PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF PROVINCES

ORDER PAPER

THURSDAY, 1 SEPTEMBER 2022

Hybrid Meeting of Council: 14:00

MOTIONS:

ORDERS OF THE DAY:

1. Consideration of **Criminal Law (Forensic Procedures) Amendment Bill** [B25 - 2021] (National Assembly – sec 75) and Report of Select Committee on Security and Justice thereon (Announcements, Tablings and Committee Reports, 24 August 2022, p 22).

2. 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**.

3. 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**.

4. 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**.

SUBJECT FOR DEBATE:

1. Debate on the socio-economic impact and threat of the production and trade in counterfeit products: **Waging a concerted battle against the production and distribution of counterfeit products**.

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.**

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 sewer spillages 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).

4. **Submission of petition 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, Gauteng Province** (Referred to Select Committee on Petitions and Executive Undertakings).

5. **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 Ba-Phalaborwa Kingdom, and a national debate on the role of the indigenous Kingdoms, Limpopo Province** (Referred to Select Committee on Petitions and Executive Undertakings).

6. **Submission of the petition is requesting the National Council of Provinces (NCOP) to recommend to the Limpopo Provincial Government Executive Council that it dissolve the Municipal Council of the Sekhukhune District Municipality, and place it under administration, in terms of the section 139(1)(c) of the Constitution. Further, that the NCOP recommend that the administrator's first order of business be the provision of clean running water for the aforementioned community, 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. **General Laws (Anti-Money Laundering and Combating Terrorism Financing) Amendment Bill** [B18-2022] (National Assembly – proposed sec 75).

3. **Drugs and Drug Trafficking Amendment Bill** [B19-2022] (National Assembly – proposed sec 75).

4. **Maintenance Amendment Bill** [B17-2022] (National Assembly – proposed sec 75).

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. **Basic Education Laws Amendment Bill** [B 2 – 2022] (National Assembly – section 76) – (Portfolio Committee on Basic Education – National Assembly).

29. **Financial Sector and Deposit Insurance Levies Bill** [B3B-2022] (National Assembly – sec 77) (Select Committee on Finance - National Council of Provinces).

30. **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).

31. **Marine Pollution (Prevention of Pollution from Ships) Amendment Bill** [B 5 – 2022] (National Assembly – section 76) – (Portfolio Committee on Transport – National Assembly).

32. **Climate Change Bill** [B 9 – 2022] (National Assembly – section 76) – (Portfolio Committee on Forestry, Fisheries and Environment – National Assembly).

33. **Marine Oil Pollution (Preparedness, Response and Cooperation) Bill** [B 10 – 2022] (National Assembly – proposed section 76) – (Portfolio Committee on Transport – National Assembly).

34. **Older Persons Amendment Bill** [B 11-2022] (National Assembly – proposed section 76) – (Portfolio Committee on Social Development – National Assembly).

35. **South African Postbank Limited Amendment Bill** [B12-2022] (National Assembly – section 75) (Portfolio Committee on Communications – National Assembly).

36. **National Youth Development Agency Amendment Bill** [B13-2022] (National Assembly – section 75) (Portfolio Committee on Women, Youth and Persons with Disabilities – National Assembly).

37. **Independent Municipal Demarcation Authority Bill** [B14-2022] (National Assembly – sec 76) (Portfolio Committee on Cooperative Governance and Traditional Affairs- National Assembly).

38. **Protection of Constitutional Democracy against Terrorist and Related Activities Amendment Bill** [B15-2022] (National Assembly – section 75) (Portfolio Committee on Police – National Assembly).

39. **Traditional Affairs General Amendment Bill** [B16-2022] (National Assembly – section 76) (Portfolio Committee on Cooperative Governance and Traditional Affairs – National Assembly).

40. **General Laws (Anti-Money Laundering and Combating Terrorism Financing)** Amendment Bill [B18-2022] (National Assembly – proposed sec 75) (Standing Committee on Finance- National Assembly).

41. **Drugs and Drug Trafficking Amendment Bill** [B19-2022] (National Assembly – proposed sec 75) (Portfolio Committee on Justice and Correctional Services – National Assembly).

42. **Maintenance Amendment Bill** [B17-2022] (National Assembly – proposed sec 75) (Portfolio Committee on Justice and Correctional Services – 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. **Performers' Protection Amendment Bill** [B 24B – 2016] (National Assembly – sec 75).

3. **Copyright Amendment Bill** [B 13B – 2017] (National Assembly – sec 75).

4. **National Land Transport Amendment Bill** [B 7D – 2016] (National Assembly – sec 76).

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

1. **Compensation for Occupational Injuries and Diseases Amendment Bill** [B 21B - 2020] (National Assembly – sec 75).

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

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

BILL TO BE REFERRED TO MEDIATION COMMITTEE

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

5. **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).

6. **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).

7. **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).

8. **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).

9. **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).

10. **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).

11. **International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)** (Tabled on 16 August 2022) (NCOP: Referred to Select Committee on Security and Justice on 17 August 2022).

12. **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).