



Isihaya Mkhulu Sesizwe
IsiMpumalanga
IKhosi ya Mkhulu ya Mpumalanga
Isihaya Mkhulu Sesizwe Sase Mpumalanga

Tel No: 013 766 1051
Fax No: 013 766 1478

Physical Address:
Building No 1,
Mpumalanga Legislature
Government Complex
Government Boulevard
Riverside
Nelspruit

Postal Address:
P/Bag X11289
NELSPRUIT - 1200

Web Address:
www.mpuleg.gov.za

Share - call number
0860 774 455

OFFICE OF THE SPEAKER

Enquiries: Mr D Mashego
Tel. No.: 013 - 766 1399

FINAL MANDATE

CONSTITUTION FOURTEENTH AMENDMENT BILL, 2008 [B62B-2008]

The Portfolio Committee on Premier's Office; Finance; Safety and Security ("the Committee") considered the Constitution Fourteenth Amendment Bill, 2008 Bill [B62B-2008].

The Committee adopted the Negotiating Mandate on 23 October 2008 and it was agreed to confer the Delegation representing the Province of Mpumalanga in the National Council of Provinces with authority to vote in favour of the Bill.

The Committee met on 7 November 2008 to consider the minutes of a meeting of the Select Committee on Security and Constitutional Affairs held on 4 November 2008 in order to finalise the Final Mandate on the Bill.

In response to the minutes considered, the Committee adopted a mandate to confer the Delegation representing the Province of Mpumalanga in the National Council of Provinces with authority to vote in favour of the Bill.

HON YN PHOSA MPL
SPEAKER TO THE MPUMALANGA
PROVINCIAL LEGISLATURE

10.11.08
DATE

Final Mandate.TXT

**"We are about : Law making, Oversight, Public Participation
and Public Involvement"**



Sishaya Mzamo Basundza
Baso Mpumalanga
Nkovo ya Mzamo ya Mpumalanga
Ishaya Mzamo Basundza Baso Mpumalanga

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FREE STATE-VRYSTAAT-FREIATA

Committee Service

Our reference:
Ons verwysing:
Tshupo ya rona: **To:**

The Chairperson of the NCOP or a person designated by the Chairperson of the NCOP

Name of Bill: Constitution Fourteenth Amendment Bill

Number of Bill: (B62-B-2008)

Date of deliberation: 11 November 2008

Vote of Legislature: The Free State Legislature vote in favour of the Bill

Signature
D.A.M. Kgothule
Chairperson

11/11/2008
Date



ISISHAYAMTHETHO SAKWAZULU-NATAL

KWAZULU-NATAL WETGEWER

KWAZULU-NATAL PROVINCIAL LEGISLATURE

**TO: THE CHAIRPERSON,
NATIONAL COUNCIL OF PROVINCES**

FINAL MANDATE

PROVINCE : KWAZULU-NATAL
**BILL : CONSTITUTION 14TH AMENDMENT
BILL [B62B-2008]**
DATE : Friday, 7th November 2008

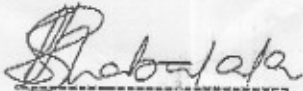
PROVINCIAL PROCESS :

Provincial Portfolio Committee/s : Premier's Portfolio Committee
Portfolio Committee meeting date/s : Wednesday, 5th November 2008
Provincial NCOP meeting date/s : Friday, the 7th November 2008
Consultation : Parliamentary Legal Advisors,
Special & Permanent Delegates

VOTE OF THE KWAZULU-NATAL PROVINCIAL LEGISLATURE:

The Provincial Standing Committee on National Council of Provinces Matters met today, Friday, the 7th of November 2008, & agreed to mandate the KwaZulu-Natal delegation to the National Council of Provinces to *support* the Constitution 14th Amendment Bill [B62B – 2008].

PROVINCIAL ENDORSEMENT



Ms LF Shabalala
CHAIRPERSON :
KWAZULU-NATAL STANDING COMMITTEE ON
NATIONAL COUNCIL OF PROVINCES MATTERS

Friday, 7th November 2008

DATE



EASTERN CAPE PROVINCIAL LEGISLATURE

Independence Avenue
Private Bag X0051
Bhisho
5605

Tel: (040) 608 0287
Fax: (040) 636 4922
Enquiries: M. Schoeman
Email: mschoeman@ecleg.gov.za

Date: 11 November 2008

**PORTFOLIO COMMITTEE ON ECONOMICS ENVIRONMENTAL AND TOURISM OF
THE EASTERN CAPE PROVINCIAL LEGISLATURE**

Negotiating mandate on the National Environmental Laws Amendment Bill (B66B-2008)

1. ***Terms of reference***

The National Environmental Laws Amendment Bill (B66B-2008), hereinafter referred to as the Bill, was referred by the NCOP Business Committee (the Committee) to the Portfolio Committee on Economics Environmental and Tourism for consideration.

2. ***Consideration of the Bill***

The Committee was briefed on the content and effect of the Bill by Mrs. L. Garlipp from DEAT, on the 6th of November 2008 at Lady Frere.



3. ***Negotiating mandate of the Committee***

3.1 The following amendments must be effected to section 49 (a) of the Bill:

- (i) The establishment of a Compensation Fund/Trust, which must be funded by the Management of the Parks and Protection areas, and managed by the Department.
- (ii) The Fund/Trust must be established to compensate any individual who suffered loss or damage which cannot be apportioned due to the negligent behavior of any Management authority, as provided for in subsection 2.
- (iii) The State must be responsible for the assessment of the claims, and compensation payable out of the Fund/Trust.

3.2 The following amendments must be affected to Section 31 of the Bill:

- (i) The Bill is inconsistent with the principles established in the NEMA Bill, with specific reference to Section 24 which relates to DEAT's approval on mineral prospecting by DME.
- (ii) All departments that undertake activities affecting the environment must seek the approval of DEAT. DEAT must be responsible for conduction of researched impact assessment studies and monitor the implementation thereof.

3.3 The following amendments must be considered in relation to Section 38:

- (i) DEAT, in collaboration with DTI, must monitor and register patents on behalf of communities related to indigenous knowledge and traditional medicine and remedies.
- (ii) Income from royalties must be managed by a Trust Fund established by the State, should there be no entity representing the community.
- (iii) A research permit must be obtained for the commercialization and research of any traditional medicines and remedies.

3.4 The committee resolved to support the Bill with amendments as suggested above.

- (i) That the Eastern Cape Permanent Delegate, present the Province of the Eastern Cape at the meeting.



M. MAZOSIWE

DEPUTY SPEAKER: EASTERN CAPE PROVINCIAL LEGISLATURE