

- (a) Government Notice No R1011 published in Government Gazette No 25192 dated 18 July 2003: Exchange Control Regulations: Cancellation and appointment of an authorised dealer in foreign exchange: ING Bank N.V. South Africa Branch, in terms of the Currency and Exchanges Act, 1933 (Act No 9 of 1933).
  - (b) Government Notice No 60 published in Government Gazette No 25217 dated 25 July 2003: Regulations for Accounting Standards Board in terms of the Public Finance Management Act, 1999 (Act No 1 of 1999).
- (2) **The following papers are referred to the Select Committee on Economic and Foreign Affairs:**
- (a) Community Public Partnership Programme: Annual Review for 2002-2003.
  - (b) Report and Financial Statements of the South African National Accreditation System for 2002-2003, including the Report of the Independent Auditors for 2002-2003.
  - (c) Agreement between the Government of the Republic of South Africa and the Government of the Republic of Namibia concerning Natural Gas Trade, tabled in terms of section 231(3) of the Constitution, 1996.
  - (d) Explanatory Memorandum to the Agreement between the Government of the Republic of South Africa and the Government of the Republic of Namibia concerning Natural Gas Trade.
- (3) **The following papers are referred to the Select Committee on Public Services:**
- (a) Report and Financial Statements of the South African National Roads Agency Limited for 2001-2002, including the Report of the Auditor-General on the Financial Statements for 2001-2002 [RP 31-2003].
  - (b) Report and Financial Statements of the Road Accident Fund for 2001-2002, including the Report of the Auditor-General on the Financial Statements for 2001-2002 [RP 58-2003].
  - (c) South African National Roads Agency—Budget Schedules for 2003-2004.
- (4) **The following papers are referred to the Select Committee on Education and Recreation:**
- (a) Report and Financial Statements of the William Humphreys Art Gallery for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003.
  - (b) Report and Financial Statements of The Playhouse Company for 2002-2003, including the Report of the Independent Auditors for 2002-2003.

# PARLIAMENT

OF THE

## REPUBLIC OF SOUTH AFRICA

---

# ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

---

THURSDAY, 28 AUGUST 2003

### ANNOUNCEMENTS:

#### *National Assembly and National Council of Provinces:*

##### 1. Draft Bills submitted in terms of Joint Rule 159:

- (1) *Traditional Leadership and Governance Framework Bill, 2003*, submitted by the Minister for Provincial and Local Government on 27 August 2003. Referred to the **Portfolio Committee on Provincial and Local Government** and the **Select Committee on Local Government and Administration**.

#### *National Assembly:*

##### 1. Messages from National Council of Provinces to National Assembly in respect of Bills passed by Council and transmitted to Assembly:

- (1) Message from National Council of Provinces to National Assembly:
  - (i) *National Environmental Management Amendment Bill* [B 29—2003] (National Council of Provinces—sec 76).
  - (ii) *National Environmental Management: Biodiversity Bill* [B 30B—2003] (National Council of Provinces—sec 76).

The Bills have been referred to the **Portfolio Committee on Environmental Affairs and Tourism** of the National Assembly.

#### *National Council of Provinces:*

##### 1. The Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following papers are referred to the **Select Committee on Finance**:

- (e) Report and Financial Statements of the Health and Welfare Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 88-2003].
- (f) Report and Financial Statements of the Construction Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 85-2003].
- (g) Report and Financial Statements of the Insurance Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 79-2003].
- (h) Report and Financial Statements of the Local Government, Water and Related Services Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 89-2003].
- (i) Report and Financial Statements of the Chemical Industries Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 147-2003].
- (j) Report and Financial Statements of the Transport Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 87-2003].
- (k) Report and Financial Statements of the Food and Beverage Manufacturing Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 95-2003].
- (l) Report and Financial Statements of the Services Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 82-2003].
- (m) Report and Financial Statements of the Education, Training and Development Practices Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 121-2003].
- (n) Report and Financial Statements of the Bank Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 84-2003].
- (o) Report and Financial Statements of the Energy Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 86-2003].
- (p) Report and Financial Statements of the Information Systems, Electronics and Telecommunications Technologies Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 96-2003].

**TABLINGS:**

*National Assembly and National Council of Provinces:*

*Papers:*

**1. The Speaker and Chairperson:**

Report of the Auditor-General on Performance Audits completed during the 2001-2002 financial year [RP 156-2003].

**2. The Minister of Finance:**

(a) Report and Financial Statements of Vote No 8—National Treasury for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 135-2003].

(b) Report and Financial Statements of the Financial Services Board for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 133-2003].

(c) Government Notice No 1103 published in Government Gazette No 25250 dated 30 July 2003: Appointments and re-appointments of members to the panel of the Tax Board for the hearing of income tax appeals in terms of the Income Tax Act, 1962 (Act No 58 of 1962).

(d) Government Notice No 1104 published in Government Gazette No 25286 dated 30 July 2003: Statement of the National and Provincial Governments' Revenue, Expenditure and Borrowing as at 30 June 2003, in terms of the Public Finance Management Act, 1999 (Act No 1 of 1999).

(e) Proclamation No R61 published in Government Gazette No 25290 dated 31 July 2003: Commencement of the Insurance Amendment Act, 2003 (Act No 17 of 2003).

**3. The Acting Minister of Transport:**

Report and Financial Statements of the Air Traffic and Navigation Services Company Ltd for 2002-2003, including the Report of the Independent Auditors for 2002-2003.

**4. The Minister of Labour:**

(a) Report and Financial Statements of the Financial and Accounting Services Sector Education and Training Authority (FASSET) for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 75-2003].

(b) Report and Financial Statements of the Media, Advertising, Publishing, Printing and Packaging Sector Education and Training Authority (MAPPP) for 2002-2003.

(c) Report and Financial Statements of the Clothing, Textiles, Footwear and Leather Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 76-2003].

(d) Report and Financial Statements of the Sector Education and Training Authority for Secondary Agriculture for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 99-2003].

I will also communicate this report to the Members of the National Assembly, and wish to request that you bring the contents of this report to the notice of the National Council of Provinces.

Regards

T M MBEKI

#### COMMITTEE REPORTS:

##### *National Assembly:*

1. Report of the Portfolio Committee on Trade and Industry on the *Liquor Bill* [B 23—2003] (National Assembly—sec 76), dated 21 August 2003:

The Portfolio Committee on Trade and Industry, having considered the subject of the *Liquor Bill* [B 23—2003] (National Assembly—sec 76), referred to it and classified by the Joint Tagging Mechanism as a section 76 Bill, presents the *Liquor Bill* [B 23B—2003].

##### *National Council of Provinces:*

1. Report of the Select Committee on Public Services on the *National Road Traffic Amendment Bill* [B 31B—2003] (National Assembly—sec 76), dated 27 August 2003:

The Select Committee on Public Services, having considered the subject of the *National Road Traffic Amendment Bill* [B 31B—2003] (National Assembly—sec 76), referred to it, reports the Bill without amendment.

(q) Report and Financial Statements of the Primary Agriculture Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 109-2003].

5. **The Minister for Agriculture and Land Affairs:**

Report and Financial Statements of the Land Bank for the period January 2002 to March 2003, including the Report of the Auditor-General on the Financial Statements for the period January 2002 to March 2003 [RP 132-2003].

*National Assembly:*

1. **The Speaker:**

Report and Financial Statements of the Electoral Commission for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 67-2003].

*National Council of Provinces:*

1. **The Chairperson:**

The President of the Republic submitted the following letter dated 12 August 2003 to the Chairperson of the National Council of Provinces informing the National Council of Provinces of the employment of the South African National Defence Force:

**EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE IN ETHIOPIA AND ERITREA IN FULFILLMENT OF THE INTERNATIONAL OBLIGATIONS OF THE REPUBLIC OF SOUTH AFRICA TOWARDS THE UNITED NATIONS**

This serves to inform the National Assembly that on the 12th day of August Two Thousand and Three, I authorised the employment of the South African National Defence Force (SANDF) personnel to Ethiopia and Eritrea as part of the United Nations Observer Peace Mission in Ethiopia and Eritrea.

This employment was authorised in accordance with the provisions of Section 82(4)(b)(ii) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993), [which Sections continue to be in force in terms of Item 24(1) of Schedule 6 to the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)], read with Section 201(2)(c) of the said Constitution of 1996, for service as part of the United Nations Peace Keeping Mission in Ethiopia and Eritrea, in fulfillment of the international obligations of the Republic of South Africa towards the United Nations, in terms of Section 227(1)(b) and (c) of the Constitution of 1993, (which section is also still in force by virtue of the aforementioned Item 24) and Section 18(1) read together with Section 11 of the Defence Act, 2002 (Act No 42 of 2002).

A total of three personnel will be employed additional to members that were employed pursuant to authorization given on 5 December 2000.

The expected costs for the deployment of personnel to the mission for three months until 31 March 2004, R82 500.

The current Defence allocation has been reprioritized to cover this expenditure.

In terms of Joint Rule 154 written views on the classification of the Bill may be submitted to the Joint Tagging Mechanism (JTM) within three parliamentary working days.

## **TABLINGS:**

### *National Assembly and National Council of Provinces:*

#### *Papers:*

#### **1. The Speaker and the Chairperson:**

- (a) Report and Financial Statements of Parliament of the Republic of South Africa for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 153-2003].
- (b) Report and Financial Statements of the Public Protector of South Africa, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 59-2003].
- (c) Report and Financial Statements of the Financial and Fiscal Commission for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 132-2002].

#### **2. The Minister of Finance:**

Report and Financial Statements of the Accounting Standards Board for 2002-2003, including the Report of the Independent Auditors for 2002-2003 [RP 45-2003].

#### **3. The Acting Minister of Transport:**

- (a) Report and Financial Statements of the South African Rail Commuter Corporation Ltd for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 154-2003].
- (b) Agreement between the Government of the Republic of South Africa and the Government of the Republic of Cuba regarding Merchant Shipping and Related Maritime Matters, tabled in terms of section 231(3) of the Constitution, 1996.
- (c) Explanatory Memorandum to the Agreement between the Government of the Republic of South Africa and the Government of the Republic of Cuba regarding Merchant Shipping and Related Maritime Matters.

#### **4. The Minister of Environmental Affairs and Tourism:**

- (a) Report and Financial Statements of Vote 27—Environmental Affairs and Tourism for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 57-2003].
- (b) Report and Financial Statements of the Greater St Lucia Wetlands Park for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003.

#### **5. The Minister of Communications:**

Report and Financial Statements of Sentech for 2002-2003, including the Report of the Independent Auditors for 2002-2003.

**PARLIAMENT**  
OF THE  
**REPUBLIC OF SOUTH AFRICA**

---

---

**ANNOUNCEMENTS,  
TABLINGS AND  
COMMITTEE REPORTS**

---

---

FRIDAY, 29 AUGUST 2003

**ANNOUNCEMENTS:**

*National Assembly and National Council of Provinces:*

**1. Classification of Bills by Joint Tagging Mechanism:**

- (1) The Joint Tagging Mechanism (JTM) on 28 August 2003 in terms of Joint Rule 160(3), classified the following Bills as section 75 Bills:
  - (i) *Promotion of National Unity and Reconciliation Amendment Bill* [B 34—2003] (National Assembly—sec 75).
  - (ii) *Skills Development Amendment Bill* [B 46—2003] (National Assembly—sec 75).
  - (iii) *Local Government: Municipal Systems Amendment Bill* [B 49—2003] (National Assembly—sec 75).
  - (iv) *Criminal Law (Sexual Offences) Amendment Bill* [B 50—2003] (National Assembly—sec 75).

**2. Introduction of Bills:**

- (1) **The Minister for Justice and Constitutional Development:**
  - (i) *Superior Courts Bill* [B 52—2003] (National Assembly—sec 75) [Explanatory summary of Bill and prior notice of its introduction published in *Government Gazette* No 25282 of 30 July 2003.]

Introduction and referral to the **Portfolio Committee on Justice and Constitutional Development** of the National Assembly, as well as referral to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160, on 27 August 2003.

The Portfolio Committee on Justice and Constitutional Development, having considered the request for approval by Parliament of a Notice which, in terms of section 2(1)(a) of the Interim Rationalisation of Jurisdiction of High Courts Act, 2001 (Act No. 41 of 2001), alters the area of jurisdiction for which a High Court has been established, referred to it, recommends that the House, in terms of section 2(2) of the said Act, approve the Notice, as follows:

**ALTERATION OF AREA OF JURISDICTION FOR WHICH HIGH COURT HAS BEEN ESTABLISHED**

I, Penuell Mpapa Maduna, Minister for Justice and Constitutional Development, under section 2(1) of the Interim Rationalization of Jurisdiction of High Courts Act, 2001 (Act No. 41 of 2001), hereby, after consultation with the Judicial Service Commission and with the approval of Parliament, alter the area of jurisdiction for which a High Court has been established as indicated in column A by including therein as indicated in column B and excising therefrom as indicated in column C, a district or districts thereof as set out in the Schedule.

PM MADUNA  
MINISTER FOR JUSTICE AND CONSTITUTIONAL  
DEVELOPMENT

**SCHEDULE**

<b>COLUMN A</b>	<b>COLUMN B</b>	<b>COLUMN C</b>
<b>HIGH COURT OF SOUTH AFRICA</b>	<b>DISTRICT/S TO BE INCLUDED</b>	<b>DISTRICT/S TO BE EXCISED</b>
1. Natal Provincial Division	Umzimkulu Matatiele (Maluti) — including the land mentioned in Proclamations R.141 of 30 September 1983 and 43 of 26 April 1985 and the farms Drumleary 130 and Stanford 127	
2. Durban and Coast Local Division	Umzimkulu Matatiele (Maluti) — including the land mentioned in Proclamations R.141 of 30 September 1983 and 43 of 26 April 1985 and the farms Drumleary 130 and Stanford 127	
3. Eastern Cape Division	Herschell (Sterkspruit)	Barkley-East, Cathcart, East London, Elliot, Indwe, King William's Town, Komga, Maclear, Queenstown, Stutterheim, Ugie
4. Ciskei Division	Cathcart, East London, King William's Town, Komga, Queenstown, Stutterheim	
5. Transkei Division	Barkley East, Elliot, Indwe, Maclear, Ugie	Herschell (Sterkspruit) Umzimkulu Matatiele (Maluti) — including the land mentioned in Proclamations R.141 of 30 September 1983 and 43 of 26 April 1985 and the farms Drumleary 130 and Stanford 127

Request to be considered.

**6. The Minister of Labour:**

- (a) Report and Financial Statements of Vote 28—Labour for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 72-2003].
- (b) Report and Financial Statements of the Mining Qualifications Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003.
- (c) Report and Financial Statements of the Wholesale and Retail Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003. [RP 83-2003].
- (d) Report and Financial Statements of the Police, Security, Legal, Justice and Correctional Services Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 98-2003].
- (e) Report and Financial Statements of the Manufacturing, Engineering and Related Services Sector Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 90-2003].
- (f) Report and Financial Statements of the Forest Industries Education and Training Authority for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 78-2003].

**7. The Minister of Minerals and Energy:**

- (a) Report and Financial Statements of the Council for Mineral Technology (MINTEK) for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 55-2003].
- (b) Report and Financial Statements of the Council for Geoscience for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 46-2003].
- (c) Report and Financial Statements of the National Electricity Regulator for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 144-2003].
- (d) Annual Financial Statements of the Central Energy Fund (CEF) Group of Companies for 2002-2003, including the Reports of the Auditor-General on the Financial Statements for 2002-2003 [RP 155-2003].

**8. The Minister in The Presidency:**

Report and Financial Statements of Vote 7—Government Communication and Information System (GCIS) for 2002-2003, including the Report of the Auditor-General on the Financial Statements for 2002-2003 [RP 102-2003].

**COMMITTEE REPORTS:*****National Assembly:***

1. Report of the Portfolio Committee on Justice and Constitutional Development on *Notice in terms of Interim Rationalisation of Jurisdiction of High Courts Act, 2001*, dated 26 August 2003:

3. Report of the Portfolio Committee on Justice and Constitutional Development on the *Promotion of National Unity and Reconciliation Amendment Bill* [B 34—2003] (National Assembly—sec 75), dated 27 August 2003:

The Portfolio Committee on Justice and Constitutional Development, having considered the subject of the *Promotion of National Unity and Reconciliation Amendment Bill* [B 34—2003] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, endorses the classification of the Bill and reports the Bill with amendments [B 34A—2003].

The Committee wishes to report further, as follows:

- (1) During the Committee's deliberations on the Bill it was brought to the Committee's attention that the Final Report of the Truth and Reconciliation Commission contains an erroneous classification of a victim who is alive, as deceased.
- (2) In light of the above, the Committee recommends that the Minister for Justice and Constitutional Development be requested to correct the matter administratively, if possible, and if not, then to request him to direct his Department to approach a High Court with an application to correct the erroneous classification as identified above. As the person concerned is blameless, it is proposed that the cost incurred in respect of the application to a High Court be borne by the Department. The Committee further wishes to recommend that, if at a later stage any further substantial errors are identified in the Final Report of the Truth and Reconciliation Commission, such errors should, as far as possible, be corrected through the judicial process.

Report to be considered.

4. Report of the Portfolio Committee on Minerals and Energy on the *Petroleum Products Amendment Bill* [B 25—2003] (National Assembly—sec 75), dated 28 August 2003:

The Portfolio Committee on Minerals and Energy, having considered the subject of the *Petroleum Products Amendment Bill* [B 25—2003] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, presents the *Petroleum Products Amendment Bill* [B 25B—2003].

5. Report of the Portfolio Committee on Health on the *National Health Bill* [B 32—2003] (National Assembly—sec 76), dated 28 August 2003:

The Portfolio Committee on Health, having considered the subject of the *National Health Bill* [B 32—2003] (National Assembly—sec 76), referred to it and classified by the Joint Tagging Mechanism as a section 76 Bill, reports the Bill with amendments [B 32A—2003].

2. Report of the Portfolio Committee on Justice and Constitutional Development on the *Criminal Procedure Amendment Bill* [B 57—2002] (National Assembly—sec 75), dated 27 August 2003:

The Portfolio Committee on Justice and Constitutional Development, having considered the subject of the *Criminal Procedure Amendment Bill* [B 57—2002] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, endorses the classification of the Bill and reports the Bill with amendments [B 57A—2002].

The Committee wishes to report further, that the Bill aims to reintroduce the leave to appeal and petition procedures in respect of decisions of the lower courts. The provisions dealing with leave to appeal and petition procedures in the High Court are also amended so as to, among others, bring it in line with the procedures contemplated in the lower courts.

The Bill further provides that certain appeals in respect of decisions in both the lower courts and the High Courts relating to certain children may be noted without having to apply for leave to appeal. The Bill also makes provision that certain appeals must be considered only on the written arguments of the parties.

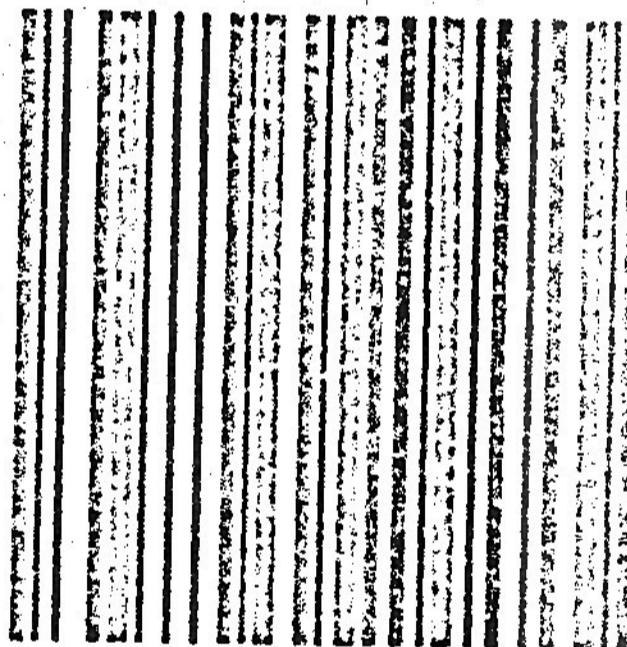
Since all these amendments will have an impact on the existing rules of court, the Rules Board for Courts of Law will have to ensure that all rules in respect of appeals applicable to the Supreme Court of Appeal, the High Courts and the magistrates' courts are brought in line with the procedures contemplated in the Bill. The provisions of the proposed new section 309B(3)(b) of the Act may, for example, be highlighted. The relevant section allows for an accused person to apply orally for leave to appeal immediately after a magistrate has passed his or her decision or order as a result of a conviction. During its deliberations on the Bill the Committee found that Rule 67 of the Rules of Court in terms of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), dealing with appeals under section 309B of the Act, does not make provision for the situation where an accused person applies orally for leave to appeal, as contemplated in section 309B(3)(b) of the Act.

Clause 7 of the Bill therefore places an obligation on the Rules Board for Courts of Law to revise and, where necessary, amend all rules in respect of appeals applicable to the Supreme Court of Appeal, the High Courts and the magistrates' courts. The Rules Board must, within three months after the date of the commencement of the Act, submit any draft amendment rules to Parliament for approval.

This resolution must immediately be brought to the attention of the Chairperson of the Rules Board for Courts of Law.

Report to be considered.

SCN03

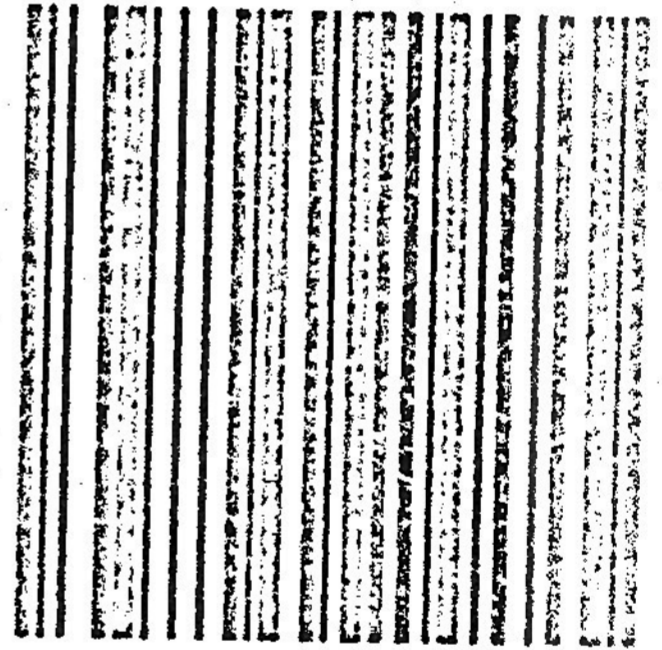


Rajaa



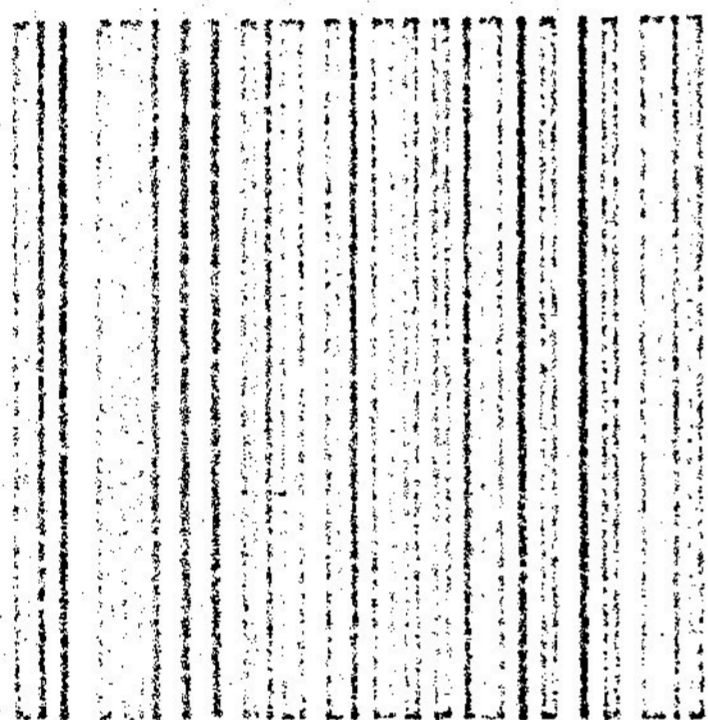
**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

SCN03



Rajaa

SCN03



Rajaa