PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF PROVINCES

ORDER PAPER

THURSDAY, 3 SEPTEMBER 2020

Virtual Meeting of Council: 14:00

MOTION:

1. Draft Resolution (Chief Whip of the Council): That, notwithstanding Rule 247(1), which provides that a sitting of the Council will be dedicated for oral questions, the Council considers the Judicial Matters Amendment Bill [B 13B – 2019] (National Assembly – sec 75) and Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements.

QUESTIONS:

1. Deputy President.

ORDERS OF THE DAY:

1. Consideration of **Judicial Matters Amendment Bill** [B 13B – 2019] (National Assembly – sec 75) and Report of Select Committee on Security and Justice thereon (Announcements, Tablings and Committee Reports, 29 July 2020, p 7).

2. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 September 2020) **Notice of Intervention issued in terms of section 139(1)(c) and 139(5) of the Constitution, 1996 to Renosterberg Local Municipality, Northern Cape**.

FURTHER BUSINESS

ORDERS:

1. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 December 2019, p 3) **Proactive Oversight Visit to Musina Local Municipality to monitor the implementation of 2017/18 Post Municipal Audit Action Plan, dated 26 November 2019**.

3. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 December 2019, p 30) **Proactive Oversight Visit to Makhado Local Municipality to Monitor and Assess the Implementation of 2017/18 Post Audit Action Plan, dated 26 November 2019**.

4. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 December 2019, p 39) **Proactive Oversight Visit to Vhembe District Municipality to Monitor and Assess the Implementation of 2017/18 Municipal Audit Action Plan, dated 26 November 2019.**

5. Consideration of Report of Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Labour and Employment (Announcements, Tablings and Committee Reports, 19 March 2020, p 12) **Overisight visit to Supported Employees Enterprises (SEE), Ndabeni, Western Cape, dated 11 March 2020**.

6. Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 26 June 2020, p 32) **Quarterly progress reports, dated 31 January 2020, of the Magistrates Commission as tabled in terms of section 13(3)(f) of the Magistrates Act, 1993 (Act No 90 of 1993), dated 25 June 2020**.

7. Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 29 July 2020, p 6) **South Africa's Accession to the Treaty of Amity and Cooperation (TAC) in South East Asia, dated 29 July 2020**.

8. Consideration of Report of Select Committee on Health and Social Services (Announcements, Tablings and Committee Reports, 6 August 2020, p 6) **Appointment of the National Youth Development Agency (NYDA) Board Members, dated 05 August 2020**.

9. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 1 September 2020, p 6) **Executive Undertakings made by the Minister of Agriculture, Land Reform and Rural Development during the House Sitting of 13 June 2017, as adopted on 27 August 2020.**

10. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 1 September 2020, p 15) **Executive Undertakings made by the Minister of Basic Education during the House Sitting of 14 June 2018, as adopted on 27 August 2020.**

PETITIONS REFERRED TO COMMITTEES

1. **Submission of a petition calling for the intervention of National Council of Provinces in relation to the alleged failure by the Limpopo Department of Health to honour its undertaking of building a health care centre for the community of Dichoeung in Jane Furse, Limpopo (Mr Elcourt Matlala)-** (Referred to Select Committee on Petitions and Executive Undertakings and Select Committee on Health and Social Services - The Select Committee on Petitions and Executive Undertakings is instructed in terms of rule 105(2) of the Council Rules to consult the Select Committee on Health and Social Services when it considers the matter).

2. **Submission of a petition calling for the intervention of National Council of Provinces in relation to the alleged disagreement between the Department of Higher Education and Training, Sector Education and Training Authority (SETA), EOH Abantu (Pty) Ltd and the disgruntled former**

learners of EOH Abantu (Pty) (Speaker of Gauteng Provincial Legislature, on behalf of disgruntled former learners of EOH Abantu (Pty) Ltd) - (Referred to Select Committee on Petitions and Executive Undertakings and the Select Committee on Education and Technology, Sports, Arts and Culture. The Select Committee on Petitions and Executive Undertakings is instructed in terms of rule 105(2) of the Council Rules to consult the Select Committee on Education and Technology, Sports, Arts and Culture when it considers the matter).

3. **Submission of a petition calling for the National Council of Province to investigate the state of water infrastructure and the inadequate performance by the officials in the Nkosazana Zuma Local Municipality and Harry Gwala District Municipality. (Mr T Brauteseth, MP, on behalf of the disgruntled community members of the Nkosazana Zuma Local Municipality and Harry Gwala District Municipality)-** (Referred to Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements).

4. **A petition has been received from Hon. G Michalakis, submitted on behalf of the Lesawell organization. The petition seeks the intervention of the NCOP in relation to the alleged service delivery challenges facing the Masilonyana Local Municipality, Free State Province** (Referred to Select Committee on Petitions and Executive Undertakings).

BILLS REFERRED TO JOINT TAGGING MECHANISM (JTM)

1. **Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill** [B 16 - 2020] (National Assembly – proposed sec 75).

2. **Criminal and Related Matters Amendment Bill** [B 17 - 2020] (National Assembly – proposed sec 75).

3. **Children's Amendment Bill** [B 18 - 2020] (National Assembly – proposed sec 76).

4. **Cannabis for Private Purposes Bill** [B 19 - 2020] (National Assembly – proposed sec 75).

BILLS REFERRED TO COMMITTEES

1. **Protection of State Information Bill** [B 6H – 2010] (National Assembly – sec 75) and the President's reservations on the constitutionality of the Bill as submitted to him (Announcements, Tablings and Committee Reports, 12 June 2020, p 7) – (Portfolio Committee on Justice and Correctional Services – National Assembly).

2. **Liquor Products Amendment Bill** [B 10B – 2016] (National Assembly – sec 75) and the President's reservations on the constitutionality of the Bill as submitted to him (Announcements, Tablings and Committee Reports, 12 June 2020, p 2) – (Portfolio Committee on Agriculture, Land Reform and Rural Development – National Assembly).

3. **Performers' Protection Amendment Bill** [B 24B - 2016] (National Assembly – sec 75) and the President's reservations on the constitutionality of the Bill as submitted to him (Announcements, Tablings and Committee Reports, 22 June 2020, p 2) – (Portfolio Committee on Trade and Industry – National Assembly).

4. **Traditional Courts Bill** [B 1B – 2017] (National Assembly – sec 76) – (Select Committee on Security and Justice – National Council of Provinces).

5. **Copyright Amendment Bill** [B 13B - 2017] (National Assembly – sec 75) and the President's reservations on the constitutionality of the Bill as submitted to him (Announcements, Tablings and Committee Reports, 22 June 2020, p 2) – (Portfolio Committee Trade and Industry – National Assembly).

6. **Road Accident Benefit Scheme Bill** [B 17B – 2017] (National Assembly – sec 75) – (Portfolio Committee on Transport – National Assembly).

7. **International Crimes Bill** [B 37 – 2017] (National Assembly – sec 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).

8. **Airports Company Amendment Bill** [B 5B – 2018] (National Assembly – sec 75) – (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure – National Council of Provinces).

9. **Air Traffic and Navigation Services Company Amendment Bill [**B 6B – 2018] (National Assembly – sec 75) – (Select

Committee on Transport, Public Service and Administration, Public Works and Infrastructure – National Council of Provinces).

10. **Social Assistance Amendment Bill** [B 8B - 2018] (National Assembly – sec 76) – (Select Committee on Health and Social Services – National Council of Provinces).

11. **Prevention of Hate Crimes and Hate Speech Bill** [B 9 – 2018] (National Assembly – sec 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).

12. **State Liability Amendment Bill** [B 16 – 2018] (National Assembly – sec 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).

13. **Local Government: Municipal Structures Amendment Bill** [B 19B – 2018] (National Assembly – sec 76) – (Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements – National Council of Provinces).

14. **South African Reserve Bank Bill** [B 26 – 2018] (National Assembly – sec 75) – (Standing Committee on Finance – National Assembly).

15. **National Gambling Amendment Bill** [B 27B – 2018] (National Assembly – sec 76) – (Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Labour and Employment – National Council of Provinces).

16. **National Health Amendment Bill** [B 29 – 2018] (National Assembly – sec 76) – (Portfolio Committee on Health – National Assembly).

17. **Public Finance Management Amendment Bill** [B 41 - 2018] (National Assembly – sec 76) – (Standing Committee on Finance – National Assembly).

18. **Civil Aviation Amendment Bill** [B 44 – 2018] (National Assembly – sec 75) – (Portfolio Committee on Transport – National Assembly).

19. **Local Government: Municipal Systems Amendment Bill** [B 2 – 2019] (National Assembly – sec 76) – (Portfolio Committee

Cooperative Government and Traditional Affairs – National Assembly).

20. **National Health Insurance Bill** [B 11 - 2019] (National Assembly – sec 76) – (Portfolio Committee on Health – National Assembly).

21. **Recognition of Customary Marriages Amendment Bill** [B 12 - 2019] (National Assembly – sec 76) – (Select Committee on Security and Justice – National Council of Provinces).

22. **Independent Electricity Management Operator Bill** [B 14 - 2019] (National Assembly – sec 76) – (Portfolio Committee on Mineral Resources and Energy – National Assembly).

23. **Prescription in Civil and Criminal Matters (Sexual Offences) Amendment Bill** [B 22B - 2019] (National Assembly – sec 75) – (Select Committee on Security and Justice – National Council of Provinces).

24. **Economic Regulation of Transport Bill** [B 1 - 2020] (National Assembly– sec 76) – (Portfolio Committee on Transport – National Assembly).

25. **Auditing Profession Amendment Bill** [B 2 - 2020] (National Assembly – sec 75) – (Standing Committee on Finance – National Assembly).

26. **Fiscal Responsibility Bill** [B 5 - 2020] (National Assembly – sec 76) – (Standing Committee on Finance – National Assembly).

27. **Upgrading of Land Tenure Rights Amendment Bill** [B 6 - 2020] (National Assembly – sec 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development – National Assembly).

28. **National Road Traffic Amendment Bill** [B 7 - 2020] (National Assembly – sec 76) – (Portfolio Committee on Transport – National Assembly).

29. **Transport Appeal Tribunal Amendment Bill** [B 8 - 2020] (National Assembly – sec 76) – (Portfolio Committee on Transport – National Assembly).

30. **Disaster Management Tax Relief Bill** [B 11B – 2020] (National Assembly – sec 77) (Select Committee on Finance- National Council of Provinces).

31. **Disaster Management Tax Relief Administration Bill** [B 12B – 2020] (National Assembly – sec 75) (Select Committee on Finance- National Council of Provinces).

32. **Public Finance Management Amendment Bill** [B 13 - 2020] (National Assembly – sec 76) (Standing Committee on Finance – National Assembly).

33. **Employment Equity Amendment Bill** [B 14 - 2020] (National Assembly – sec 75) (Portfolio Committee on Employment and Labour – National Assembly).

34. **Financial Sector Laws Amendment Bill** [B 15 - 2020] (National Assembly – sec 75) (Standing Committee on Finance – National Assembly).

35. **Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill** [B 16 - 2020] (National Assembly – proposed sec 75) (Portfolio Committee on Justice and Correctional Services – National Assembly).

36. **Criminal and Related Matters Amendment Bill** [B 17 - 2020] (National Assembly – proposed sec 75) (Portfolio Committee on Justice and Correctional Services – National Assembly).

37. **Children's Amendment Bill** [B 18 - 2020] (National Assembly – proposed sec 76) (Portfolio Committee on Social Development – National Assembly).

38. **Cannabis for Private Purposes Bill** [B 19 - 2020] (National Assembly – proposed sec 75) (Portfolio Committee on Social Development – National Assembly).

BILLS RETURNED TO ASSEMBLY FOR CONSIDERATION OF PRESIDENT'S RESERVATIONS

1. **Protection of State Information Bill** [B 6H – 2010] (National Assembly – sec 75).

2. **Liquor Products Amendment Bill** [B 10B – 2016] (National Assembly – sec 75).

3. **Performers' Protection Amendment Bill** [B24B - 2016] (National Assembly – sec 75).

4. **Copyright Amendment Bill** [B13B - 2017] (National Assembly – sec 75).

BILLS, SUBJECT TO PROPOSED AMENDMENTS, PASSED BY NATIONAL COUNCIL OF PROVINCES AND RETURNED TO NATIONAL ASSEMBLY FOR CONCURRENCE

1. **Cybercrimes Bill** [B 6B – 2017] (National Assembly – sec 75) (introduced as Cybercrimes and Cybersecurity Bill [B 6 – 2017]).

BILLS PASSED BY NATIONAL ASSEMBLY AND TRANSMITTED TO NATIONAL COUNCIL OF PROVINCES FOR CONCURRENCE

1. **Traditional Courts Bill** [B 1B – 2017] (National Assembly – sec 76).

2. **Airports Company Amendment Bill** [B 5B – 2018] (National Assembly – sec 75).

3. **Air Traffic and Navigation Services Company Amendment Bill [**B 6B – 2018] (National Assembly – sec 75).

4. **Social Assistance Amendment Bill** [B 8B - 2018] (National Assembly – sec 76).

5. **Local Government: Municipal Structures Amendment Bill** [B 19B – 2018] (National Assembly – sec 76).

6. **National Gambling Amendment Bill** [B 27B – 2018] (National Assembly – sec 76).

7. **Recognition of Customary Marriages Amendment Bill** [B 12 - 2019] (National Assembly – sec 76).

8. **Judicial Matters Amendment Bill** [B 13B - 2019] (National Assembly – sec 75).

9. **Prescription in Civil and Criminal Matters (Sexual Offences) Amendment Bill** [B 22B - 2019] (National Assembly – sec 75).

10. **Disaster Management Tax Relief Bill** [B 11B – 2020] (National Assembly – sec 77).

11. **Disaster Management Tax Relief Administration Bill** [B 12B – 2020] (National Assembly – sec 75).

INTERNATIONAL AGREEMENTS

1. **Ratification of the Agreement between the Government of the Republic of India, the Government of the Federative Republic of Brazil and the Government of the Republic of South Africa on the IBSA Fund for the Alleviation of Poverty and Hunger (signed 17 October 2017)** (Tabled on 18 October 2019) (NA: Referred to Portfolio Committee on International Relations and Cooperation on 22 October 2019) (NCOP: Referred to Select Committee on Security and Justice on 24 October 2019).

2. **Agreement between the Government of the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy** (Tabled on 14 November 2019) (NA: Referred to Portfolio Committee on Mineral Resources and Energy on 18 November 2019).

3. **African Charter on Statistics** (Tabled on 5 March 2020) (NA: Referred to Portfolio Committee on Public Service and Administration on 9 March 2020).

4. **Treaty of Amity and Cooperation (TAC) in South East Asia** (Tabled on 18 March 2020) (NA: Referred to Portfolio Committee on International Relations and Cooperation on 26 March 2020 – reported on 11 June 2020 – approved on 17 June 2020) (NCOP: Referred to Select Committee on Security and Justice on 29 June 2020 – reported on 29 July 2020 – reported on 29 July 2020).