

20090310SC Security



**EASTERN CAPE PROVINCIAL LEGISLATURE**

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Bhisho  
5605

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Date: 09 March 2009

**PORTFOLIO COMMITTEE ON LOCAL GOVERNMENT AND  
TRADITIONAL AFFAIRS**

Final Mandate on Constitution Sixteenth Amendment Bill (B1-2009).

1. ***Terms of reference***

The Constitution Sixteenth Amendment Bill (B1-2009), hereinafter referred to as the Bill, was referred to the Portfolio Committee for consideration in order to formulate a provincial mandate.

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

The Portfolio Committee requested comments from stakeholders in the Province by way of newspaper advertisement and no inputs were received.

3. ***Resolutions***

The Committee supports the Bill and resolved that the following final mandate be conferred.

- (1) Vote for the adoption of the Bill (B1-2009).
- (2) The Eastern Cape Permanent Delegate to represent the Province of the Eastern Cape at the meeting of the final mandates.

  
N RIVIETS

SPEAKER: EASTERN CAPE PROVINCIAL LEGISLATURE





**ISISHAYAMTHETHO SAKWAZULU-NATAL**

**KWAZULU-NATAL WETGEWER**

**KWAZULU-NATAL PROVINCIAL LEGISLATURE**

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

***FINAL MANDATE***

**PROVINCE : KWAZULU-NATAL**  
**BILL : CONSTITUTION SIXTEENTH  
AMENDMENT BILL [B1 – 2009]**  
**DATE : Tuesday, 10<sup>th</sup> March 2009**

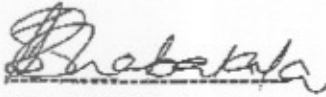
**PROVINCIAL PROCESS :**

Provincial Portfolio Committee/s : Local Government & Traditional Affairs  
Portfolio Committee  
meeting date/s : Monday, the 9<sup>th</sup> of MARCH 2009  
Provincial NCOP meeting date/s : Tuesday, 10<sup>th</sup> MARCH 2009  
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, Tuesday, 10<sup>th</sup> March 2009, & agreed to mandate the KwaZulu-Natal delegation to the National Council of Provinces to *support* the Constitution Sixteenth Amendment Bill [B1 – 2009].

**PROVINCIAL ENDORSMENT**



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

Tuesday, the 10<sup>th</sup> of March 2009

**DATE**

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UZ-AMK-CUUS(MUN) 16:16

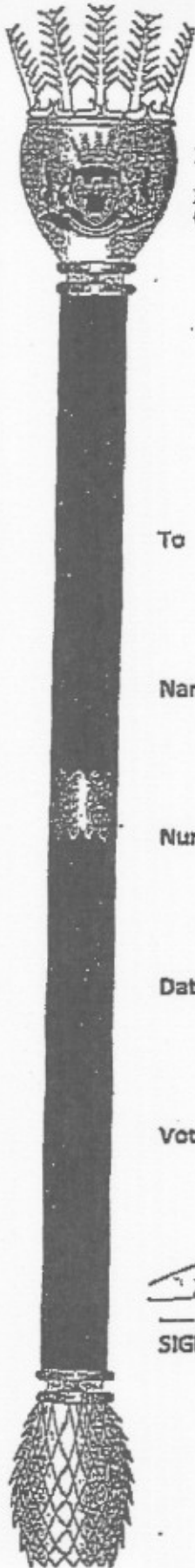
LIMPOPO LEGIS NCOP  
SPEAKERS OFFICE.  
SPEAKERS OFFICE.

(FAX)0214241024  
(FAX)0156338020  
(FAX)0156338020

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P. 001/001  
P. 003/005

# Limpopo Legislature

## OFFICE OF THE SECRETARY



Physical Address:  
Lebowakgomo  
Government Complex

Postal Address:  
Private Bag X9309  
Polokwane  
0700

### FINAL MANDATE

To : The Chairperson: National Council of Provinces

Name of the Bill : Constitution Sixteenth Amendment Bill

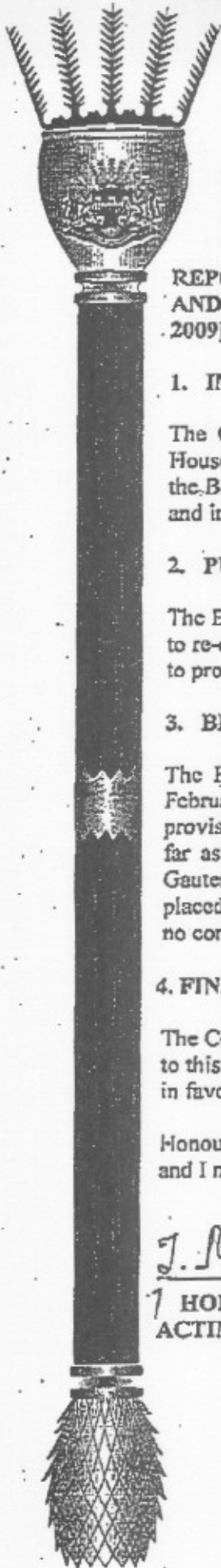
Number of Bill : [B1-2009]

Date of deliberation : Tuesday, 10 March 2009

Vote of Legislature : Vote in favour of the Bill

  
SIGNATURE

  
DATE



# Limpopo Legislature

## OFFICE OF THE SECRETARY

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**Postal Address:**

Private Bag X9309  
Polokwane  
0700

### REPORT OF THE PORTFOLIO COMMITTEE ON LOCAL GOVERNMENT AND HOUSING ON CONSTITUTION SIXTEENTH AMENDMENT BILL [B 1 - 2009]

#### 1. INTRODUCTION

The Constitution Sixteenth Amendment Bill, [B 1-2009] was referred to this august House by the National Council of Provinces (NCOP) and the latter subsequently referred the Bill to the Portfolio Committee on Local Government and Housing for consideration and inputs and to report to this august House.

#### 2. PURPOSE OF THE BILL

The Bill seeks to amend the Constitution of the Republic of South Africa, 1996, in order to re-determine the geographical areas of the provinces of Gauteng and North West; and to provide for matters connected therewith.

#### 3. BRIEFING BY THE NCOP DELEGATES

The Portfolio Committee on Local Government and Housing held a meeting on 20 February 2009 to be briefed by the NCOP Permanent Delegate on the principles and provisions of the Bill. The Committee noted during the briefing that public hearings as far as Limpopo province is concerned were not necessary as the Bill mainly affects Gauteng and North West provinces. However, in considering the Bill, the Committee placed advertisements in the media calling for written submissions on the Bill to which no comments were received.

#### 4. FINAL MANDATE

The Committee, having considered the principles and provisions of the Bill, recommends to this august House to confer a final mandate to the NCOP Permanent Delegates to vote in favour of the Bill to pass into law.

Honourable Speaker, I move that this report be adopted as the report of this august House and I move accordingly.

*T. Mashamaite*

HON. T. MASHAMAITE  
ACTING COMMITTEE CHAIRPERSON

10. Mar. 2009 8:24

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10-MAR-2009 08:51 From: MATHE

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No. 2451 P. 1  
09:50:33 10-03-2009 1/2  
To: 013 766 1469 P.1/2



Seshego Sentsha Sencuthisa  
Seshego Sentsha Sencuthisa  
Seshego Sentsha Sencuthisa

# OFFICE OF THE SPEAKER

Enq. Mr D. Meehego  
Tel: 013 766 1399/1147

## FINAL MANDATE

### CONSTITUTION SIXTEENTH AMENDMENT BILL [B1-2009]

The Portfolio Committee on Local Government and Housing considered the Constitution Sixteenth Amendment Bill [B1-2009] ("The Bill").

After careful deliberations, the Committee resolved to support the Bill.

The Delegation representing the Province of Mpumalanga in the National Council of Provinces (the NCOP) is hereby conferred with authority and mandated to vote in favor of the Bill.

**HON YN PHOSA**  
**SPEAKER: MPUMALANGA**  
**PROVINCIAL LEGISLATURE**

10.3.09  
**DATE**

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Fax No: 013 766 1478

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Building No 1,  
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NELSPRUIT - 1200

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Share - call number  
0860 774 455

0137661458

# OFFICE OF THE SPEAKER



Dibuyise Mzantsi Seshunlan  
Sizal Mpumalanga  
Hava ya Mzantsi ya Mpumalanga  
Isinye Amatho Seshunlan Sase Mpumalanga

Enq. Mr D. Mashigo  
Tel: 013 766 1399/1147

## FINAL MANDATE

### CROSS-BOUNDARY MUNICIPALITIES LAWS REPEAL AND RELATED MATTERS AMENDMENT BILL [B3-2009]

The Portfolio Committee on Local Government and Housing considered the Cross-Boundary Municipalities Laws Repeal and Related Matters Amendment Bill [B3-2009] ("The Bill").

After careful deliberations, the Committee resolved to support the Bill.

The Delegation representing the Province of Mpumalanga in the National Council of Provinces (the NCOP) is hereby conferred with authority and mandated to vote in favor of the Bill.

**HON YN PHOSA**  
**SPEAKER: MPUMALANGA**  
**PROVINCIAL LEGISLATURE**

10.3.09  
**DATE**

Tel No: +2713 766 1051  
Fax No: +2713 766 1478

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Share - call number  
0860 774 455

20090310 Security



**FREE STATE LEGISLATURE**

**LOCAL GOVERNMENT AND HOUSING COMMITTEE**

**Report on the voting mandate regarding the Reform of Customary Law of  
Succession and Regulation of Related Matters Bill (B10B-2008)**

**1. Report from the inter-provincial meeting**

- a) On October 14, 2008 and on February 12, 2009, Adv T Malakoane, Legal Advisor of the Free State Legislature, briefed the Portfolio Committee: **Local Government and Housing** on the report from the inter-provincial meeting held on October 8, 2008 and February 3, 2009 respectively.

**2. Consideration**

The Portfolio Committee considered the report and agreed to vote in favour of the Bill.

**3. Resolution**

The Committee resolved that:

- (a) Authority be conferred to the Free State Delegation, to vote for the adoption of the Bill as amended.

E. Matosa  
Speaker  
FREE STATE LEGISLATURE

February 12, 2009

E Rockman  
Secretary to the Free State Legislature



20090310 SC SECURITY



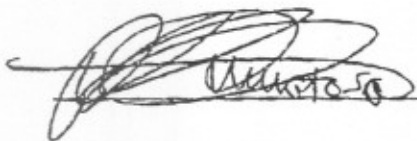
**To:** The Chairperson of the NCOP or a person designated by the Chairperson of the NCOP

**Name of Bill:** Constitution Sixteenth Amendment Bill

**Number of Bill:** B 1-2009

**Date of deliberation:** 19 February 2009

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



**Pat Matosa**  
**Speaker: Free State Legislature**

02/03/09

2009/10 SC SUMMARY



**STANDING COMMITTEE  
ON  
CONSTITUTIONAL AFFAIRS**

Private Bag X5066  
Kimberley 8300  
Nobengula Extension  
Galeshewe  
Kimberley 8300

Fax: Admin (053) 839 8094  
Tel: (053) 839 8149

Hon MJ Mahlangu

Chairperson: National Council of Provinces

Name of the Bill: **Constitution Sixteenth Amendment Bill**

Number of the Bill: **B1-2009**

Date of deliberation: **Friday, 06 March 2009**

Vote of the Legislature: **The legislature votes in favour**

A handwritten signature in black ink, appearing to read "Ogbe", written over a horizontal line.

Signature:  
(Signature of the Speaker/Presiding Officer)

09/03/2009  
Date:

Final Mandate



09 March 2009

The Permanent Delegate  
Honourable Mr M Mzizi  
National Parliament  
P. O. Box 15  
Cape Town  
8000

Dear Hon Mzizi

**SUBMISSION OF FINAL VOTING MANDATE FOR CONSTITUTION 16<sup>TH</sup> AMENDMENT  
BILL [B1-2009]**

The above matter refers.

Kindly be advised that for the purposes of the NCOP Select Committee on Security and Constitutional Affairs on Tuesday 10 March 2009 there will not be a Resolution from the Gauteng Provincial Legislature as the house sitting of the GPL will only be on the 12<sup>th</sup> of March 2009, when the said Resolution will be adopted. You are requested to present to the Select Committee the Final Voting Mandate of the Gauteng Provincial Legislature on the Constitution Sixteenth Amendment Bill [B1-2009] as attached.

Kindly note further that the afore-said Resolution to be adopted on 12 March 2009 will be duly forwarded to the Select Committee for NCOP Plenary on the 19<sup>th</sup> of March 2009.

Regards,

**MR R M MDAKANE  
SPEAKER**



**GAUTENG**  
**LEGISLATURE**

**LOCAL GOVERNMENT PORTFOLIO COMMITTEE**

**FINAL VOTING MANDATE**

**ON**

**CONSTITUTION SIXTEENTH AMENDMENT BILL [B1-2009]**

**06 March 2009**

**1. INTRODUCTION**

The Chairperson of the Local Government Portfolio Committee, RS Letwaba, tables the Committee's Final Voting Mandate as adopted by the Portfolio Committee on Friday 6<sup>th</sup> March 2009, on the Constitution Sixteenth Amendment Bill [B1-2009] – Section 74 Bill as follows:

**2. PROCESS FOLLOWED**

On Friday, 6<sup>th</sup> March 2009, the Portfolio Committee on Local Government convened a meeting to deliberate and adopt the Final Voting Mandate on the Constitution Sixteenth Amendment Bill [B1-2009].

**3. PRINCIPLE AND DETAIL OF THE BILL**

The Constitution Sixteenth Amendment Bill [B1-2009] seeks to amend the Constitution of the Republic of South Africa, 1996, in order to re-determine the geographical areas of the provinces of Gauteng and North West; and to provide for matters connected therewith.

**4. OBJECTIVE OF THE BILL**

The main objective of the Bill is to:

- Give effect to the decision to re-incorporate the Merafong City Local Municipality into the Province of Gauteng.

**5. FINAL VOTING POSITION ADOPTED BY THE COMMITTEE**

In terms of Section 65 of the Constitution the Local Government Portfolio Committee recommends that, the House confer authority on the Gauteng Provincial Delegate/s to the NCOP to **vote in favour** of the Constitution Sixteenth Amendment Bill [B1-2009]-Section 74.

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



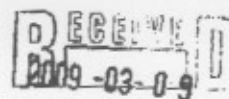
**FINAL MANDATE OF THE CONSTITUTION SIXTEENTH AMENDMENT  
 BILL [B1-2009] (NCOP)**

Final mandate of the Western Cape Provincial Parliament on the *Constitution Sixteenth Amendment Bill [B1-2009]* (NCOP), as resolved by the Standing Committee on Governance on 6 March 2009.

The Western Cape Provincial Parliament having considered the subject of the *Constitution Sixteenth Amendment Bill [B1-2009]* ((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 without amendments.

**S E BYNEVELDT  
 SPEAKER  
 6 MARCH 2009**





## NORTH WEST PROVINCIAL LEGISLATURE

Legislature Building  
Dr James Moseki Drive,  
Private Bag 20118  
NIMARATHO  
7004

### OFFICE OF THE SPEAKER

Development, Local Government and Housing, Provincial Affairs Portfolio  
Committee

04 February 2009

Report on the Final Mandate of Constitution Sixteenth Amendment Bill [B1-2009] and Cross-Boundary Municipality Laws Repeal and Related Matters Amendment Bill [B3B-2009]

#### 1. TERMS OF REFERENCE

The above mentioned Bills were referred to the Portfolio Committee for consideration as a matter of priority.

#### 2. BRIEFING

On the 23rd February 2009, Hon. L. Moseki, NCOP Permanent Delegate briefed the members of the Portfolio Committee on Developmental Local Government, Housing and Provincial Affairs on the above Bills. Present at the briefing was Committee members, the National Department of Local Government legal advisors and Legislature legal advisors.

#### 3. CONSIDERATION

There was a need for public hearing and it was held on the 25th February 2009 at Merafong Carltonville Civic Centre.

#### 4. RESOLUTION

(a) The Local Government Portfolio Committee adopted the report on the 2nd March 2009 and the house supported the principle and detail of the Constitution Sixteenth Amendment Bill [B1-2009] and Cross boundary Municipalities Laws Repeal and Related Matters Amendment Bill [B3B-2009].

(b) On the 03/03/2009 the sitting of the Legislature debated and adopted the report of the Portfolio Committee on the said bills.

(c) The NCOP delegates are mandated to vote in favour of the Bills.

Signed

  
THE DEPUTY SPEAKER: Hon. B. TSHWENE