



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
IPalamente yePhondo leNtshona Koloni

**FINAL MANDATE OF THE FINANCIAL MANAGEMENT OF PARLIAMENT
BILL [B74-2008]**

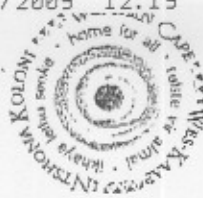
Final mandate of the Western Cape Provincial Parliament on the *Financial Management of Parliament Bill [B74-2008]* (NCOP), as resolved by the Standing Committee on Finance and Economic Development on 4 February 2009.

The Western Cape Provincial Parliament having considered the subject of *Financial Management of Parliament Bill [B74-2008]* (NCOP), referred to the Provincial Parliament in terms of the rules of the National Council of Provinces (NCOP), begs to report that it confers on the Western Cape's delegation in the NCOP the authority to support the Bill in principle.

Consideration should however be given to the matters of concern and in particular the matters raised by the Auditor General (See attached memorandum). The Committee also wishes to draw attention to the contents of the attached letter of 13 October 2008 by the Western Cape MEC for Finance, Economic Development and Tourism and confirms that the Committee endorses the views expressed by the MEC.

SE BYNEVELDT
SPEAKER
4 FEBRUARY 2009





MINISTRY OF FINANCE ECONOMIC DEVELOPMENT AND TOURISM
 MINISTERIE VAN FINANSIES EKONOMIESE ONTWIKKELINGEN TOERISME
 ISEBE LEZEMALI, UPHUHLISO IWEZQOQOSHO NOKHENKETHO



Our Reference :
 Our Verwysing : 3/1/1
 Isalathiso Sethu :
 Date :
 Datum : 13 October 2008
 Umhla :

Mr SE Byneveldt, MPL
 Speaker
 Provincial Parliament Western Cape
 PO Box 648
 CAPE TOWN
 8000

Dear Speaker

FINANCIAL MANAGEMENT OF PARLIAMENT BILL

I wish to draw your attention to the Financial Management of Parliament Bill, which was formally introduced to National Parliament during September 2008.

The objectives of the new Bill are:

- (i) To ensure transparency, accountability, sound management of revenue, assets and liabilities of Parliament;
- (ii) To ensure a consultative relationship between Parliament and the National Treasury;
- (iii) To provide for parliamentary oversight of Parliament's budget and expenditure through an appropriate committee of Parliament; and
- (iv) To establish norms and standards for managing the financial affairs of provincial legislature.

It goes without saying that the separation of Powers is one of the cornerstones of our constitutional democracy and it requires that Parliament and provincial legislatures remain responsible for sound financial management of their respective institutions. Consistent with the separation of powers doctrine, there is legislation that applies to Parliament. For example, the Powers and Privileges Act and the PFMA, the latter which applies to Parliament and Provincial Legislatures to a limited extent.

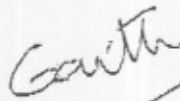
The Financial Management of Parliament Bill seeks to consolidate and regulate the financial Management of Parliament in a single act and to provide a framework for the financial management of provincial legislatures. My understanding of the National Bill is that it is incumbent upon Provincial Legislatures to follow with their own legislation.

To improve the oversight function by the Legislature, Provincial Treasury is in the process of investigating the possibility of drafting a position paper, which is in line with the Financial Management of Parliament Bill. This position paper will primarily focus on the oversight mandate of the legislature and the effectiveness of the current methodology used.

-2-

In view of the aforementioned, I humbly request that the Provincial Legislature of the Western Cape adopts similar legislation to regulate the financial management of Provincial Parliament as a matter of urgency. The Provincial Treasury is willing to provide any assistance required to accelerate the enactment of this legislation.

Kind regards



GARTH STRACHAN, MPL
MEC FOR FINANCE, ECONOMIC DEVELOPMENT AND TOURISM

CC: Ms Lynne Brown, MPL
Premier

Mr Max Ozinsky, MPL
ANC Chief Whip



Northern Cape
Provincial Legislature

OFFICE OF THE SPEAKER

Private Bag X5066
Kimberley 8300

Nobengula Extension
Galeshewe
Kimberley 8300

Fax: Admin (053) 839 8094
Tel: (053) 839 8005

Date: 2009-02-04

The Chairperson
National Council of Provinces
Hon MJ Mahlangu

FINAL MANDATE: FINANCIAL MANAGEMENT OF PARLIAMENT BILL [B74 - 2008]

The aim of the Bill is to regulate the financial management of Parliament in a manner consistent with its status in terms of the Constitution; to ensure that all revenue, expenditure, assets and liabilities of Parliament are managed efficiently, effectively and transparently to provide for the responsibilities of persons entrusted with financial management in Parliament; to provide financial management norms and standards for provincial legislature; and to provide for matters connected therewith.

On 04 February 2009, the Portfolio Committee on Finance met to draft a Final Mandate on the said Bill. The Legal Advisor of the Legislature made the briefing. The Members unanimously supported the Bill.

The Committee confers on our Permanent Delegates to participate in deliberations of the final mandate and support the Bill.

A handwritten signature in black ink, appearing to read 'G. Ciekella', written over a horizontal line.

HON G CJIEKELLA
DEPUTY SPEAKER