

**Report of the Select Committee on Trade and International Relations on its Activities Undertaken During the 5th Parliament (May 2014 – March 2019)**

**Key Highlights**

1. **Reflections on the Committee Programme for the Year and on Whether the Objectives of such Programmes were Achieved**

The Select Committee on Trade and International Relations is responsible for oversight of three government Departments, namely: the Department of Trade and Industry (DTI), the Department of International Relations and Cooperation (DIRCO), and the Department of Tourism (NDT). There are 16 Entities reporting to the Departments; 14 Entities for the DTI, and one Entity for DIRCO and NDT respectively. During the period under review, the Committee conducted regular Committee meetings focussing on budgets, strategic & annual performance plans (APPs) as well as annual performance reports of the Departments and Entities. The Committee’s oversight was aimed at achieving and/or ensuring efficient and effective Departments and Entities that are able to deliver on their mandates. In addition, the Committee conducted oversight and received briefings from the Departments and Entities on programmes and policies that facilitate transformation and the creation of a more inclusive economy.

In line with the national priority areas identified by the administration in 2014 and subsequently approved and adopted by the 5th Parliament, the Committee focused largely on areas that facilitated rapid economic growth and had a higher impact on creating decent employment, leading to poverty eradication. Therefore, all legislation considered during this term; the oversight conducted; policy considerations; and international agreements ratified during this period, had to meet the requirement of responding to the identified national priorities.

1. **Committee’s Focus Areas During the 5th Parliament Term**

The Following were the Committee’s focus areas during the period under review:

- Conduct effective accountability and oversight on the implementation of policies and programmes of the three Departments and selected Entities;

- Facilitate the creation of a conducive legal framework to grow and develop the South African Economy and that of the continent;

- Facilitate the transformation and creating a more inclusive economy;

- Facilitate the creation of a conducive legal framework further strengthen our international relations;

- Conduct effective oversight of South African Foreign Policy;

- Facilitate the creation of a conducive legal framework to grow and develop the South African tourism sector;

- Facilitate transformation of the Tourism Sector;

- Ensure public participation in the proceedings of the Select Committee as it conducts its legislative functions; and

- Ensure Committee Members are adequately capacitated.

1. **Key Areas for Future Work**

The following are some of the possible focus areas during the 6th Parliament:

- Strengthen measures for broad-based black economic empowerment;

- Develop incentive programmes to increase manufacturing competitiveness;

- Provide financial assistance to companies to strengthen their export capabilities, including facilitating their participation at national pavilions, trade missions, and trade and investment initiatives;

- Ensure spending on infrastructure with the aim to promote industrialisation across the country (SEZ’s);

- Provide support for development of critical infrastructure;

- Facilitate and support expansion of economic opportunities in underdeveloped and marginalised regions;

- Strengthen and consolidate South-South relations;

- Bring about a unitary foreign service that represents the country abroad in an effective, coherent and cost-effective manner;

- Ensure the transformation and increase the geographical spread of the tourism sector; and

- Develop programmes that grow local and overseas tourist numbers and tourist spending, which in turn supports jobs and economic growth.

1. **Key Challenges Emerging**

The following are some of the challenges experienced and observed during the period under review:

- From an oversight perspective; the three major challenges observed during the reporting period related to the continued policy proliferation, lack of policy cohesion at a conceptual and practical level, and the continued problem of policy implementation;

- At an institutional level; there remain challenges with the procedural and legal interpretation of the processing of legislation;

- Within the Committee, issues of content / knowledge and/or ‘know-how’ expertise remain a challenge – the Committee is responsible for three diverse portfolios and some portfolios have areas that are very technical at times;

- Internal functioning of the Committee and an understanding of the functions of various support staff remains a challenge;

- The Committee is not able to meet all Department Entities due to time constrains;

- Unavailability of Political Heads of Departments due to standing commitments also remains a challenge;

- Long-term Committee planning remains a problem. The current centralised NCOP planning process is not sufficient; and

- The NCOP’s programming is very rigid. There is a need to allow committee programmes flexibility to adjust accordingly, including meeting on none designated dates in the week.

1. **Recommendations**

- There is a need for capacity building as it relates to the interpretation to the processes for approving legislation (internal between Parliamentary Legal Advisors and Committee members);

- There is a need for capacity building in terms of developing knowledge, content specialisation and/or development of know-how expertise on various thematic or functional areas of the Committee ( this is necessary and can be addressed through increased interaction between the Committee and Departments);

- There is a need for capacity building as it relates to the functioning of the Committee; creating an environment where members’ expectations are reconciled with that of parliamentary support staff (an orientation or increased interaction and improved communication between Committee members and the Committee Section/Research Unit);

- The NCOP as a House has requirements that are different from those of the NA and therefore the information presented to the Select Committee should reflect provincial and local data; and

- Departments should ensure that when they table information in the form of reports to the House it includes information that reflects provincial and local data that as required by the NCOP.

1. **Introduction**
	1. **Departments and Entities Falling Within the Committee’s Portfolio**

**Department of Trade and Industry (DTI)**

The Department of Trade and Industry is responsible for realizing the country’s goal of having a globally competitive and innovative industry and services sector that contribute to inclusive growth and employment generation.

**Department of Tourism**

Tourism Act, 1993 (Act No 72 of 1993) as amended, makes provision for the promotion of tourism to and in the Republic and for further regulation and rationalisation of the tourism industry, measures aimed at the maintenance and enhancement of the standards of facil​ities and services hired out or made available to tourists; and the co-ordination and rationalisation, as far as practicable, of the activities of persons who are active in the tourism industry.

**Department of International Relations and Cooperation**

The overall mandate of the Department is to work for the realization of South Africa’s international relations policy objectives. In terms of the provisions of the Constitution, the President of the Republic of South Africa bears the overall responsibility for the country’s foreign policy and international relations. However, the Department is entrusted with the formulation, application and implementation of South Africa’s foreign policy, which is derived from South Africa’s domestic priorities.

* 1. **Entities Reporting to the Committee**

| **Name of the Entity** | **Role of the Entity** |
| --- | --- |
| Companies and Intellectual Property Commission (CIPC)  | CIPC was established by the Companies Act, 2008 (Act No. 71 of 2008) as a juristic person to function as an organ of state within the public administration, but as an institution outside the public service. The main functions of the Commission are as follows: * Registration of Companies, Co-operatives and Intellectual Property Rights (trademarks, patents, designs and copyright) and maintenance thereof;
* Disclosure of Information on its business registers;
* Promotion of education and awareness of Company and Intellectual Property Law;
* Promotion of compliance with relevant legislation;
* Efficient and effective enforcement of relevant legislation;
* Monitoring compliance with and contraventions of financial reporting standards, and making recommendations thereto to Financial Reporting Standards Council (FRSC);
* Licensing of business rescue practitioners; and
* Report, research and advise the Minister on matters of national policy relating to company and intellectual property law.
 |
| Export Credit Insurance Corporation (ECIC)  | ECIC is established by the Export Credit and Foreign Investment Re-Insurance Amendment Act, 1957 (Act No. 78 of 1957) as amended. It promotes trade with countries outside the Republic by providing for the insurance, on behalf of the Government of the Republic, of contracts in connection with export transactions, investments and loans or similar facilities connected with such transaction, and provides for matters connected therewith.  |
| National Consumer Commission (NCC)  | The NCC is charged with the responsibility to enforce and carry out the functions assigned to it in terms of the Act, which aims to: Promote a fair, accessible and sustainable marketplace for consumer products and services, and for that purpose; establish national norms and standards relating to consumer protection; provide for improved standards of consumer information; prohibit certain unfair marketing and business practices; promote responsible consumer behaviour; and promote a consistent legislation and enforcement framework relating to consumer transactions.  |
| National Consumer Tribunal (NCT)  | The NCT adjudicates any application that may be made to it, and makes any order provided for in respect of such an application; or allegations of prohibited conduct by determining whether prohibited conduct has occurred and, if so, by imposing a remedy. It grants orders for costs, and can exercise any other power conferred on it by law. It also reviews decisions made by the National Credit Regulator (NCR), the National Consumer Commission (NCC) and single-member panels of the Tribunal. Decisions made by a three-member panel of the Tribunal may in turn be taken on appeal or review to the High Court.  |
| Companies Tribunal (CT)  | The CT adjudicates in relation to any application that may be made to it in terms of this Act, and makes any order provided for in this Act in respect of such an application. It also assists in the resolution of disputes as contemplated in Part C of Chapter 7 of the Act; and performs any other function assigned to it by or in terms of the Act, or any law mentioned in Schedule 4.  |
| National Credit Regulator (NCR)  | The NCR promotes a fair and non-discriminatory marketplace for access of consumer credit; provides for the general regulation of consumer credit and improved standards of consumer information; promotes black economic empowerment and ownership within the consumer credit industry; promotes responsible credit granting and use; provides for debt reorganisation in cases of over-indebtedness; regulates credit information; and provides for registration of credit providers, credit bureaus and debt counselling services.  |
| National Empowerment Fund (NEF)  | The NEF’s focus is to promote and facilitate black economic equality and transformation. The NEF provides finance and financial solutions to black business across a range of sectors, and structures accessible retail savings products for black people based on state-owned equity investments. Its mandate and mission is to be Government’s funding agency in facilitating the implementation of B-BBEE in terms of the BEE Codes of Good Practice.  |
| National Gambling Board (NGB)  | The NGB was established to monitor and investigate when necessary the issuing of national licences by provincial licensing authorities. It establishes and maintains national registers regarding various gambling activities.  |
| National Lotteries Board (NLB)  | The NLB monitors and enforces the implementation of the national lottery. It manages the National Lottery Distribution Trust Funds, which distributes proceeds from its share of the lottery sales to worthy causes.  |
| National Metrology Institute of South Africa (NMISA)  | NMISA is responsible for realising, maintaining and disseminating the International System of Unit (SI). It maintains and develops primary scientific standards of physical quantities for South Africa and compares those standards with other national standards to ensure global measurement equivalence.  |
| National Regulator for Compulsory Specifications (NRCS)  | The NRCS is responsible for the administration and maintenance of compulsory specifications and the implementation of regulatory and compliance systems for compulsory specifications  |
| South African Bureau of Standards (SABS)  | The SABS aims to develop, promote and maintain South African National Standards; promote quality in connection with commodities, products and services; and render conformity assessment services and matters connected therewith  |
| South African National Accreditation System (SANAS)   | The aim of SANAS is to accredit or monitor for Good Laboratory Practice (GLP) compliance purposes organisations that fall within its scope of activity; promote accreditation as a means of facilitating international trade and enhancing South Africa’s economic performance and transformation; promote competence and equivalence of accredited bodies; and promote the competence and equivalence of GLP compliant facilities.  |
| South African Tourism (SAT) | The mandate of South African Tourism Market South Africa as a domestic and international tourist destination. |
| African Renaissance Fund (ARF) | *The African Renaissance and International Cooperation Fund Act, 2000 (Act 51 of 2000)*: The Act establishes the ARF to enhance cooperation between the Republic and other countries, in particular African countries, through the promotion of democracy; good governance; the prevention and resolution of conflict; socio-economic development and integration; humanitarian assistance; and human resource development. |

* 1. **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. **Method of work of the committee (if committee adopted a particular method of work e.g. SCOPA.)**

The Committee has adopted policy thematic approach to identify cross cutting priorities and programmes. The briefings and oversight visits had focused on job creation to eliminate poverty and inequality; Infrastructure development to support economic growth, trade and investment; Skills development to support economic growth and social cohesion.

For the period under review, the Committee invited departments reporting to it to outline their policy and expenditure plans. Based on budget policy judgements, the Committee agreed that there are no policy shifts. The Departments have aligned their expenditure plans based on the National Development Plan including the National Treasury expenditure ceiling.

From an operation perspective, the Committee meets every Wednesday as it shares membership with the Select Committee on Economic and Business Development. 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

The Committee facilitated public participation in parliamentary processes by making calls for both written and oral submissions; monitoring the budgets, implementation of Annual Performance Plans and Strategic Plans of Departments and Entities reporting to the Committee and calling departments and other stakeholders to appear before the Committee and brief it on certain matters.

* 1. **Purpose of the report**

The purpose of this report is to provide an account of the work of the Select Committee on Trade and International Relations during the 5th Parliament. It further highlights those outstanding areas and issues pertaining to the oversight and legislative programme of the Departments of Trade and Industry, International Relations and Cooperation, Tourism and their respective entities that the new, 6th Parliament, will have to take up.

This report further 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 | **13** | **20** | **20** | **15** | **24** | **92** |
| Legislation processed | **1** | **0** | **0** | **0** | **5** | **6** |
| Oversight trips undertaken | **4** | **1** | **1** | **2** | **2** | **9** |
| Study tours undertaken | **0** | **0** | **0** | **1** | **0** | **1** |
| International agreements processed | **0** | **3** | **3** | **0** | **6** | **12** |
| Statutory appointments made | **0** | **0** | **0** | **0** | **0** | **0** |
| Interventions considered | **0** | **0** | **0** | **0** | **0** | **0** |
| Petitions considered  | **0** | **0** | **0** | **0** | **0** | **0** |

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. The committee has been able during oversight visits to involve most of the relevant stakeholders as mentioned above.

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

In processing Legislation, 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** | Promotion and Protection of Investment Bill | Section 75 | The Bill shall assist Government to realize one of its priorities, the enhancement of a clear and secure investment environment. | Completed |
|  |  |  |  |  |
| **2015/16** |  |  |  |  |
|  |  |  |  |  |
| **2016/17** |  |  |  |  |
|  |  |  |  |  |
| **2017/18** |  |  |  |  |
|  |  |  |  |  |
| **2018/19** | National Credit Amendment Bill | Section 76 | The purpose of the Bill is: to amend the National Credit Act, 2005, so as to provide for debt intervention; to insert new definitions; to include the evaluation and referral of debt intervention; applications as a function of the National Credit Regulator and to provide for the creation of capacity within the National Credit Regulator and logistical arrangements to execute this function; to include the consideration of a referral as a function of the Tribunal; to provide for the recordal of information related to debt intervention; to require a debt counsellor to investigate whether an agreement is reckless; to provide for a court to enquire into and either refer a matter for debt intervention or make an order related to debt intervention; to provide for a Magistrate’s Court and the Tribunal to determine the maximum interest, fees or other charges when re-arranging debt and for guidance to be prescribed in this regard; to provide for an application for debt intervention and the evaluation thereof; to provide for the Tribunal to re-arrange a consumer’s obligations and make an order in respect of an unlawful credit agreement; to provide for orders related to debt intervention and rehabilitation in respect of such an order; to provide for mandatory credit life insurance to be prescribed; to provide for offences related to debt intervention, prohibited credit practices, selling or collecting prescribed debt and related to failure to register as required by the Act; to provide for measures when an offence is committed by a person other than a natural person; to provide for penalties in relation to the newly created offences; to provide for the Tribunal to change or rescind an order under certain circumstances; to require the Minister to make regulations related to a financial literacy programme; and to provide in a transitional provision for the application of this Amendment Act to credit agreements entered into before its commencement; and to provide for matters connected therewith. |  Completed |
|  | National Gambling Amendment Bill | Section 76 | To amend the National Gambling Act, 2004, so as to amend and delete certain definitions; to provide for the procedure for the forfeiture of unlawful winnings to the National Gambling Regulator; to provide for the quorum to make a final decision in the second meeting with the majority of the members present in that meeting; to provide for the dissolution of the National Gambling Board; to provide for the establishment of the National Gambling Regulator; to provide for the appointment of the Chief Executive Officer and Deputy Chief Executive Officer in the National Gambling Regulator; to provide for the powers of the national inspectorate to curb payments emanating from illegal gambling activities; to enhance the powers and duties of the gambling inspector; to provide for transitional arrangements; and to provide for matters connected therewith. | Completed |
|  | Copyright Amendment Bill | Section 75 | To amend the Copyright Act, 1978, so as to define certain words and expressions; to allow for further limitations and exceptions regarding the reproduction ofcopyright works; to provide for the sharing of royalties in copyright works; to provide for the payment of royalties in respect of literary, musical, artistic and audio-visual works; to provide for resale royalty rights; to provide for recordal and reporting of certain acts; to provide for the accreditation of collecting societies; to provide for a mechanism for settlement of disputes; to provide for access to copyright works by persons with disabilities; to provide for the licensing of orphan works; to strengthen the powers and functions of the Copyright Tribunal; toprovide for prohibited conduct in respect of technological protection measures; to provide for prohibited conduct in respect of copyright management information; to provide for protection of digital rights; to provide for certain new offences; and to provide for matters connected therewith. | Completed |
|  | Performers’ Protection Amendment Bill | Section 75  | To amend the Performers’ Protection Act, 1967, so as to insert, delete or substitute certain definitions; to provide for performers’ economic rights; to extend moral rights to performers in audio-visual fixations; to provide for the transfer of rights where a performer consents to fixation of a performance; to provide for the protection of rights of producers of sound recordings; to broaden the restrictions on the use of performances; to extend the application of restrictions on the use of performances to audio-visual fixations; to provide for royalties or equitable remuneration to be payable when a performance is sold or rented out; to provide for recordal and reporting of certain acts and to provide for an offence in relationthereto; to extend exceptions from prohibitions to audio-visual fixation and sound recordings and include exceptions provided for in the Copyright Act, 1978; to provide for the Minister to prescribe compulsory and standard contractual termsas well as guidelines for a performer to grant consent under this Act; to provide for prohibited conduct and exceptions in respect of technological protection measures and copyright management information respectively; to provide for further offences and penalties; to substitute certain expressions; to provide for transitional provisions; and to provide for matters connected therewith. | Completed |
|  | Foreign Service Bill | Section 75  | To provide for the management, administration, accountability, and functioning of a professional Foreign Service of the Republic of South Africa; to provide for the operational requirements that are suitable and supportive of the operations of the Foreign Service in a global environment; and to provide for matters incidental thereto**.** | Completed |

1. **Challenges Emerging**

The following challenges emerged during the processing of legislation:

- In processing the legislation, select committees are given limited time due to lengthy processes undertaken at the National

 Assembly’s Portfolio Committee level. By the time the legislation reaches the Select Committee, the Select Committees are often

 under pressure to process and complete legislation with tight timeframes.

1. **Issues for Follow-up**

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

- The procedure on processing of legislation should be reviewed in such that the Select Committees is afforded enough time to process legislations without undue pressure.

The following oversight trips were undertaken:

| **Date** | **Area Visited** | **Objective** | **Recommendations** | **Responses to Recommendations** | **Follow-up Issues** | **Status of Report** |
| --- | --- | --- | --- | --- | --- | --- |
| 21 – 24 October 2014 | The Committee visited two District Municipalities in the Northern Cape Province and Limpopo Province and the District Municipalities visited are; ZF Mgcawe and Vhembe District Municipalities, respectively. | The purpose of the visits was to conduct an oversight on these two provinces to assess the progress of the identified municipalities in aligning their budgets and project plans with implementation of National Development Plans (NDP), Industrial Policy Action Plan (IPAP) and the New Growth Path (NGP) towards addressing the triple challenges (poverty, inequality and unemployment) of the economy. The Committee further assessed the ability of these municipalities in harnessing all the available resources | **Northern Cape**The Local Municipality should prioritize the Co-ops with regard to water.The elected members of the Board should indicate their priorities and needs and draw up a short, medium and long term plans.With regard to Electrification Co-ops reported that paying the same amount as Commercial Farmers. It was recommended that the Board Members should write a letter addressed to the Committee for intervention.The Department of Agriculture, Economic Development should meet immediately to address the issues mentioned by the Board Members and report the progress within 14 days, which ended on 6 November 2014.**Limpopo**The District was advised to explore the possibility of relieving the Musina Border Post by channelling goods or export through the Maputo corridor.In order to fast track the planned one stop border post, the District should engage with relevant Government Departments and Entities such as (SARS, Home Affairs & SAPS);On agricultural produce, the District was urged to explore beneficiating the agricultural produce in the District;The District in order to market itself economic viable, it needs to be visible and have a strong presence of the media; andThe Committee noted the District’s shortage of land for Special Economic Zones (SEZ) development, road infrastructure and electricity challenge. | No responses received. | None | Adopted |
| 20 – 24 April 2015 | Eastern Cape, Nelson Mandela Metropolitan Municipality | The purpose of this oversight was to oversee the implementation of various policies and legislation aimed at enhancing infrastructure development, industrialisation, manufacturing and small business development towards employment creation. | The Committee looked at access to affordable drugs versus industrial policy. Aspen presented Government procurement decisions on drugs as conflicting with its industrial policy priorities. Essentially, it argued that the Government should procure drugs from local producers despite costs because Government has designated the sector priority for industrial development. The Portfolio Committee’s approach to addressing this was to schedule a closed briefing involving all relevant stakeholders including the Department of Health. This was to ensure that a comprehensive solution is found to the issues raised by Aspen.Aspen further lobbied the Committee to consider putting pressure on the Departments of Trade and Industry, and the Economic Development to consider designation of the factory as a EOU or sector development zone or factory specific SEZ. There is need to explore the pros and cons of the request. The initial reaction was that it has the potential to create precedence, especially for large factory investments, to leverage such investment and therefore demand such treatment. The net effect is that this will dilute the whole objective of designation of areas as SEZ, diluting the value derived from clustering economies of scale. However, the DTI and EDD should explore this arrangement particularly where such investment preceded the designation.The request to consider future employment from capital investment instead of immediate employment created may create fiscal difficulties. The rebate operates in such a way that National Treasury budget/allocates funds based on the current/immediate employment benefit from investment. The proposal by Aspen is such that commitment of funds should be made prior to actual employment benefit being achieved from investment. | No responses received. | None | Adopted |
| 18 – 21 August 2015 | North West, the Bojanala District Municipality | The purpose of the oversight was to oversee and assess the progress being made in various sectors and industries of the provincial economy, particular in the Moses Kotane and Rustenburg Municipalities. The primary aim was to assess various efforts of the various Government Departments, including Provincial and Local Entities in meeting Government high level policy outcomes such as employment creation; growing the economy; acceleration of infrastructure delivery; lifting government support of SMMEs and cooperatives including tourism.  | There was a consensus that the region should expand to other potential industries beyond mining. However, it was emphasised that mining still remains a strongest contributor to the regional economy, and has created added value to other industries such as business services including retail and residential industry.The region relies more on natural resources for economic activity, it needs to develop sector strategies beyond mining and take opportunities in other industries such agriculture, tourism including cultural and adventure tourism, residential property development and including business support services. The SEZ would further support the region to meet the broader development priorities. District Municipalities , local municipalities and traditional authority have identified agriculture and tourism as other key growth potential industries that could stimulate regional economic growth, create employment opportunities. The Committee was of the view that there is a need to improve planning and resource allocation to support development of the Pilansberg International Airport. If the Airport could operate at its optimal level, it would significantly contribute to the development of the tourism sector. What was urgently needed was for all state organs to improve planning and coordination in order to maximise efficiency gains and avoid duplication, thus improve resource allocation.  There is a need to strengthen and enhance the interface of the local municipalities and the traditional authority administration. Furthermore, there is a need to enhance development partnership with the private sector including higher education institutions.It was also emphasised that mining companies’ social responsibilities should have social and economic impact. Local community empowerment remains a concern. In the same vein the MPs also suggested that a concerted effort is necessary to move away from a piece meal approach in Corporate Social Investment by mining companies. The mining companies through their commitment to Social Labour Plans should collectively engage all stakeholders and jointly fund big projects with multiplier effects on job creation such as manufacturing plants.Employment creation should remain one of the key policy focus areas. Resources should be directed to areas that would make social and economic development impact. Local municipalities need to design incentives that would attract investments in the region. The region should develop a coherent integrated regional economic development plan that would support growth and development. It also needs to build capacity in the administration particular in areas such as finance, development planning (economic development), and engineering. Furthermore, it was recommended that there is a need to create information intelligence hub that would assist in decision making.The local municipalities agreed that that they lack spatial and economic development capacity and capability. It was highlighted that there is a need for the local municipalities to develop spatial and sector plans that will support development initiatives. The traditional authority was planning to establish the infrastructure development fund which would including private sector partners. The delegation commended the mooted initiative, and emphasised that economic infrastructure would be needed to support regional economic development. It was noted that local municipalities would need to mobilise resources in order to fund economic growth enhancing infrastructure such as roads, water and energy. The Bus Rapid Transit remained a concern, and that proper governance structures should be established to improve corporate and financial governance. The Delegation emphasised that local municipalities should ensure that capital expenditure is not shifted to pay operational expenditure. If capital expenditure is diverted to fund operational expenditure would deepen local government instability. Accelerate the recovery of outstanding debt owed by government departments to municipalities in order to improve the financial sustainability of the municipalities. The diversification of the provincial economic complex away from overreliance on mining was raised very sharply suggesting that consideration of other industries such as reviving of small businesses in tourism and services sectors. The underfunding of tourism and poor investment in marketing the province as a destination of choice was noted with great concern. | No response received | None | Adopted |
| 8 – 11 September 2015 | Kwazulu-Natal, Mkhanyakude District | The purpose of the oversight visit was to oversee and assess progress being made in various sectors and industries of the provincial economy, in particular uMkhanyakude District Municipality. The visit further focused on various projects such as iSimangaliso Wetland Park in relations to eco-tourism, progress made on Richards Bay Port development and Durban Port. |  | No responses received. | None | Adopted |
| 30 August –2 September 2016 | Gauteng | The purpose of this oversight visit was to; assess the work of the Department of Trade and Industry with a particular focus on Industrial Policy and its contribution to growth in manufacturing and other export led operations; receive a briefing on plans and progress on employment creation and skills development in relation to the BMW brown investment in Rosslyn, Pretoria, amounting to R6 billions; receive progress report on the replacement of the old rolling stock and assembly of new rail couches under the auspices of the multibillion Gibela Consortium (project); Receive a briefing from the Gauteng Department of Roads and Transport on their transport plans; receive a briefing from the National Lotteries Commission on its work; Visit the Rail Coaches Manufacturing Plant; receive a briefing by Gautrain CEO on their projects; Receive a briefing by the National Department of Transport and Prasa on the transport hub initiatives including the plans on the manufacturing of rail coaches; visit the Extended Public Works Programmes around Soweto, such as Persevere Until Something Happens (PUSH); Ikusasa Lethu Youth project; Devland Community Housing project; further conduct a site visit to at Shomang Sebenzani Development Organisation; and lastly, visit the tourism sites in Soweto particularly Vilakazi Street. | The Department of Trade and Industry should scale up the support of the manufacturing sector and re-adapt strategies and programmes to ensure concomitant investments in infrastructure, human capital and energy. The industrial policy’s programme need to identify specific measures to ensure that small businesses including black industrialists develop smart specialisation and capitalisation with an idea to integrate them within local supply chains and gradually infusing move into Global Value Chains. Shomang Sebenzani Development Initiative is one of the trailblazer projects in solid waste management and has a potential to be developed into an empowered company and needs to be provided with financial and non- financial support. The Select Committees recommended that Small Development Agency (SEDA) and Small Enterprise Finance Agency (SEFA) should assist the organisation in order to it can be able to service negotiated contracts with recycle companies such as Nampak, Remade and Neopak. This has a huge potential to absorb unskilled labour and empower black entrepreneurs. On the basis of the Manufacture and Supply Agreement (MSA) signed in 2013 between PRASA and Gibela Rail Transport Consortium with R51 billion value and expected to supply 3600 coaches over 10 years. The manufacturing plant is due to be built in Dunnottar of Ekurhuleni Metropolitan Municipality and the Select Committees recommended that PRASA should come and brief the Committee on the delays in implementing the project as it appears in its 2016 corporate plan. The plant has a huge potential to create jobs and technical skills being developed at Koedoes Port rail manufacturing plant and contribute to overall government policy outcomes | No responses received. | None | Adopted |
| 27 – 31 March 2017 | Mpumalanga, Ekangala District | The primary objective of the oversight was to assess how the sector departments influence growth and development of the regional economy, and thus ensure local businesses expand and create much needed jobs and the local business environment attract investments. Key to the Government’s social development agenda is to eradicate poverty, reduce inequality and create jobs. Hence it is imperative for regional and local governments to function well by strategically allocating resources to improve local economies and attract local and external businesses. Furthermore, the oversight sought to evaluate various implementation efforts of public agencies across all spheres of government in attaining government policy priorities. The oversight was structured around key Government policy priorities such as infrastructure investment, small business development, industrialisation, tourism, and skills development as expressed in the National Development Plan (NDP), the Nine-point Plan and 2017 State of the Nation Address and the 2017 Budget Review.  | The Committee’s observations emphasised a need for government departments and development agencies (across the spheres) to coordinate resource allocations to the regions/beneficiaries in order that better outcomes/results are achieved.Contract management and implementation of public works projects need to be improved and local enterprises need to be given more opportunities.Tourism is one of the key industries that has the potential to create jobs. Public and private sector investments need to be mobilised to boost the provincial tourism industry and increase participation of the local communities in the tourism industry.The role of infrastructure investment, particularly in energy and transport sectors and logistics can drive regional economies. It was recognised that investment in infrastructure should spur growth of local industries. Such approaches must be encouraged and supported.The Ministry of Trade and Industry, in collaboration with the Ministry Economic Development and the National Treasury should devise workable measures that would protect local industries from cheap imports. However, all must be done within the international economic and trade-regime requirements. Revitalisation of industrial parks in former homelands requires select committees and parliamentary support, but more needs to be done in terms of capital investment, management and financial sustainability of the parks. The reference case was the Ekandustria Industrial Park. With regard to the Moloto Road Development Corridor, although there is work being done, the select committees felt a need to accelerate the implementation of the programme. The Committee wanted to see well-coordinated approaches in the implementation of the programme. In order for the programme to be successfully implemented, private and community participation should be supported and promoted. Furthermore, the committees acknowledged the economic spin-offs. In addition, it was emphasised that public infrastructure investment, as much as it may be needed, should not drain the fiscus, private sector participation should be promoted.  | No responses received. | None | Adopted |
| 14 – 18 August 2018 | Western Cape, West Coast District | The purpose of the oversight was to assess progress in implementing government development programme, and identify challenges that need to be addressed by various Government Departments and agencies in order to influence growth and development of the regional economy. In the main, the aim was to ensure that government programmes, in partnership with the private sector including civil society, support job creation, enable local businesses to expand and increase investments in the regional economy | Strategic and financial support should be solicited from national and provincial Government as well as investments from the private sector to support regional economic development. Development finance institutions working closely with provincial and regional development agencies should improve investment coordination. All efforts should be made by the government to create a conducive environment for private sector confidence in the economy and sustainable investment that supports economic growth and development.WCD should collaborate with the Department of Basic Education (DBE), the Department of Higher Education and Training (DHET), the DoL and the private sector to streamline curriculum development in order to ensure that the skills that are produced meet the demands of the traditional industries including emerging and future industries. The oil and gas industry, including the green-economy linked industries would need appropriate skills that would propel the growth of the industries. In addition, centres of excellence in Mathematics and Science must be established to prepare local people to take advantage of new economic opportunities presented by SEZs. WCD together with the Western Cape Department of Agriculture, including national departments of Agriculture, Forestry and Fisheries, Land Reform and Rural Development as well as development finance agencies (such as Land Bank) need to collaborate with industry players and restore investment and business confidence in the agricultural industry. On the water crisis in the Western Cape and the associated challenges of cooperation between National Department of Water and Sanitation and the Western Cape Provincial Government, the Committee recommended that the issue be referred to the Portfolio Committee on Water and Sanitation.SEDA must be able to identify and empower potential entrepreneurs including women, youth and people living with disabilities in both urban and rural areas. Such entrepreneurs who are already producing marketable goods and services should be linked with markets, mentors and business consultants to develop sustainable business plans and guide them to start viable small businesses.The delegation noted, with concern, the ostensible domination of services in the hospitality industry by migrant workers. The Committee suggested that a multi-stakeholder forum needs to be established to include the Department of Home Affairs, Department of Labour and the South African Police Service (SAPS) to address this matter.NYDA should establish a portal to ensure their services are accessible to the youth without necessarily attempting to have satellite offices in all local municipalities. The Committee raised a concern about the lack of youth programmes in the WCD. A consultation would be facilitated by the select committees to assess the challenges faced by the NYDA. The entity was required to present concrete plans that would map-out how the agency would address youth development. A detailed breakdown on the processing of claims for the Compensation Fund (CF) and the Unemployment Insurance Fund (UIF) was requested for the joint select committee to determine the number of people that have been assisted.The introduction of ICT system in processing the claims has led to a slow pace of the system owing to the parallel nature of the UIF and CF online system and the Committee recommended that the databases for jobseekers and claims should be integrated.On resistance of employers to enforcement of labour legislation, it was recommended that the DoL should provide a breakdown of the number of undertakings issued on non-compliance to Basic Conditions of Employment Act (BCEA), Labour Relations Act (LRA) and Employment Equity Act (EEA) etc.To avoid unwarranted contestation for resources and business opportunities, the SEZs in different regions must focus on specific sectors based on regional natural endowments.The SEZs should enhance transformation and broaden its industrial base through development of industrial hubs. This must ensure participation of youth, women and people living with disabilities.On beneficiation, it was recommended that the DTI was required to brief the Select Committees on the rationale for mineral beneficiation executed outside the mine zones as this has negative effects on job creation and small business activity in mining towns.Government needs to remove any existing policy and regulatory barriers that affect the development of the renewable energy industry. The renewable energy industry should be used to maximise/leverage broader government support programmes to support regional economies and add to lift employment, and poverty reduction initiatives. The SANParks should be invited by the Select Committee on Trade and International Relations to present its challenges regarding structural projects in the West Coast Park. | No responses received. | None | Adopted |
| 4 – 8 September 2018 | Free State, Mangaung  | The focus of the visit was to assess how Government programmes are implemented to address the pressing socio-economic challenges. The oversight visit observed and reflected on the efforts of both national and provincial development agencies including local government entities, in addressing the challenges identified in the National Development Plan, including the other government strategic action plans such as the Nine Point Plan. Investing in enterprise development would also assist government to jump-start the economy, and address socio-economic challenges. Thus the Select Committees invited various national Departments, including state entities with functional focus on economy, employment and infrastructure investment, to identify their contributions in response to local economic challenges, and identify economic opportunities. | The Mangaung Metro should provide the Select Committee on Economic and Business Development with an updated land and asset register.The Select Committee on Trade and International Relations will engage the Department of Tourism on its plans to support the Provincial government of Free State in boosting domestic tourism and creating jobs through SMME development.In ensuring integrated economic development among the three spheres of government, DESTEA needs to coordinate and solicit inputs from other spheres of government in terms of what is it that they are doing to contribute towards job creation and poverty reduction in the Province.  In dealing with non-compliance with transformation targets, the Department of Energy (DoE) should use the legislative authority to develop policies and implement existing ones such that oil majors (for example) are compelled to comply and ensure that the petroleum value chains are as inclusive as possible. This can be made possibly particularly through the issuance of operating licences.The petroleum industry must be forced to accommodate black entrepreneurs even in the upstream level of the value chain especially in hydrocarbons. The Committees recommended that, DESTEA should engage with NEF to determine how the cooperative could be assisted to access funding and other essential non-financial support (e.g. access to markets and increased production).On the issue of the idling taxi rank in Mangaung Metropolitan City, the Select Committee recommended that the matter be referred to the relevant Select Committee on Cooperative Governance and Traditional Affairs. The Provincial Department of Public Works and Infrastructure should provide a report to Parliament on a comprehensive implementation plan that deals systematically with the issue of compliance as well as maintenance and repairs of government buildings- especially health facilities.The Select Committee further suggested that a project approach be employed in implementing the EPWP programme in order to realise value for money on expended public funds and enhance accountability by adhering to project timelines and outcomes.The National Department of Public Works should provide a progress report to the Select Committee on Economic and Business Development on two issues: The first being the development of guidelines on the implementation of EPWP programmes. The second being an updated asset register for land and buildings in the Free State Province. | No responses received. | None | Adopted |
| 30 July – 3 August 2018 | Limpopo, Mopani District | The purpose of the oversight was to assess progress in implementing Government development programmes, and identify challenges that need to be addressed by various Government Departments and agencies in order to influence growth and development of the regional economy. In the main it is to ensure that government programmes, in partnership with the private sector including civil society, support job creation, enable local businesses to expand and increase investments in the regional economy.  | The oversight visit highlighted four broad implications for District Municipality including the local municipalities under district jurisdiction. The local government leaders need to work closer with the private sector (businesses), educational partners, national and provincial government (including state owned entities and development agencies such as DBSA). Better coordination and planning would deliver good growth: economy, boost jobs and attract investment. It was noted that countries with well-developed systems of vocational education for young people who do not go to university have higher employment rates for young people. The Department of Higher Education and Training (including SETAs), private sector including the Department of Labour need to work closer with the District. There is a need to address high levels of skill shortages. To increase funding of skills development should be supported and encouraged. Further, vocational education and training needs to be more employer-led and responsive to local business needs.The joint Select Committees identified a need for national government (state owned enterprises and development agencies) to intervene in order to fuel productive investments to boot job creation. Further, there is a need for private-sector initiatives, backed by government support. Further, local municipalities need to create space for the private sector to take central role in leading economic development functions in growth industries and including in emerging industries. The Joint Committees further noted a need to investment in economic infrastructure such as a water infrastructure, quality energy infrastructure to boost power for both residential and commercial clients in the district. The Department of Public Enterprise through its SOEs such as Eskom, Transnet and the Department of Water and Sanitation (Water Boards) with the backing of the private sector should increase investments in the District to support growth and development. Lack of investment in critical economic infrastructure would hinder economic growth and development, and thus deepen social unrest and compromise social cohesion.The District needs to develop prioritised action plan to attract investments. To this end, the District working with *local municipalities in partnership with the private sector need to lift their efforts in terms of resource mobilisation* to proactively engage national government to fund investments, develop trading links and promoting exports. National functional departments such as *Trade and Industry, Economic Development; Transport, Water and Sanitation, Rural Development, Small Business Development, Tourism, Agriculture, Forestry and Fisheries, Energy including Public Enterprise and their SOEs and development agencies* need to enhance their support in local government to drive regional integrated development. The District further needs to focus and enhance economic development strategies to achieve inclusive, place based growth supported by local industrial strategies bridging skills, drive infrastructure investment working with private sector and national government. Further it need to spur innovation (supported by higher education institutions and private sector). The Joint Committee noted the role that should be played by the national functional Departments such as Science and Technology, Postal and Telecommunications including the SOEs backed by the private sector. Thus the District need to position itself to tap to the opportunities presented by the 4th industrial revolution. Further to be in a position to mitigate risks posed by the 4th industrial revolution. It should be emphasised that the success of the District would require a concerted effort. The responsibility to attain *better life cut across departments*. *Land reform and development* should be one of the priorities. That would need closer working relations with traditional authorities to unlock value for the land to attract investment in agriculture, tourism, and thus spur growth for property and retail industry including boosting construction and electricity industries. Manufacturing activities particular in the agricultural industry need to be improved and enhanced. The Department of *Rural Development and Land Reform, Cooperative Governance and Traditional Affairs, Tourism, Agriculture, Forestry and Fisheries, Tourism and Transport including Energy and Public Enterprises and other functional Departments such as Economic Development, Small Business Development and Trade and Industry* backed by the private sector should support growth of the regional and rural economies. These investment efforts would need to be better coordinated, and planning across levels of government should be improved. The District including traditional authorities need to create conducive business environment to attract investment in order to drive economic development.Settlements in the District area are small and scattered. This settlement pattern constraint the provision of basic and social services and affects long term sustainable development in these settlements. The case highlighted in Ba-Phalaborwa was the capital cost of electrification under the INEP programme. Too sum up the visit, the Joint Committees emphasised that the District with local municipalities under its jurisdiction, backed by national government, higher education institutions and private sector needs to focus on: *Developing skills and education; Invest on economic and social infrastructure; Supporting investment, innovation and business growth; Ensuring a balanced economy, in terms of sectors and local municipal regional growth areas.*  | No responses received. | None | To be considered |
| 15 – 19 October 2018 | Kwazulu-Natal, eThekwini Municipality | The primary objective of the oversight was to assess the contribution of various sectors into job creation and infrastructure development in line with Outcome 6 of MTSF 2014 - 2019 i.e. to achieve - efficient, competitive and responsive economic infrastructure network. The following are specific objectives of the oversight visit include:* Overview of alignment of provincial and municipal economic development plans with the National Development Plan (NDP).
* Assessing progress and challenges of complying with the conditions of public transport network grant (PTNG) funding as set out in the Division of Revenue Act (DoRA), that include development of sustainable integrated public transport network (IPTN). The EThekwini Metro as a recipient of PTNG is expected to produce integrated transport plans (ITP) as required by the National Land Transport Act (Act 5 of 2009) currently before the Select Committee on Economic and Business Development as an amendment bill. The challenges of intersection between Bus Rapid Transport (BRT) system, metered taxis and e hailing also form part of the discussion.
* Overall assessment of issues emanating from the recent industry discord affecting work force and productivity in clothing and textile as well as auto manufacturing sectors.
* Assessment of sheltered employment creation for people living with disabilities through Supported Employment Enterprises (SEE) under Department of Labour. This will include progress report on establishment and claims from Compensation Fund (CF) and Unemployment Insurance Fund (UIF).
* Economic infrastructure development in the Dube Trade Port on how the administered prices influence industrial development and manufacturing in their contribution to exports and job creation.
* The regulation of small business development through monitoring of unregistered small businesses from both domestic and foreign ownership and their influence on illicit goods trading. Policy implementation on business support through Small Enterprise Finance Agency (SEFA) and Small Enterprise Development Agency (SEDA). This will include assessment of small business development on job creation in tourism sector, and
* Connecting and strengthen relations with civil society to enhance social cohesion
 | The three spheres of Government should synchronise their economic development plans and reduce undue inefficiency in funding and implementation of projects. This will allow the three to pull together financial, infrastructural and human capital for the benefit of job creation and economic growth.  | No yet received |  | Not adopted |

1. **Challenges emerging**

The following challenges emerged during the oversight visits:

Lack of interface and coherent approach in providing technical support in conducting oversight visits. There is a need to enhance coordination of the business components providing technical support to Committees. Thus, capacity and capability in supporting Committees need to be strengthened. Policy and Research Briefings should be improved. This would also require better planning of oversight visits. Including overall planning and programming of the NCOP work.

Parliament oversight model need to be implemented in an efficient and effective manner.

Improve the capacity and capability of the Inter-Governmental Relations, thus align its functional areas with legal, policy and strategy and research capacity within Parliament.

1. **Issues for follow-up**

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

• Establish functional teams composed of strategy and policy support (Content Advisor, Researcher, Legal Advisor, Committee Secretary, Media Officer, Administrative Assistant) to support in strategy, policy and research including legal advisory and media management. Further, logistics in terms of planning and execution need to be improved.

• Establish Transversal Monitoring and Evaluation Unit, and to be integrated with core business functional programme to track policy and legislation implementation.

• Establish collaborative initiative with Budget Office, deepen appreciation of expenditure reviews and socio-economic policy issues.

1. **Study tours undertaken**

The following study tours were undertaken:

| **Date** | **Places Visited** | **Objective** | **Lessons Learned** | **Status of Report** |
| --- | --- | --- | --- | --- |
| **17 – 24 April 2017** | **Malaysia and Singapore** | What was central in the international study tour, was to learn how Malaysia and Singapore’s experiences can assist South Africa in addressing socio-economic challenges. The aim was to also gain insight on both countries perspectives on inclusive growth and sustainable development agenda. | South Africa remains locked in a low growth path that is currently shadowing social gains, deepening inequality and the overall economy remains highly concentrated, and ownership patterns need fundamental transformation. South Africa remain dependent on minerals-based exports. The economy needs to diversify the export industries. South Africa needs to increase FDI and progressively reduce dependence on foreign funding of to the national fiscus.Employment in agriculture, mining and manufacturing has been in decline. This must be reversed, obstacles to new investment removed and new entrants better supported. New sectors need to be opened up to provide business opportunities to the new black business stratum.Despite large fiscal allocations to the education and training sector, outcomes remain poor. A poorly educated and trained majority perpetuates inequality and is a binding constraint on all the facets of social development. Our public sector is generally weak. There is a need to transform the country’s public sector to make it more effective and capable, less wasteful and much less corrupt**.** | **Adopted** |

1. **Challenges emerging**

The following challenges emerged during the oversight visit:

Technical/operational challenges

* Planning – the nature of the Parliamentary Programme is such that it is never cast in stone. Therefore, this makes planning for such activities difficult from both sides. However, from the perspective of the sites visited, this creates problems as schedules conflict and consequently, the goals of the oversight are never fully achieved;
* Administrative issues –inadequate planning results to oversight visits being hindered/affected by administrative issues such as logistics, issues of per diems as opposed to substantive Committee work issues; and
* Other challenges include meeting the ‘wrong’ people (wrong in the sense that they are not the decision makers) and going to sites unprepared etc.

Content-related challenges

* The major challenge is the capacity constrains both in human and financial terms that local authorities face. This has an impact in relevant and responsive development and implementation of economic development, tourism and infrastructure programs;
* Because of the capacity constraints, authorities are unable, for example, to link their programs with national imperatives such as the Industrial Policy Action Plan, the National Growth Path and the National Development Plan;
* Accountability in the form of proper management of financial resources becomes prevalent, hence the negative audit findings; and
* The technical challenges above always translate to incoherent and unresponsive policy choices. Common throughout the visited local authorities were very thin IDPs that tended not to priorities and address the immediate needs of local communities.
1. **Issues for follow-up**

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

* The question of a more focussed and consistent oversight programme is important. There is too much time between visits;
* Secondly, there is a growing perception in communities that there are no follow-up and feedback sessions after oversight visits; and
* It would be important for the next Parliament to take up the issues raised in the oversight visits and be seen to be following-up and giving communities feedback.
1. **International Agreements:**

The following international agreements were processed and reported on:

| **Date referred** | **Name of International Agreement** | **Objective** | **Status of Report** | **Date of enforcement** |
| --- | --- | --- | --- | --- |
| 12 August 2015 | Additional Protocol to the South Africa (SA) – European Union (EU) Trade, Development and Cooperation Agreement (TDCA) | The inclusion of Croatia in the TDCA creates a number of new opportunities for South African companies to expand their exports to Croatia or to establish a new export market | Adopted | Information not available |
| November 2015 | World Trade Organisation’s Decision on the Implementation of Paragraph 6 of the Doha Declaration on Trade-Related Aspects of Intellectual Property Rights (Trips) Agreement and Public Health | Addresses the impact of the TRIPS Agreement on access to drugs, local manufacturing capacity and the development of new drugs.Africa Group proposal to ensure that the TRIPS Agreement does not undermine the legitimate right of WTO Members to formulate their own public health policies. | Adopted | Information not available |
| 4 May 2016 | Protocol Amending the Marrakesh Agreement establishing the World Trade Organisation (WTO) by including the Annex 1A on the Agreement on Trade Facilitation | * To clarify and improve General Agreement on Tariffs and Trade (GATT): Article V (Freedom of Transit), Article VIII (Fees and Formalities connected with Importation and Exportation), and Article X (Publication and Administration of Trade Regulations); and
* To enhance technical assistance and capacity building in this area and to improve effective cooperation between customs and other appropriate authorities on trade facilitation and customs compliance issues.
 | Adopted | Information not available |
| 15 August 2016 | Economic Partnership Agreement between the SADC EPA States, of the one part, and the European Union and its member states | The EPAs were negotiated to replace the unilateral trade regime between the EU and ACP countries under the Cotonou Partnership Agreement (CPA). SA was excluded from the unilateral trade regime provided by EU to the ACP countries | Adopted | Information not available |
| 3 February 2017 | South Africa’s Protocol of Accession to the AgreementEstablishing the Advisory Centre on World TradeOrganisation (WTO) Law (ACWL), | The ACWL was an independent, impartial and non-political source of legal advice. The mission of the ACWL was to provide developing countries and less developed countries with the legal capacity necessary to enable them to take full advantage of the benefits and opportunities offered by the WTO. | Adopted | Information not available |
| 22 June 2018 | Agreement Establishing a Tripartite Free Trade Area among the Common Market for Eastern and Southern Africa, the East African Community and the Southern African Development Community | The agreement provides for the liberalisation of 95% of the EU’s imports from SA within ten years, and 86% of South Africa’s imports from the EU in 12 years, which came into full effect in 2012. | Adopted | Information not available |
| 27 September 2018 | Agreement establishing the African Continental Free Trade Area (AfCTA) | Creation of a single market for goods and services in Africa; Expedite continental integration and enhance intra-Africa trade and investment | Adopted | Information not available |
| 12 October 2018 | Agreement Amending Annex 1 (Co-operation on Investment) of the SADC Protocol on Finance and Investment (FIP); including Protocol on Finance and Investment | The purpose of FIP is to ensure that harmonisation of investment policies among SADC Member States are in line with region’s economic integration. | Adopted | Information not available |
| 1 September 2018 | Treaty on the Prohibition of Nuclear Weapons | Prohibition to develop, test, produce, manufacture, acquire, possession, stockpile; transfer or receive of nuclear weapons on the territory. | Adopted | Information not available |
| 31 January 2019 | The World Intellectual Property Organisation Copyright Treaty (WCT) | The World Intellectual Property Organisation Copyright Treaty (WCT) is a special agreement under the Berne Convention and it deals with the protection of works and authors specifically on the digital platform. |  | Information not available |
| 31 January 2019 | The World Intellectual Property Organisation Performances and Phonograms Treaty (WPPT),  | The World Intellectual Property Organisation Performances and Phonograms Treaty (WPPT) deals with the rights of two kinds of beneficiaries, particularly in digital environment: (i) performers (actors, singers, musicians, etc.); (ii)producers of phonograms. |  | Information not available |
| 31 January 2019 | The Beijing Treaty on Audio-visual Performances (Beijing Treaty)] | The Beijing Treaty on Audio-visual Performances, which regulates copyright for audio-visual performances and expands the performers’ rights. |  | Information not available |

1. **Challenges emerging**

The following challenges emerged during the processing of international agreements:

Technical/operational challenges

* The delay in international agreements, either Section 231(2) or 231(3). The delay in ratification of Section 231(2) creates a perception of a lethargic parliament inward looking and not committed to either regional integration or improved global governance.
* Section 231(3), although technical/administrative in nature, does not mean parliament has to be notified as an afterthought. The Constitution places an obligation on the Executive to notify parliament of such and this obligation assumes this ought to be done at a reasonable time.
* The perception that the committee will not/ cannot engage with the substance of agreements therefore the late submission for ratification or for information to the committee by the department, and
* Generally, there has to be a revision of the process to concluding international agreements. This may have constitutional implications.
1. **Issues for follow-up**

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

* Parliament’s involvement is only after a bureaucratic decision has already been taken to conclude an international agreement. Even during the negotiation process, where stakeholders such as NEDLAC and other strong lobby groups are involved, Parliament is not included; the next Parliament has to explore the possibility of Parliament being involved earlier in the negotiation of international agreements.
* There is a need for capacitating the support structures of the Committees.
1. **Statutory appointments**

None

1. **Interventions**

None

1. **Petitions**

None

1. **Obligations conferred on committee by legislation:**

None

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

There are no substantial key issues outstanding from the Committee’s activities during the 5th Parliament. However, the Committee acknowledge that there are matters that need serious follow up by the 6th Parliament as indicated in various section of the report

1. **Other matters referred by the Speaker/Chairperson (including recommendations of the High Level Panel)**

None

1. **Recommendations**

The main critical challenge that has been experienced by Select Committees in general, in their obligation to execute their constitutional mandate, has been the changes to the NCOP Programme. The changes have often impacted negatively on Committees. It is recommended that the untimely changes to the NCOP Programme should be looked at closely by the 6th Parliament.

1. **Committee strategic plan**

Available

1. **Master attendance list**

Available