

PARLIAMENT OF THE  
REPUBLIC OF SOUTH AFRICA

---

NATIONAL COUNCIL OF  
PROVINCES

---

---

ORDER PAPER

---

---

TUESDAY, 2 JUNE 2020

Virtual Meeting of Council: 14:00

**ORDERS OF THE DAY:**

1. Consideration of **Division of Revenue Bill** [B 3 – 2020] (National Assembly – sec 76) and Report of Select Committee on Appropriations thereon (Announcements, Tablings and Committee Reports, 27 May 2020, p 3).
2. Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 17 March 2020, p 29) **Suspension/removal from the office of Magistrate I Meyburgh, an additional Magistrate at Johannesburg, in terms of section 13(4)(b) of the Magistrates Act, 1993 (Act No. 90 of 1993), dated 13 March 2020.**
3. Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 17 March 2020, p 33) **Provisional suspension from office of Magistrate D Nair, Chief Magistrate, Pretoria, tabled in terms of section 13(3)(b) of the Magistrates Act, 1993 (Act No. 90 of 1993), dated 13 March 2020.**
4. Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 17 March 2020, p 36) **Treaty and the Explanatory Memorandum to the Treaty, between the Government of the Republic of South Africa and the Government of the Republic of Bangladesh on Extradition, tabled in terms of**

**section 231(2) of the Constitution, 1996, dated 11 March 2020.**

5. Consideration of Report of Select Committee on Security and Justice (Announcements, Tablings and Committee Reports, 17 March 2020, p 37) **Treaty and the Explanatory Memorandum to the Treaty, between the Government of the Republic of South Africa and the Government of the Republic of Bangladesh on Mutual Legal Assistance in Criminal Matters, tabled in terms of section 231(2) of the Constitution, 1996, dated 11 March 2020.**
- 

## FURTHER BUSINESS

### ORDERS:

1. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 December 2019, p 3) **Proactive Oversight Visit to Musina Local Municipality to monitor the implementation of 2017/18 Post Municipal Audit Action Plan, dated 26 November 2019.**
2. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 December 2019, p 30) **Proactive Oversight Visit to Makhado Local Municipality to Monitor and Assess the Implementation of 2017/18 Post Audit Action Plan, dated 26 November 2019.**
3. Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 2 December 2019, p 39) **Proactive Oversight Visit to Vhembe District Municipality to Monitor and Assess the Implementation of 2017/18 Municipal Audit Action Plan, dated 26 November 2019.**
4. Consideration of Report of Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Labour and Employment (Announcements, Tablings and Committee Reports, 19 March 2020, p 12) **Overisight visit to Supported Employees**

**Enterprises (SEE), Ndabeni, Western Cape, dated 11 March 2020.**

5. Consideration of Report of Select Committee on Education and Technology, Sports, Arts and Culture (Announcements, Tablings and Committee Reports, 26 May 2020, p 3) **Agreement between the Government of the RSA and the International Centre for Genetic Engineering and Biotechnology (ICGEB) on the Establishment of an International Centre for Genetic Engineering and Biotechnology (ICGEB) Component in the RSA with its Explanatory Memorandum, tabled in terms of section 231(2) of the Constitution, 1996, dated 26 May 2020.**

---

**Motions (Notices given on 10 March 2020):**

1. Draft resolution (Mr TJ Brauteseth): That the Council:
  - (1) notes with great concern the water crisis throughout the entire Ugu District Municipality;
  - (2) also notes that this water crisis has led to intermittent water supply since December 2015 and there are over 150 000 residents of the Ugu District Municipality affected with no water;
  - (3) further notes that economic activities, including industry and tourism, in the major towns of Harding, Margate and Port Shepstone have been severely affected leading to retrenchments;
  - (4) acknowledges that the health services at St Andrews Hospital, Murchison Hospital and Port Shepstone Regional Hospital have been severely curtailed leading to poor health outcomes;
  - (5) further acknowledges that the financial crisis in the Ugu District Municipality is due to a ballooning debtors book caused by insufficient or dysfunctional revenue collection measures which have resulted in a budgetary shortfall of over R300 million;
  - (6) notes with concern that despite pleas and petitions to the KwaZulu- Natal MEC for COGTA, the Premier of KwaZulu-Natal and his government, all provincial interventions have not been successful in resolving the crisis in the Ugu District Municipality; and

- (7) calls on the MEC of COGTA to intervene in terms of section 139 of the Constitution into the Ugu District Municipality in order to improve water service delivery, sanitation services and the municipality's finances.

2. Draft resolution (Mr A B Gxoyiya): That the Council-

- (1) notes the taxi violence in many parts of the country;
- (2) further notes that for years, the taxi industry has been heavily embroiled in conflicts that have claimed thousands of lives; and
- (3) finally notes that at the heart of the problem of taxi violence is the persistent struggle over control of this multi-billion-rand industry that carries over 60% of South Africa's commuters.

3. Draft resolution (Mr JJ Londt): That the Council-

- (1) notes the need to speed up the process and readiness of municipalities to procure electricity from IPPS and the importance of this transition towards enabling economic growth and job creation.

4. Draft resolution (Ms SA Luthuli): That the Council-

- (1) notes allegations of the involvement of SAPS officers at Ejozini Police Station in Ejozini Municipality, Kwazulu-Natal in crimes such as stolen vehicles that crosses the Mozambique border.

5. Draft resolution (Ms A D Maleka): That the Council-

- (1) notes that stateless children are not recognised as citizens of any country in the world;
- (2) further notes that they therefore cannot access basic constitutional rights such social services, health care or education;
- (3) acknowledges that the Births and Deaths Registration Act, 1992 does not make provision for unmarried fathers to register the births of their children without the child's mother; and
- (4) debates the increasing number of stateless children as a result of migration.

6. Draft resolution (Ms B T Mathevula): That the Council-
  - (1) debates the shortage of clean water in 50 villages in Giyani, Limpopo.
7. Draft resolution (Mr S E Mfayela): That the Council-
  - (1) notes the need to address the water scarcity in South Africa as a result of climate change and its economic impact.
8. Draft resolution (Ms M O Mokause): That the Council-
  - (1) notes the judgement by the Johannesburg Magistrates Court against *Fees Must Fall* activist Mcebo Dlamini;
  - (2) further notes that Mcebo Dlamini was prosecuted for his involvement in Fees Must Fall in 2016, and that he, like many Fees Must Fall activists, is a courageous fighter for economic freedom in our lifetime;
  - (3) acknowledges his contribution to the struggle for free de-colonised education, decent student accommodation, food and books, and it is a contribution that cannot be erased from our history;
  - (4) further acknowledges that to many, Mcebo Dlamini will remain an example of those who dared to defend the right of a black child to education, and such a revolutionary act should be celebrated;
  - (5) calls on all student formations, civil society and society at large to rally behind Mcebo Dlamini and to support him; and
  - (6) wishes Mcebo Dlamini strength and energy in these dark times.
9. Draft resolution (Mr EM Nchabeleng): That the Council-
  - (1) acknowledges the launch of a number of initiatives to address the inadequate and poor state of toilets in schools;
  - (2) notes that notwithstanding the delivery of 10 621 toilets since the year 2000, many schools in the country have inadequate toilets compared to the ratio of learners in schools;
  - (3) further notes that there is an estimated total of 3 898 pit latrines in the country;

- (4) also notes that some toilets are extremely dangerous and have led to the deaths of learners; and
- (5) debates the inadequate and poor state of toilets in many schools across South Africa.

10. Draft resolution (Ms S Shaikh): That the Council-

- (1) notes the burning and destruction of public property such as schools, libraries, clinics, trains and police stations during public protests; and
- (2) further notes that the burning, mayhem and destruction of public property during public protests not only robs communities of service delivery points, but also perpetuates the historical imbalances of under - development and skewed investment to previously marginalized and disadvantaged communities.

---

### PETITIONS REFERRED TO COMMITTEES

1. **Submission of a petition calling for the intervention of National Council of Provinces in relation to the alleged failure by the Limpopo Department of Health to honour its undertaking of building a health care centre for the community of Dichoeung in Jane Furse, Limpopo (Mr Elcourt Matlala)-** (Referred to Select Committee on Petitions and Executive Undertakings and Select Committee on Health and Social Services - The Select Committee on Petitions and Executive Undertakings is instructed in terms of rule 105(2) of the Council Rules to consult the Select Committee on Health and Social Services when it considers the matter).
2. **Submission of a petition calling for the intervention of National Council of Provinces in relation to the alleged disagreement between the Department of Higher Education and Training, Sector Education and Training Authority (SETA), EOH Abantu (Pty) Ltd and the disgruntled former learners of EOH Abantu (Pty) (Speaker of Gauteng Provincial Legislature, on behalf of disgruntled former learners of EOH Abantu (Pty) Ltd) -** (Referred to Select Committee on Petitions and Executive Undertakings and the Select Committee on Education and Technology, Sports, Arts and Culture. The Select Committee on Petitions and Executive Undertakings is instructed in terms of rule 105(2) of the Council Rules to consult the Select Committee on Education and

Technology, Sports, Arts and Culture when it considers the matter).

3. **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).**

#### **BILLS REFERRED TO JOINT TAGGING MECHANISM (JTM)**

1. **Appropriation Bill [B 4 – 2020]** (National Assembly – proposed sec 77).
2. **Upgrading of Land Tenure Rights Amendment Bill [B 6 - 2020]** (National Assembly – proposed sec 76).
3. **National Road Traffic Amendment Bill [B7-2020]** (National Assembly – proposed sec 76).
4. **Transport Appeal Tribunal Amendment Bill [B8-2020]** (National Assembly – proposed sec 76).

#### **BILLS REFERRED TO COMMITTEES**

1. **National Forests Amendment Bill [B 11B – 2016]** (National Assembly – sec 76) – (Select Committee on Land Reform, Environment, Mineral Resources and Energy –National Council of Provinces).
2. **Traditional Courts Bill [B 1B – 2017]** (National Assembly – sec 76) – (Select Committee on Security and Justice – National Council of Provinces).
3. **Cybercrimes Bill [B 6B – 2017]** (National Assembly – sec 75) – (Select Committee on Security and Justice – National Council of Provinces).
4. **National Environmental Management Laws Amendment Bill [B 14D – 2017]** (National Assembly – sec 76) – (Select Committee on Land Reform, Environment, Mineral Resources and Energy – National Council of Provinces).

5. **Road Accident Benefit Scheme Bill** [B 17B – 2017] (National Assembly – sec 75) – (Portfolio Committee on Transport – National Assembly).
6. **International Crimes Bill** [B 37 – 2017] (National Assembly – sec 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
7. **Airports Company Amendment Bill** [B 5B – 2018] (National Assembly – sec 75) - (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure – National Council of Provinces).
8. **Air Traffic and Navigation Services Company Amendment Bill** [B 6B –2018] (National Assembly – sec 75) - (Select Committee on Transport, Public Service and Administration, Public Works and Infrastructure – National Council of Provinces).
9. **Customary Initiation Bill** [B 7B - 2018] (National Assembly – sec 76) – (Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements – National Council of Provinces).
10. **Prevention of Hate Crimes and Hate Speech Bill** [B 9 – 2018] (National Assembly – sec 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
11. **Civil Union Amendment Bill** [B 11B – 2018] (National Assembly – sec 75) – (Select Committee on Health and Social Services – National Council of Provinces).
12. **State Liability Amendment Bill** [B 16 – 2018] (National Assembly – sec 75) – (Portfolio Committee on Justice and Correctional Services – National Assembly).
13. **Local Government: Municipal Structures Amendment Bill** [B 19B – 2018] (National Assembly – sec 76) – (Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements – National Council of Provinces).
14. **South African Reserve Bank Bill** [B 26 – 2018] (National Assembly – sec 75) – (Standing Committee on Finance – National Assembly).
15. **National Gambling Amendment Bill** [B 27B – 2018] (National Assembly – sec 76) – (Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Labour and Employment – National Council of Provinces).

16. **National Health Amendment Bill** [B 29 – 2018] (National Assembly – sec 76) – (Portfolio Committee on Health – National Assembly).
17. **Public Finance Management Amendment Bill** [B 41 - 2018] (National Assembly – sec 76) – (Standing Committee on Finance – National Assembly).
18. **Science and Technology Laws Amendment Bill** [B 42B - 2018] (National Assembly – sec 75)-(Select Committee on Education and Technology, Sports, Arts and Culture – National Council of Provinces).
19. **Civil Aviation Amendment Bill** [B 44 – 2018] (National Assembly – sec 75) – (Portfolio Committee on Transport – National Assembly).
20. **Local Government: Municipal Systems Amendment Bill** [B 2 – 2019] (National Assembly – sec 76) – (Portfolio Committee Cooperative Government and Traditional Affairs – National Assembly).
21. **National Health Insurance Bill** [B 11 - 2019] (National Assembly – sec 76) – (Portfolio Committee on Health – National Assembly).
22. **Recognition of Customary Marriages Amendment Bill** [B 12 - 2019] (National Assembly – sec 76) – (Portfolio Committee on Justice and Correctional Services – National Assembly) (Referred to National House of Traditional Leaders on 8 November 2019).
23. **Judicial Matters Amendment Bill** [B 13B - 2019] (National Assembly –sec 75) – (Select Committee on Security and Justice – National Council of Provinces).
24. **Independent Electricity Management Operator Bill** [B 14 - 2019] (National Assembly – sec 76) – (Portfolio Committee on Mineral Resources and Energy – National Assembly).
25. **Prescription in Civil and Criminal Matters (Sexual Offences) Amendment Bill** [B 22 - 2019] (National Assembly – sec 75) - (Portfolio Committee on Justice and Correctional Services – National Assembly).
26. **Economic Regulation of Transport Bill** [B 1 - 2020] (National Assembly– sec 76) – (Portfolio Committee on Transport – National Assembly).

27. **Auditing Profession Amendment Bill** [B 2 - 2020] (National Assembly – sec 75) – (Standing Committee on Finance – National Assembly).
28. **Upgrading of Land Tenure Rights Amendment Bill** [B 6 - 2020] (National Assembly – proposed sec 76) (Portfolio Committee on Agriculture, Land Reform and Rural Development-National Assembly).
29. **National Road Traffic Amendment Bill** [B7-2020] (National Assembly – proposed sec 76) (Portfolio Committee on Transport-National Assembly).
30. **Transport Appeal Tribunal Amendment Bill** [B8-2020] (National Assembly – proposed sec 76) (Portfolio Committee on Transport- National Assembly).

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

1. **National Forests Amendment Bill** [B 11B – 2016] (National Assembly – sec 76).
2. **Traditional Courts Bill** [B 1B – 2017] (National Assembly – sec 76).
3. **Cybercrimes Bill** [B 6B – 2017] (National Assembly – sec 75).
4. **National Environmental Management Laws Amendment Bill** [B 14D – 2017] (National Assembly – sec 76).
5. **Airports Company Amendment Bill** [B 5B – 2018] (National Assembly – sec 75).
6. **Air Traffic and Navigation Services Company Amendment Bill** [B 6B –2018] (National Assembly – sec 75)
7. **Customary Initiation Bill** [B 7B - 2018] (National Assembly – sec 76).
8. **Civil Union Amendment Bill** [B 11B – 2018] (National Assembly – sec 75).
9. **Local Government: Municipal Structures Amendment Bill** [B 19B – 2018] (National Assembly – sec 76).
10. **National Gambling Amendment Bill** [B 27B – 2018] (National Assembly – sec 76).

11. **Science and Technology Laws Amendment Bill** [B 42B - 2018] (National Assembly – sec 75).
  12. **Judicial Matters Amendment Bill** [B 13B - 2019] (National Assembly –sec 75).
- 

### INTERNATIONAL AGREEMENTS

1. **Agreement between the Government of the Republic of South Africa and the International Centre for Genetic Engineering and Biotechnology (ICGEB) on the Establishment of an International Centre for Genetic Engineering and Biotechnology (ICGEB) Component in the Republic of South Africa** (Tabled on 18 September 2019) (NA: Referred to Portfolio Committee on Higher Education, Science and Technology on 19 September 2019 - reported on 5 December 2019 – approved on 10 March 2020) (NCOP: Referred to Select Committee on Education and Technology, Sports, Arts and Culture on 19 November 2019 – reported on 26 May 2020).
2. **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) (NCOP: Referred to Select Committee on Security and Justice on 24 October 2019).
3. **Treaty between the Government of the Republic of South Africa and the Government of the Republic of Bangladesh on Extradition** (Tabled on 14 November 2019) (NA: Referred to Portfolio Committee on Justice and Correctional Services on 18 November 2019 – reported on 3 March 2020 - approved on 10 March 2020) (NCOP: Referred to Select Committee on Security and Justice on 30 January 2020 – reported on 17 March 2020).
4. **Treaty between the Government of the Republic of South Africa and the Government of the Republic of Bangladesh on Mutual Legal Assistance in Criminal Matters** (Tabled on 14 November 2019) (NA: Referred to Portfolio Committee on Justice and Correctional Services on 18 November 2019 – reported on 3 March 2020 - approved on 10 March 2020) (NCOP:

Referred to Select Committee on Security and Justice on 30 January 2020 – reported on 17 March 2020).

5. **Agreement between the Government of the Republic of South Africa and the European Atomic Energy Community (EURATOM) for Co-operation in the Peaceful Uses of Nuclear Energy** (Tabled on 14 November 2019) (NA: Referred to Portfolio Committee on Mineral Resources and Energy on 18 November 2019).
6. **Treaty between the Government of the Republic of South Africa and the Government of the United Mexican States on Mutual Legal Assistance in Criminal Matters** (Tabled on 5 March 2020) (NA: Referred to Portfolio Committee on Justice and Correctional Services on 9 March 2020 –reported on 29 May 2020) (NCOP: Referred to Select Committee on Security and Justice on 10 March 2020).
7. **Treaty between the Government of the Republic of South Africa and the Government of the United Mexican States on Extradition** (Tabled on 5 March 2020) (NA: Referred to Portfolio Committee on Justice and Correctional Services on 9 March 2020 – reported on 29 May 2020) (NCOP: Referred to Select Committee on Security and Justice on 10 March 2020).
8. **African Charter on Statistics** (Tabled on 5 March 2020) (NA: Referred to Portfolio Committee on Public Service and Administration on 9 March 2020).
9. **Treaty of Amity and Cooperation (TAC) in South East Asia** (Tabled on 18 March 2020) (NA: Referred to Portfolio Committee on International Relations and Cooperation on 26 March 2020).