REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

WEDNESDAY, 6 MARCH 2019

1. The Council met at 14:03.

2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.

3. [14:04] Notices of motion.

4. [14:05] Mr M Rayi moved without notice: That the Council-

   (1) notes and welcomes with appreciation the announcement by the Competition Commission that it had finally made progress in the call for making school uniforms affordable for everyone;

   (2) also notes that the Commission launched an investigation since 2016 after parents complained about the prices of school uniforms that they have been forced to buy from certain suppliers;

   (3) further notes that this is aimed at combating the uncompetitive conduct in the sale of school uniforms where several schools are operating like cartels in that regard;

   (4) commends the Commission for its sterling work, which will not only save South Africans millions of Rands but also ensure that we finally break the barrier of expensive school uniforms that are often characterised by collusion to benefit few service providers; and

   (5) calls on schools that are involved in this behaviour to come forward and stop this price fixing of school uniform.

Motion agreed to in accordance with section 65 of the Constitution.

5. [14:11] Ms M P Koni moved without notice: That the Council-

(1) notes that on this day in 1957 Ghana gained its independence from Britain;

(2) further notes that the people of Ghana, under the leadership of Kwame Nkrumah were the first African people's to gain independence from a colonial power;

(3) also notes that throughout the continent strived and continue to strive for their total liberation;

(4) also notes that in the 20th the people of Africa achieved political freedom through struggle, sweat, blood and sacrifice;

(5) further notes that political freedom means little without economic freedom and Africa still have a long way to go in realising the total liberation of the continent;

(6) inspired by the people of Ghana as it embarks on generational struggle of economic freedom; and

(7) congratulates the people of Ghana on their historic anniversary.

Motion agreed to in accordance with section 65 of the Constitution.

6. [14:18] Ms L L Zwane moved without notice: That the Council-

(1) notes with profound sadness the death of veteran jazz singer Mama Dorothy Masuka on Saturday, 23 February at the age of 83, succumbing to a complications related to hypertension after suffering a stroke last year;

(2) further notes that Mama Dorothy Masuku was not only a musical but also a cultural activist and fearless gender who remained a laudable voice of the marginalised in the dark days of apartheid;

(3) also notes that although Mama Dorothy Masuku was born in Zimbabwe, she played a vital role in the liberation of South Africa through music with other iconic legends like Mirriam Makeba, Margaret Mcinga, Thandi Classen, and Letta Mbulu;

(4) acknowledges that Dorothy Masuku's star will always shine, in death just as it did in life, in her, the nation has lost an arts and culture activist; and

(5) takes this opportunity to convey its deepest condolences to her family and friends.

May here soul rest in eternal peace! Hamba kahle (Go well) 'Nontsokolo'!

Motion agreed to in accordance with section 65 of the Constitution.

7. FIRST ORDER [14:28]

Consideration of Report of Select Committee on Finance (Announcements, Tablings and Committee Reports, 5 March 2019) **2019 Fiscal framework and revenue proposals**.

Debate concluded.

Declaration of votes made on behalf of the Limpopo and Western Cape.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

AGAINST: Western Cape.

Report accordingly adopted in accordance of section 65 of the Constitution.

8. SECOND ORDER [15:05]

Consideration of Report of Select Committee on Security and Justice **(**Announcements, Tablings and Committee Reports, 20 February 2019, p 16) **Draft Amended Regulations made in terms of section 23(1) of Legal Aid South Africa Act, 2014 (Act No. 39 of 2014), tabled in terms of section 23(2) of the Act, dated 19 February 2019**.

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance of section 65 of the Constitution.

9. THIRD ORDER [15:18]

Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 27 February 2019, p 64) **Provisional Suspension from the Office of Magistrate Mr E S Nzimande, Regional Court President, KwaZulu- Natal, tabled in terms of section 13(3)(b) of the Magistrates Act, 1993 (Act No 90 of 1993)**.

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance of section 65 of the Constitution.

10. FOURTH ORDER [15:22]

Consideration of Report of Select Committee on Land and Mineral Resources **(**Announcements, Tablings and Committee Reports, 5 February 2019, p 4) **Ratification of Minamata Convention on Mercury with its Explanatory Memorandum**.

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance of section 65 of the Constitution.

11. FIFTH ORDER [15:25]

Consideration of **Powers, Privileges and Immunities of Parliament and Provincial Legislatures Amendment Bill** [B 18 - 2018] (National Assembly – sec 75*)* and Report of Select Committee on Security and Justice thereon **(**Announcements, Tablings and Committee Reports, 20 February 2019, p 12).

Debate concluded.

Question put: That the Bill be agreed to.

Bill accordingly agreed to in accordance with section 75 of the Constitution.

12. SIXTH ORDER [15:32]

Consideration of **National Public Health Institute of South Africa Bill** [B 16D - 2017] (National Assembly – sec 76) and Report of Select Committee on Social Services thereon **(**Announcements, Tablings and Committee Reports, 26 February 2019, p 33).

Debate concluded.

Question put: That the Bill be agreed to.

IN FAVOUR: Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, Western Cape.

ABSTAIN: Gauteng.

Bill accordingly agreed to in accordance with section 65 of the Constitution.

13. SEVENTH ORDER [15:40]

Consideration of **National Credit Amendment Bill** [B 30 – 2018] (National Assembly – sec 76) and Report of Select Committee on Trade and International Relations thereon **(**Announcements, Tablings and Committee Reports, 27 February 2019, p 63).

Debate concluded.

Declaration of votes made on behalf of the Western Cape and North West.

Question put: That the Bill be agreed to.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

AGAINST: Western Cape.

Bill accordingly agreed to in accordance with section 65 of the Constitution.

14. The Council adjourned at 15:50.

P TYAWA
Acting Secretary to Parliament