

No 29– 2022] FOURTH SESSION, SIXTH PARLIAMENT

PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF
PROVINCES

ORDER PAPER

THURSDAY, 18 AUGUST 2022

Virtual Meeting of Council: 14:00

QUESTIONS:

1. Deputy President.

FURTHER BUSINESS:

ORDERS:

1. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 30 June 2022, p 4) **Hearing of the GBVF-Collective petition held on 02 December 2021, as adopted on 24 June 2022.**
2. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 30 June 2022, p 11) **Hearing of the People Against Race Classification petition held on 24 February 2022, as adopted on 24 June 2022.**
3. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 30 June 2022, p 23) **Executive Undertakings made by the Minister of Health during the house sitting of 11 march 2021, as adopted on 24 June 2022.**

4. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 30 June 2022, p 28) **Executive Undertakings made by the Minister of Social Development during the House Sitting of 27 October 2020, as adopted on 24 June 2022.**
 5. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcements, Tablings and Committee Reports, 30 June 2022, p 33) **Executive Undertakings made by the Minister of Transport during the House Sitting of 27 October 2020, as adopted on 24 June 2022.**
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Motions (Notices given on 10 August 2022):

1. Draft Resolution (Ms HS Boshoff): That the Council-
 - (1) debates the failing water infrastructure network of municipalities throughout South Africa and the threat it poses for water security and investment.
2. Draft Resolution (Mr K Motsamai): That the Council-
 - (1) debates challenges faced by military veterans in gaining access to their benefits which they are entitled to as stipulated in the South African Military Veterans Act.
3. Draft resolution (Ms SL Mamaregane) That the Council:
 - (1) debates the encouraging progress showed by operation Vulindlela, a joint Presidency-Treasury unit that was established in 2020 to unblock key structural reforms to boost economic growth; and
 - (2) notes that Vulindlela focuses on five objectives and 26 items of related reforms.
4. Draft resolution (Ms DC Christians) That the Council-
 - (1) notes with great concern the plight of the displaced community of White City, Roodepan, in Kimberley due to sewerage leaks;
 - (2) further notes that the Sol Plaatje municipality has failed to fix and maintain the broken infrastructure of the sewer pump station in this area which is now causing further damage to the homes of residents;
 - (3) recalls that a number of households living in White City, Roodepan, in Kimberley have had to leave their sewage flooded

homes and temporarily relocate to the Riverton Resort, outside of Kimberley, where affected families lived for months due to the specified municipality's failure to address the sewerage crises, leaving their properties unattended and at the mercy of thieves and vandals, and creating huge transport challenges for these families to get to work and school;

- (4) also notes with further frustration that these 15 homes, of the still displaced families, have now been completely vandalised and broken down;
- (5) brings to the attention of this House that sinkholes are forming in this area and that a further 50 families' homes are in jeopardy; and
- (6) finally notes that the Premier of the Northern Cape indicated in 2020 that an amount of R500 million would be allocated amongst others to sewer pump repairs in the city, in fact an amount of R 20 million was to be spent towards addressing water and sewage leakages; and that to date nothing has been repaired and the city of Kimberley further deteriorates as sewerage leaks now occur in every suburb across the city.

5. Draft resolution (Ms M Gillion) That the Council:

- (1) notes the position of the Mountain Kingdom of Lesotho about the reported incidents of Basotho nationals who cross the borders illegally into South Africa and become part of the criminal syndicates;
- (2) further notes the resolve by the Mountain Kingdom to strengthen its border control as part of reinforcing South Africa's resolve to stamp out illegal immigration;
- (3) believes that without the co-operation of the SADC countries, cross border crimes and illegal immigration into South Africa cannot be resolved;
- (4) welcomes the efforts of the Mountain Kingdom of Lesotho; and
- (5) congratulates them for this act of solidarity and neighbourliness.

6. Draft resolution (Ms SE Lucas) That the Council:

- (1) notes its disappointment in the Western Cape Provincial Executive;
- (2) further notes that during the Women Charter Report Back Session, women from Western Cape came together to receive feedback regarding the high level session Parliament had with the government of the Western Cape;

- (3) also notes that not a single member of the executive of the Western Cape government was present to provide feedback to the women of the Western Cape about issues discussed wherein they agreed together with Parliament to address; and
- (4) finally notes with deep disappointment that it was the 5th province visited and was the first province where not a single member of the executive was present, not even from the City of Cape Town.

PETITIONS REFERRED TO COMMITTEES

1. **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).
2. **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 sewerspillages in the Vaal River** (Referred to Select Committee on Petitions and Executive Undertakings).
3. **Submission of a petition from Ms Basetsana Koitsioe, an attorney at the Centre for Applied Legal Studies (the petitioner), submitted on behalf of the community of Flag Boshielo West area, in the Sekhukhune District Municipality, Limpopo Province** (Referred to Select Committee on Petitions and Executive Undertakings).

BILLS REFERRED TO JOINT TAGGING MECHANISM (JTM)

1. **Marine Oil Pollution (Preparedness, Response and Cooperation) Bill [B10-2022]** (National Assembly – proposed section 76).
2. **Traditional Affairs General Amendment Bill [B16-2022]** (National Assembly – proposed section 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. **National Land Transport Amendment Bill** [B 7D – 2016] (National Assembly – section 76) and the President’s reservations on the constitutionality of the Bill as submitted to him (Announcements, Tablings and Committee Reports, 21 September 2021, p 1) – (Portfolio Committee on Transport – National Assembly).
3. **Copyright Amendment Bill** [B 13B – 2017] (National Assembly – section 76) – (Portfolio Committee on Trade and Industry – National Assembly) (see Minutes of Proceedings of National Assembly of 1 June 2021, item 6 (42nd Order)).
4. **Performers’ Protection Amendment Bill** [B 24B - 2016] (National Assembly – section 76) – (Portfolio Committee on Trade and Industry – National Assembly) (see Minutes of Proceedings of National Assembly of 1 June 2021, item 6 (43rd Order)).
5. **International Crimes Bill** [B 37 – 2017] (National Assembly – section 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
6. **Prevention of Hate Crimes and Hate Speech Bill** [B 9 – 2018] (National Assembly – section 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
7. **State Liability Amendment Bill** [B 16 – 2018] (National Assembly – section 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
8. **South African Reserve Bank Bill** [B 26 – 2018] (National Assembly – section 75) – (Standing Committee on Finance – National Assembly).
9. **Economic Regulation of Transport Bill** [B 1 – 2020] (National Assembly – section 76) – (Portfolio Committee on Transport – National Assembly).
10. **National Road Traffic Amendment Bill** [B 7 – 2020] (National Assembly – section 76) – (Portfolio Committee on Transport – National Assembly).
11. **Transport Appeal Tribunal Amendment Bill** [B 8 – 2020] (National Assembly – section 76) – (Portfolio Committee on Transport – National Assembly).

12. **Cannabis for Private Purposes Bill** [B 19 – 2020] (National Assembly – section 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
13. **Expropriation Bill** [B 23 – 2020] (National Assembly – section 76) – (Portfolio Committee on Public Works and Infrastructure – National Assembly) [Referred to National House of Traditional Leaders on 6 November 2020].
14. **Fund-raising Amendment Bill** [B 29 – 2020] (National Assembly – section 76) – (Portfolio Committee on Social Development – National Assembly).
15. **Sectional Titles Amendment Bill** [B 31B – 2020] (National Assembly – section 76) – (Select Committee on Land Reform, Environment, Mineral Resources and Energy – National Council of Provinces).
16. **Agricultural Produce Agents Amendment Bill** [B 33 – 2020] (National Assembly – section 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development – National Assembly).
17. **Animals Protection Amendment Bill** [B 1 – 2021] (National Assembly – section 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development – National Assembly).
18. **Railway Safety Bill** [B 7 – 2021] (National Assembly – section 76) – (Portfolio Committee on Transport - National Assembly).
19. **Preservation and Development of Agricultural Land Bill** [B 8 – 2021] (National Assembly – section 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development – National Assembly).
20. **Gas Amendment Bill** [B 9 – 2021] (National Assembly – section 76) – (Portfolio Committee on Mineral Resources and Energy – National Assembly).
21. **Housing Consumer Protection Bill** [B10 – 2021] (National Assembly – section 76) – (Portfolio Committee on Human Settlements, Water and Sanitation – National Assembly).
22. **Land Court Bill** [B 11 – 2021] (National Assembly – section 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly) [Referred to National House of Traditional Leaders on 18 June 2021].
23. **Upstream Petroleum Resources Development Bill** [B 13 – 2021] (National Assembly – section 76) – (Portfolio Committee on Mineral

Resources and Energy – National Assembly) [Referred to National House of Traditional and Khoi-San Leaders on 18 August 2021].

24. **Plant Health (Phytosanitary) Bill** [B 14 – 2021] (National Assembly – section 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development - National Assembly).
25. **Agricultural Product Standards Amendment Bill** [B 15 – 2021] (National Assembly – section 76) – (Portfolio Committee on Agriculture, Land Reform and Rural Development - National Assembly).
26. **Public Administration Laws General Amendment Bill** [B 16 – 2021] (National Assembly – section 76) – (Portfolio Committee on Public Service and Administration – National Assembly).
27. **National Veld and Forest Fire Amendment Bill** [B 24 – 2021] (National Assembly – section 75) – (Portfolio Committee on Forestry, Fisheries and Environment – National Assembly) [Referred to National House of Traditional and Khoi-San Leaders on 10 January 2022].
28. **Criminal Law (Forensic Procedures) Amendment Bill** [B25-2021] (National Assembly – sec 75) (Select Committee on Security and Justice – National Council of Provinces).
29. **Electoral Amendment Bill** [B 1 – 2022] (National Assembly – proposed section 75) – (Portfolio Committee on Home Affairs – National Assembly).
30. **Basic Education Laws Amendment Bill** [B 2 – 2022] (National Assembly – section 76) – (Portfolio Committee on Basic Education – National Assembly).
31. **Financial Sector and Deposit Insurance Levies Bill** [B3B-2022] (National Assembly – sec 77) (Select Committee on Finance - National Council of Provinces).
32. **Financial Sector and Deposit Insurance Levies (Administration) and Deposit Insurance Premiums Bill** [B4B-2022] (National Assembly – sec 75) (Select Committee on Finance - National Council of Provinces).
33. **Marine Pollution (Prevention of Pollution from Ships) Amendment Bill** [B 5 – 2022] (National Assembly – section 76) – (Portfolio Committee on Transport – National Assembly).
34. **Climate Change Bill** [B 9 – 2022] (National Assembly – section 76) – (Portfolio Committee on Forestry, Fisheries and Environment – National Assembly).

35. **Marine Oil Pollution (Preparedness, Response and Cooperation) Bill** [B 10 – 2022] (National Assembly – proposed section 76) – (Portfolio Committee on Transport – National Assembly).
36. **Older Persons Amendment Bill** [B 11-2022] (National Assembly – proposed section 76) – (Portfolio Committee on Social Development – National Assembly).
37. **South African Postbank Limited Amendment Bill** [B12-2022] (National Assembly – section 75) (Portfolio Committee on Communications – National Assembly).
38. **National Youth Development Agency Amendment Bill** [B13-2022] (National Assembly – section 75) (Portfolio Committee on Women, Youth and Persons with Disabilities – National Assembly).
39. **Independent Municipal Demarcation Authority Bill** [B14-2022] (National Assembly – sec 76) (Portfolio Committee on Cooperative Governance and Traditional Affairs- National Assembly).
40. **Protection of Constitutional Democracy against Terrorist and Related Activities Amendment Bill** [B15-2022] (National Assembly – section 75) (Portfolio Committee on Police – National Assembly).
41. **Traditional Affairs General Amendment Bill** [B16-2022] (National Assembly – proposed section 76) (Portfolio Committee on Cooperative Governance and Traditional Affairs – National Assembly).

BILLS RETURNED TO ASSEMBLY FOR CONSIDERATION OF PRESIDENT’S RESERVATIONS

1. **Performers’ Protection Amendment Bill** [B 24B – 2016] (National Assembly – section 75).
2. **National Land Transport Amendment Bill** [B 7D – 2016] (National Assembly – section 76).

BILL TO BE REFERRED TO MEDIATION COMMITTEE

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

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

1. **Sectional Titles Amendment Bill** [B 31B - 2020] (National Assembly – section 76).

2. **Criminal Law (Forensic Procedures) Amendment Bill** [B25-2021] (National Assembly – sec 75).
3. **Financial Sector and Deposit Insurance Levies Bill** [B3B-2022] (National Assembly – sec 77).
4. **Financial Sector and Deposit Insurance Levies (Administration) and Deposit Insurance Premiums Bill** [B4B-2022] (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 – reported on 1 June 2022) (NCOP: Referred to Select Committee on Security and Justice on 24 October 2019).
2. **African Charter on Statistics** (Tabled on 5 March 2020) (NA: Referred to Portfolio Committee on Public Service and Administration on 9 March 2020 – reported on 2 December 2021) (NCOP: Referred to Select Committee on Security and Justice on 2 December 2020 – reported on 8 December 2021).
3. **The International Convention on the Suppression and Punishment of the Crime of Apartheid: Adopted by the General Assembly of the United Nations on 30 November 1973** (Tabled on 1 April 2021) (NA: Referred to Portfolio Committee on Justice and Correctional Services on 8 April 2021) (NCOP: Referred to Select Committee on Security and Justice on 15 April 2021).
4. **Charter Establishing The Southern African Development Community Aviation Safety Organisation** (Tabled on 3 June 2021) (NCOP: Referred to the Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure on 3 June 2021 - reported on 1 September 2021 – approved on 9 September 2021).
5. **Accession to the Amended Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (Nairobi Convention)** (Tabled on 11 June 2021) (NA: Reported on 25 March 2022 by Portfolio Committee on Environment, Forestry and Fisheries – approved on 5 May 2022).

6. **Agreement Amending the SADC Protocol on Gender and Development** (Tabled on 9 September 2021) (NCOP: Referred to the Select Committee on Health and Social Services on 9 September 2021 - reported on 23 September 2021– approved on 13 October 2021).
7. **The Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-based Sources and Activities of the Nairobi Convention** (Tabled on 7 October 2021) (NA: Referred to Portfolio Committee on Forestry, Fisheries and Environment on 11 October 2021).
8. **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).
9. **Amendment to the Convention on Physical Protection of Nuclear Material** (Tabled on 11 February 2022) (NA: Referred to Portfolio Committee on Mineral Resources and Energy on 14 February 2022 – reported on 24 March 2022).
10. **Constitutive Act of the African Union Relating to the Pan-African Parliament of 2014** (Tabled on 7 April 2022) (NA: Referred to the Portfolio Committee on International Relations on 14 April 2022 – reported on 1 June 2022) (NCOP: Referred to Select Committee on Security and Justice on 26 April 2022).
11. **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).
12. **International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)** (Tabled on 16 August 2022).