

Thursday, 25 April 2024]

No 7 – 2024] SIXTH SESSION, SIXTH PARLIAMENT

PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF
PROVINCES

ORDER PAPER

THURSDAY, 25 APRIL 2024

Hybrid Meeting of Council: 14:00

MOTIONS:

1. Draft resolution (Chief Whip of the Council): That the Council resolves that Rule 218(1), which provides inter alia that the consideration of a Bill may not commence before at least three working days have lapsed since the committee's report was tabled, be suspended for the purposes of consideration of the following bills:
 - (a) Climate Change Bill [B9B –2022] (National Assembly – section 76);
 - (b) Deeds Registries Amendment Bill [B28 – 2022] (National Assembly – section 75); and
 - (c) Second Adjustments Appropriation (2023/24 Financial Year) Bill [B6–2024] (National Assembly – section 77).

ORDERS OF THE DAY:

1. Consideration of Report of Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure (Announcements, Tablings and Committee Reports, 27 March 2024, p 143) **Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, dated 27 March 2024.**

2. Consideration of Report of Joint Committee on Ethics and Members' Interests (Announcements, Tablings and Committee Reports, 22 March 2024, p 89) **Non-disclosures of members interests for 2023: contravention of the Code of Ethical Conduct and Disclosure of Members' Interests.**
3. Consideration of Report of Joint Committee on Ethics and Members' Interests on the **Review of the Code of Ethical Conduct and Disclosure of Members' Interests for Assembly and Permanent Council Members** (Announcements, Tablings and Committee Reports, 26 March 2024, p 4).
4. Consideration of Report of Joint Rules Committee on **Proposed Amendments to Chapters 3 to 5 of Joint Rules of Parliament (6th Edition), 2024** (Announcements, Tablings and Committee Reports, 22 March 2024, p 3).
5. Consideration of **Upstream Petroleum Resources Development Bill** [B13B - 2021] (National Assembly – section 76) and Report of Select Committee on Land Reform, Environment, Mineral Resources and Energy thereon (Announcements, Tablings and Committee Reports, 28 March 2024, p 269).
6. Consideration of **Climate Change Bill** [B9B–2022] (National Assembly – section 76) and Report of Select Committee on Land Reform, Environment, Mineral Resources and Energy thereon (Announcements, Tablings and Committee Reports, 23 April 2024, p 7).
7. Consideration of **National Small Enterprise Amendment Bill** [B16B–2023] (National Assembly – section 76) and Report of Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Employment and Labour thereon (Announcements, Tablings and Committee Reports, 17 April 2024, p 77).
8. Consideration of **Housing Consumer Protection Bill** [B10D–2021] (National Assembly- section 76) and Report of Select Committee on Cooperative Governance and Traditional Affairs, Water, Sanitation and Human Settlements thereon (Announcements, Tablings and Committee Reports, 26 March 2024, p 315).
9. Consideration of **SA Post Office Soc Ltd Amendment Bill** [B11B–2023] (National Assembly – section 75) and Report of Select Committee on Public Enterprises and Communication thereon (Announcements, Tablings and Committee Reports, 27 March 2024, p 145).
10. Consideration of **Deeds Registries Amendment Bill** [B28–2022] (National Assembly – section 75) and Report of Select Committee on Land Reform, Environment, Mineral Resources and Energy thereon (Announcements, Tablings and Committee Reports, 23 April 2024, p 8).

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11. Consideration of **Pension Funds Amendment Bill** [B3B–2024] (National Assembly – section 75) and Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 22 April 2024, p 6).
12. Consideration of Votes and Schedule – **Second Adjustments Appropriation (2023/24 Financial Year) Bill** [B6–2024] (National Assembly - section 77).
13. Consideration of **Second Adjustments Appropriation (2023/24 Financial Year) Bill** [B6–2024] (National Assembly – section 77) and Report of Select Committee on Appropriations thereon (Announcements, Tablings and Committee Reports, 24 April 2024, p 111).

FURTHER BUSINESS:

ORDER:

1. Consideration of **Statistics Amendment Bill** [B31B–2023] (National Assembly – section 75) and Report of Select Committee on Health and Social Services thereon (Announcements, Tablings and Committee Reports, 23 April 2024, p 4).

APPENDIXES

PETITIONS REFERRED TO COMMITTEES

1. **Submission of a petition from Mr Johnny Molelekoa, calling for the assistance of the National Council of Provinces (NCOP), in relation to the alleged failure by the Department of Water and Sanitation to tackle the ongoing sewer spillages in the Vaal River** - (Select Committee on Petitions and Executive Undertakings).
2. **Submission of petition calling for the abolishment of the doctrine of discovery and the Roman-Dutch and English Common laws in the South African legal system, the self-determination of the Baphalaborwa Kingdom, and a national debate on the role of the indigenous Kingdoms, Limpopo Province** - (Select Committee on Petitions and Executive Undertakings).
3. **Petition calling for the amendment of Section 27 of the Local Government: Municipal Structures Act 117 of 1998 (the Act), so as to**

make provision for the removal of Councillors from office by communities. (Referred to the SC on on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements and SC on Petitions and Executive Undertakings in terms of rule 105).

4. **The petition seeks the intervention of the NCOP in relation to the alleged failure by the uThukela District Municipality, Amajuba District Municipality, Umzinyathi District Municipality, and Newcastle Local Municipality (the municipalities) and the Board of Thukela Water (Pty) Ltd (Board) to implement the recommendations of the forensic report commissioned by the MEC for Co-operative Governance and Traditional Affairs in KwaZulu-Natal into the challenges facing the Thukela Water (Pty) Ltd.** (Referred to the SC on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements).
5. **The petition calling for the enactment of legislation that will abolish the use of the word “Coloured” from all official government and private institutions documents** (Select Committee on Petitions and Executive Undertakings).
6. **A collective petition calling for the assistance of the National Council of Provinces (NCOP), regarding the alleged failure by the Presidency to respond to their petitions from Ms Laura- Lee Berger, the South African Women Fight Back and the Embrace Project** (Select Committee on Petitions and Executive Undertakings).
7. **Petition calling for the abolishment of the doctrine of discovery and the Roman-Dutch and English Common laws in the South African legal system, the self-determination of the Ba-Phalaborwa Kingdom, and a national debate on the role of the indigenous Kingdoms** (Select Committee on Petitions and Executive Undertakings).
8. **The Petitioner is requesting the National Council of Provinces (NCOP) to hold Eskom accountable for its failure to maintain its electricity infrastructure located at the Emfuleni Local Municipality** (Referred to Select Committee on Petitions and Executive Undertakings).
9. **The Petitioner is requesting the National Council of Provinces (NCOP) to assist in ensuring continuous provision of clean drinkable water by the Tswaing Local Municipality and Ngaka Modiri Molema District Municipality to the residents of Delareyville** (Referred to Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements).

BILLS REFERRED TO JOINT TAGGING MECHANISM (JTM)

1. **Marine Oil Pollution (Preparedness, Response and Cooperation) Bill** [B10-2022] (National Assembly – proposed section 76).
2. **Public Service Commission Bill**[B30–2023] (National Assembly –proposed sec 76).
3. **Marriage Bill** [B43–2023] (National Assembly – proposed sec 76).
4. **Immigration Amendment Bill** [B8–2024] (National Assembly – proposed sec 75).
5. **Local Government: Municipal Structures Amendment Bill** [B9-2024] (National Assembly – proposed sec 75).
6. **Local Government: Municipal Structures Second Amendment Bill** [B10-2024] (National Assembly – proposed sec 75).
7. **Remote Gambling Bill** [B11–2024] (National Assembly – proposed sec 76).

BILLS REFERRED TO COMMITTEES

1. **Protection of State Information Bill** [B 6H – 2010] (National Assembly – section 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. **State Liability Amendment Bill** [B 16 – 2018] (National Assembly – section 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
3. **South African Reserve Bank Bill** [B 26 – 2018] (National Assembly – section 75) – (Standing Committee on Finance – National Assembly).
4. **Transport Appeal Tribunal Amendment Bill** [B8B-2020] (National Assembly – sec 76) - (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure- National Council of Provinces).
5. **Animals Protection Amendment Bill** [B 1 – 2021] (National Assembly – section 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development – National Assembly).

6. **Railway Safety Bill** [B7B-2021] (National Assembly – sec 76) (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure -National Council of Provinces).
7. **Preservation and Development of Agricultural Land Bill** [B8B–2021] (National Assembly – sec 76) (Select Committee on Land Reform, Environment, Mineral Resources and Energy - National Council of Provinces).
8. **Gas Amendment Bill** [B 9 – 2021] (National Assembly – section 76) – (Portfolio Committee on Mineral Resources and Energy – National Assembly).
9. **Plant Health (Phytosanitary) Bill** [B14B-2021] (National Assembly – sec76) (Select Committee on Land Reform, Environment, Mineral Resources and Energy - National Council of Provinces).
10. **Electoral Amendment Bill** [B1B-2022] (National Assembly – sec 75) (Portfolio Committee on Home Affairs-National Assembly).
11. **Marine Pollution (Prevention of Pollution from Ships) Amendment Bill** [B 5 – 2022] (National Assembly – section 76) – (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure- National Council of Provinces).
12. **Marine Oil Pollution (Preparedness, Response and Cooperation) Bill** [B10B-2022] (National Assembly – sec 76) (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure – National Council of Provinces).
13. **Maintenance Amendment Bill** [B17-2022] (National Assembly – sec 75) - (Portfolio Committee on Justice and Correctional Services – National Assembly).
14. **Tobacco Products and Electronic Delivery Systems Control Bill** [B33-2022] (National Assembly – sec 76) - (Portfolio Committee on Health – National Assembly).
15. **Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill** [B6-2023] (National Assembly – sec 76) (Portfolio Committee on Cooperative Governance and Traditional Affairs – National Assembly).
16. **Remuneration of Public Office Bearers Amendment Bill** [B8-2023] (National Assembly – sec 75) (Standing Committee on Finance – National Assembly).

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17. **Responsible Spending Bill** [B9-2023] (National Assembly – sec 76) (Portfolio Committee on Justice and Correctional Services – National Assembly).
18. **Public Administration Management Amendment Bill** [B10B-2023] (National Assembly – sec 76) (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure - National Council of Provinces).
19. **Public Service Amendment Bill** [B13B-2023] (National Assembly – sec 76) (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure - National Council of Provinces).
20. **Electoral Commission Amendment Bill** [B15-2023] (National Assembly – sec 75) (Portfolio Committee on Home Affairs – National Assembly).
21. **Constitution Nineteenth Amendment Bill** [B17-2023] (National Assembly – sec 74(3) (Portfolio Committee on Justice and Correctional Services – National Assembly).
22. **Public Procurement Bill** [B18B-2023] (National Assembly – sec 76) (Select Committee on Finance - National Council of Provinces).
23. **Constitution Twentieth Amendment Bill** [B20-2023] (National Assembly – sec 74(3) (Portfolio Committee on Justice and Correctional Services – National Assembly).
24. **South African Institute for Drug-Free Sport Amendment Bill** [B41B-2023] (National Assembly – sec 75) (Select Committee on Education and Technology, Sport, Arts and Culture - National Council of Provinces).
25. **South African National Water Resources Infrastructure SOC Limited Bill** [B24B-2023] (National Assembly – sec 75) (Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements - National Council of Provinces).
26. **Electricity Regulation Amendment Bill** [B23-2023] (National Assembly – sec 76) (Select Committee on Land Reform, Environment, Mineral Resources and Energy – National Council of Provinces).
27. **National Nuclear Regulator Amendment Bill** [B25B-2023] (National Assembly – sec 75) (Select Committee on Land Reform, Environment, Mineral Resources and Energy - National Council of Provinces).

28. **Public Service Commission Bill**[B30–2023] (National Assembly –proposed sec 76) (Portfolio Committee on Public Service and Administration-National Assembly).
29. **South African Broadcasting Corporation SOC Ltd Bill** [B32–2023] (National Assembly – sec 75) (Portfolio Committee on Communications and Digital Technologies- National Assembly).
30. **General Intelligence Laws Amendment Bill** [B40B–2023] (National Assembly – sec 75) (*Ad Hoc* Committee on General Intelligence Laws Amendment Bill - National Council of Provinces).
31. **South African Institute for Drug-Free Sport Amendment Bill** [B41–2023] (National Assembly – sec 75) (Portfolio Committee on Sport, Arts and Culture - National Assembly).
32. **Marriage Bill** [B43–2023] (National Assembly – proposed sec 76) (Portfolio Committee on Home Affairs – National Assembly).
33. **Repeal of South African Airways Bill** [B2–2024] (National Assembly – sec 75) (Portfolio Committee on Public Enterprises – National Assembly).
34. **Division of Revenue Bill** [B4–2024] (National Assembly – sec 76) (Select Committee on Appropriations – National Council of Provinces).
35. **Appropriation Bill** [B5–2024] (National Assembly – sec 77) (Standing Committee on Appropriations – National Assembly).
36. **Gold and Foreign Exchange Contingency Reserve Account Defrayal Amendment Bill** [B7–2024] (National Assembly – sec 77) (Select Committee on Appropriations – National Council of Provinces).
37. **Immigration Amendment Bill** [B8–2024] (National Assembly – proposed sec 75) (Portfolio Committee on Home Affairs – National Assembly).
38. **Local Government: Municipal Structures Amendment Bill** [B9-2024] (National Assembly – proposed sec 75) (Portfolio Committee on Cooperative Governance and Traditional Affairs – National Assembly).
39. **Local Government: Municipal Structures Second Amendment Bill** [B10-2024] (National Assembly – proposed sec 75) (Portfolio Committee on Cooperative Governance and Traditional Affairs – National Assembly).
40. **Remote Gambling Bill** [B11–2024] (National Assembly – proposed sec 76) (Portfolio Committee on Trade, Industry and Competition - National Assembly).

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

1. **Transport Appeal Tribunal Amendment Bill** [B8B-2020] (National Assembly – sec 76).
2. **Cannabis for Private Purposes Bill** [B19B-2020] (National Assembly – sec 75)
3. **Railway Safety Bill** [B7B-2021] (National Assembly – sec 76).
4. **Preservation and Development of Agricultural Land Bill** [B8B–2021] (National Assembly – sec 76).
5. **Plant Health (Phyosanitary) Bill** [B14B-2021] (National Assembly – sec76).
6. **Marine Pollution (Prevention of Pollution from Ships) Amendment Bill**[B5-2022] (National Assembly – sec 76).
7. **Climate Change Bill** [B9B-2022] (National Assembly – sec 76).
8. **Marine Oil Pollution (Preparedness, Response and Cooperation) Bill** [B10B-2022] (National Assembly – sec 76).
9. **Deeds Registries Amendment Bill** [B28-2022] (National Assembly – sec75).
10. **Public Administration Management Amendment Bill** [B10B–2023] (National Assembly – sec 76).
11. **Public Service Amendment Bill** [B13B–2023] (National Assembly – sec 76).
12. **Public Procurement Bill** [B18B–2023] (National Assembly – sec 76).
13. **Divorce Amendment Bill** [B22-2023] (National Assembly – sec 75).
14. **Electricity Regulation Amendment Bill** [B23B-2023] (National Assembly–sec 76).
15. **South African National Water Resources Infrastructure SOC Limited Bill** [B24B–2023] (National Assembly – sec 75).
16. **National Nuclear Regulator Amendment Bill** [B25B–2023] (National Assembly – sec 75).

17. **General Intelligence Laws Amendment Bill** [B40B–2023] (National Assembly – sec 75)
18. **South African Institute for Drug-Free Sport Amendment Bill** [B41B–2023] (National Assembly – sec 75).
19. **Division of Revenue Bill** [B4–2024] (National Assembly – sec 76).
20. **Gold and Foreign Exchange Contingency Reserve Account Defrayal Amendment Bill** [B7–2024] (National Assembly – sec 77).

BILLS WITHDRAWN

1. **The Relocation of Seat of Parliament Bill** [B29–2022] (National Assembly – sec 76).
2. **Registration of Muslim Marriages Bill** [B30–2022] (National Assembly – sec 76).

BILL REJECTED

1. **State Liability Amendment Bill** [B16–2018] (National Assembly – sec 75).

INTERNATIONAL AGREEMENTS

1. **International Convention on the Civil Liability for Bunkers Oil Pollution Damage, 2001** (Tabled on 9 December 2021) (NA: Referred to Portfolio Committee on Transport on 10 December 2021 – reported on 1 March 2022).
2. **Revised African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) Agreement** (Tabled on 14 April 2022) (NA: Referred to the Portfolio Committee on Mineral Resources and Energy on 20 April 2022 – reported on 31 May 2022) (NCOP: Referred to Select Committee on Land Reform, Environment, Mineral Resources and Energy on 17 August 2023).
3. **Combined Third to Sixth Periodic Report to the United Nations Committee on the Rights of the Child** (Tabled on 24 August 2022) (NA: Referred to Portfolio Committee on Social Development on 25 August 2022).
4. **South Africa’s Membership of the Asian Infrastructure Investment-Bank** (Tabled on 3 October 2022) (NA: Referred to Standing Committee on Finance on 4 October 2022 – reported on 23 November 2022).
5. **Amendment to article 20 (1) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)** (Tabled on 8 November 2022) (NA: Referred to Portfolio Committee on Women, Youth

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and Persons with Disabilities on 9 November 2022 - reported on 10 November 2022 -approved on 6 June 2023).

6. **Treaty for the Establishment of the African Medicines Agency (AMA)** (Tabled on 14 February 2023) (NA: Referred to Portfolio Committee on Health on 15 February 2023 – reported on 26 May 2023 – approved on 21 September 2023) (NCOP: Referred to Select Committee on Health and Social Services on 26 October 2023).
7. **World Trade Organisation (WTO) Fisheries Subsidies Agreement** (Tabled on 11 January 2024) (NA: Referred to Portfolio Committee on Trade, Industry and Competition on 18 January 2024).
8. **Amending Protocol to the Agreement of 9 September 2008 between the Republic of South Africa and the Federal Republic of Germany for the Avoidance of Double Taxation with respect to Taxes on Income and on Capital** (Tabled on 14 March 2024) (NA: Referred to Standing Committee on Finance on 20 March 2024).
9. **Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft** (Tabled on 9 April 2024) (NA: Referred to Portfolio Committee on Transport on 10 April 2024) (NCOP: Referred to Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure on 17 April 2024).
10. **The international convention on civil liability for bunkers oil pollution damage** (Tabled on 9 April 2024) (NCOP: Referred to Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure on 17 April 2024).