The Final Acts of the Plenipotentiary Conference of the International Telecommunications Union (ITU) – Guadalajara 2010, referred to it in terms of section 231 (2) of the Constitution, 1996.  The ratification of the African Telecommunications Union (ATU) Convention of 1999. | To revise the radio regulations and any associated frequency assignment and allotments plans.  To make ICT services accessible and affordable to all in line with the principles of International Telecommunication Union | Committee adopted its report on 8 Feb 2017 | **22 March 2017**  (Adopted by the House) |
|  | The ratification of the International Telecommunications Regulations and the World Radio communications Conference 2015 (WRC-15) Final Acts; | To regulate the availability of the spectrum and cooperation with neighbouring countries on signal interferences | The Committee adopted its report on 30 November 2017 | **22 March**  **2017** (Adopted by the House**)** |

1. **Statutory appointments: None**
2. **Interventions: None**
3. **Petitions: None**
4. **Obligations conferred on committee by legislation:**
5. **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)** |
| --- | --- |
| **Department of Public Enterprises** | Resolving the land claim issue between Safcol and community land claimants |
| **Department of Telecom & Postal Services** | Successful implementation of SAPO turnaround strategy Making the South African Post Office (profitable, accessible by all South Africans). |
| **Department of Public enterprises** | Recovering money lost through corruption as alleged in the investigation report by National Treasury after thorough investigation are done on both Transnet and Eskom |
| **Department of Public Enterprises** | Completing the implementation of the Deed of Settlement between Alexkor and DPE |
| **Department of Communication** | Completing the implementation of the digital migration project and reducing the costs to communicate |

1. **Recommendations**

. Although there have been improvements in the latter part of the 5th Parliament on invitations by entities and departments of the committee (previously this was accorded the national assembly) to conferences and exhibitions, this trend must continue as it familiarise members of the committee with trends and developments in the sectors in which the committee has oversight responsibilities.

. When applications to attend invitations by departments and/or entities are made Parliament must also consider the importance of attendance by all members of the committee and not only by the Chairperson.

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1. **Committee strategic plan**

The Select Committee on Communication and Public Enterprises’ strategic plan was adopted in 2015 soon after the establishment of the 5th Parliament. The committee’s strategic plan is guided by Parliament’s five strategic objectives, which are:

* Legislation
* Oversight
* Public participation
* Inter-governmental relations
* Ratification of international agreements

These are the five strategic objectives that have characterised the work of the committee with more emphasis however on oversight. Every year the committee make a review of the its strategic plans whilst also drafting and developing the annual Performance Plan. The aim being to assess and evaluate the performance of the committee vis-à-vis its achievements and and/or challenges as measured against its predetermined objectives.

1. **Master attendance list**

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**Mrs E Prins Date**

**Committee Chairperson:**