

PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF
PROVINCES

ORDER PAPER

TUESDAY, 9 JULY 2019

Meeting of Council: 14:00

MOTIONS:

1. Draft resolution (Chief Whip of the Council): That the Council designates the following Members to represent Parliament in the the Pan- African Parliament in terms of article 4(2) and (3) of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament:
 - a. Ms T R Modise (ANC);
 - b. Mr N A Masondo (ANC);
 - c. Ms P C P Majodina (ANC);
 - d. Mr T R Majola (DA); and
 - e. Ms J S Malema (EFF).

2. Draft resolution (Chief Whip of the Council): That the Council elects the following members to represent Parliament in the Southern African Development Community Parliamentary Forum in terms of article 6(3) of the Constitution of the Forum:
 - a. Ms T R Modise (Speaker of the National Assembly);
 - b. Mr D L Moela (ANC);
 - c. Mr T B Matibe (ANC);
 - d. Mr D Bergman (DA);
 - e. Ms H O Mkhali (EFF); and
 - f. Chairperson of the Multiparty Women's Caucus.

3. Draft resolution (Chief Whip of the Council): That in terms of section 178 (1) (i) of the Constitution the Council designates the following Members to serve on the Judicial Services Commission:
 - a. Ms Sylvia Elizabeth Lucas;
 - b. Mr Archibold Jomo Nyambi;
 - c. Mr Mosimanegape Kenneth Mmoiemang; and
 - d. Mr Thamsanqa Simon China Dodovu.

 4. Draft resolution (Chief Whip of the Council): That in terms of section 3(1) (a) (xi) of the Magistrate Act, 90 of 1993 the Council designates the following Members to serve on the Magistrates Commission:
 - a. Mr Yunus Ismail Carrim (Ms Dikeledi Gladys Mahlangu:alternate);
 - b. Mr Enoch Muzi Mthethwa (Mr Thamsanqa Simon China Dodovu: alternate);
 - c. Mr Mandla Isaac Rayi (Ms Nokuzola Ndongeni: alternate); and
 - d. Mr Willem Abraham Stephanus Aucamp (Ms Cathlene Labuschagne: alternate).
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FURTHER BUSINESS

ORDERS:

1. Consideration of Report of Joint Committee on Ethics and Members' Interest (Announcements, Tablings and Committee Reports, 8 March 2019, p 49) **Complaint against Hon. A Dlodlo, MP: Minister of Public Service and Administration.**
2. Consideration of Report of Joint Committee on Ethics and Members' Interest (Announcements, Tablings and Committee Reports, 8 March 2019, p 53) **Complaint against Hon. M Booi, MP.**
3. Consideration of Report of Joint Committee on Ethics and Members' Interest (Announcements, Tablings and Committee Reports, 28 March 2019, p 5) **Compliant against the Honourable Deputy Minister of Correctional Services, Mr Thabang Makwetla, MP.**
4. Consideration of Report of Joint Committee on Ethics and Members' Interest (Announcements, Tablings and Committee Reports, 28 March 2019, p 10) **Compliant against the Honourable M Dirks, MP.**

5. Consideration of Report of the Joint Standing Committee on the Financial Management of Parliament on its **activities undertaken during the Fifth Parliament (May 2016 to March 2019) dated 20 March 2019** (Announcements, Tablings and Committee Reports, 17 April 2019, p 2).
6. Consideration of **Joint oversight Report to Limpopo Province, Mopani District by the Select Committees on Economic and Business Development and Trade and International Relations, from 30 July – 3 August 2018, Dated 19 March 2019** (Announcements, Tablings and Committee Reports, 6 May 2019, p 3).
7. Consideration of **Joint oversight Report to KwaZulu-Natal, Ethekewini Metropolitan by the Select Committees on Economic and Business Development and Trade and International Relations, from 15 – 19 October 2018, Dated 19 March 2019**(Announcements, Tablings and Committee Reports, 6 May 2019, p 24).

APPENDIXES
PETITIONS REFERRED TO COMMITTEES

1. **Submission of a petition from Mr Mnikeli Kawa, Eastern Cape Province regarding the alleged corruption and lack of service delivery in Well's Estate at the Nelson Mandela Metropolitan Municipality** - (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
2. **Submission of a petition calling for National Council of Province's intervention on alleged failure by the Tumahole Local Municipality in Parys, to provide basic services to the community residing at erf 10012 (From Ms M Khoase on behalf of the Abazimeli Squatters Association)** - (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
3. **Submission of a petition calling upon the NCOP's assistance in resolving community land use and ownership in the township of Alexandra Township, Gauteng Province (from Mr Jacob Mogoai, Chairman of the Alexandra Land & Property Owners Association)** (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
4. **Submission of a petition calling upon the NCOP's assistance on the rejection of Mr Wandile Laurence Daku's application for**

- special pension by the Special Pension Appeal Board (from Mr Wandile Laurence Daku) - (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**
5. **Commitments made by various Ministers in 2012 during visit of the National Council of Provinces to Ngqushwa Local Municipality - (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**
 6. **Submission of a petition calling for Parliament’s intervention on alleged unpaid pensions, unpaid leave gratuity and non-payment of the pro-rata bonus by the Eastern Cape Department of Health (From Mr Miyelani Mashaba) - (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**
 7. **Submission of a petition calling for the National Council of Province’s intervention on the social impact assessment with regards to the proposed Knysna N2 Toll highway development by Sanral in Knysna, Western Cape. (From Velile Waxa, on behalf of the concerned communities of Phelandaba and Rhobololo) (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**
 8. **Submission of a petition requesting assistance from the National Council of Provinces regarding the alleged failure by the Council of the Eden District Municipality to engage the affected communities in the process of leasing out the ancestral land within the municipality’s jurisdiction (From Mr Hermanus Baatjies on behalf of the Ga’ibhaiqua community of Oudtshoorn in the Western Cape) (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**
 9. **Submission of a petition requesting assistance from the National Council of Provinces regarding the normalisation of the process towards pragmatic socio-economic and commercial transformation of the professional hunting and outfitting sector, Western Cape (From Hon C J De Beer, Member of Parliament, on behalf of Dr Johann Kotze, Director of GameTech Hunters Training) (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**
 10. **Submission of a petition calling for National Council of Province’s intervention on the dispute relating to the RDP housing subsidy and bond repayments. (From Speaker of the Gauteng Provincial Legislature, on behalf of Mr Adam Khalo, from Vosloorus, Gauteng Province) (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).**

11. **Submission of a petition calling for intervention of the National Council of Province on alleged failure by the Ntabankulu Local Municipality, to provide basic services to the residents of Cacadu village within ward 11 of the Ntabankulu Local Municipality** (From Mr Luthando Mvomvo) (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
12. **Submission of a petition calling for intervention of the National Council of Provinces (from Ms Zanele Lusithi, a representative of the South African Homeless People’s Federation in Blouwerberg Western Cape).** (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
13. **Submission of a petition calling for the enactment of legislation that would provide for the establishment of the Government Advertising Agency.** (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
14. **Submission of a petition calling for the amendment of Section 27 of the Basic Conditions of Employment Act 75 of 1997 (from Mr Hendri Petrus Terblanche).** (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).
15. **Submission of a petition calling for the intervention of the NCOP, in a matter relating to reparations and title deeds from the National Ideal Fulfillment Foundation, which is duly represented by Mr Gordon Ndlovu of Gauteng Province.** (Select Committee on Petitions and Executive Undertakings – National Council of Provinces).

BILLS REFERRED TO COMMITTEES

1. **Mineral and Petroleum Resources Development Amendment Bill [B 15D – 2013]** (National Assembly – sec 76) and the President’s reservations on constitutionality of Bill as submitted to him (Announcements, Tablings and Committee Reports, 23 January 2015, p 2) – (Select Committee on Land Reform, Environment, Mineral Resources and Energy– National Council of Provinces).
2. **Border Management Authority Bill [B 9B – 2016]** (National Assembly – sec 75) – (Select Committee on Health and Social Services – National Council of Provinces).
3. **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).

4. **Traditional Courts Bill** [B 1B – 2017] (National Assembly – sec 76) – (Select Committee on Security and Justice – National Council of Provinces).
5. **Cybercrimes Bill** [B 6B – 2017] (National Assembly – sec 75) (introduced as **Cybercrimes and Cybersecurity Bill** [B 6 – 2017]) – (Select Committee on Security and Justice – National Council of Provinces).
6. **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).
7. **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).
8. **iKamva Digital Skills Institute Bill** [B 10B – 2018] (National Assembly – sec 75) (Select Committee on Public Enterprises and Communication – National Council of Provinces).
9. **Civil Union Amendment Bill** [B 11B - 2018] (National Assembly – sec 75) – (Select Committee on Health and Social Services – National Council of Provinces).
10. **Hydrographic Bill** [B 17B – 2018] (National Assembly – sec 75) – (Select Committee on Security and Justice – National Council of Provinces).
11. **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).
12. **Independent Police Investigative Directorate Amendment Bill** [B 25 – 2018] (National Assembly – sec 75) – (Select Committee on Security and Justice – National Council of Provinces).
13. **National Gambling Amendment Bill** [B 27B – 2018] (National Assembly – sec 76) (Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Employment and Labour – National Council of Provinces).
14. **Child Justice Amendment Bill** [B 32B – 2018] (National Assembly – sec 75) – (Select Committee on Security and Justice – National Council of Provinces).

15. **National Minimum Wage Amendment Bill** [B 9 - 2019] (National Assembly – sec 75) (Select Committee on Trade and Industry, Economic Development, Small Business Development, Tourism, Employment and Labour – National Council of Provinces).

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

1. **Defence Amendment Bill** [B 18 - 2017] (National Assembly – sec 75).

**BILLS RETURNED TO ASSEMBLY FOR
CONSIDERATION OF PRESIDENT’S RESERVATIONS**

1. **Mineral and Petroleum Resources Development Amendment Bill** [B 15B – 2013] (National Assembly – sec 76).

BILLS REFERRED BACK TO COMMITTEES

1. **National Gambling Amendment Bill** [B 27B – 2018] (National Assembly – sec 76).
2. **iKamva Digital Skills Institute Bill** [B 10B – 2018] (National Assembly – sec 75).

**BILL REJECTED BY NATIONAL COUNCIL OF PROVINCES
AND RETURNED TO NATIONAL ASSEMBLY**

1. **Foreign Service Bill** [B 35B - 2015] (National Assembly – sec 75).

**BILL REVIVED BY NATIONAL ASSEMBLY AND
REFERRED BACK TO COMMITTEES**

1. **Appropriation Bill** [B 6 – 2019] (National Assembly – sec 77).

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

1. **Mineral and Petroleum Resources Development Amendment Bill** [B 15D – 2013] (National Assembly – sec 76).

2. **Border Management Authority Bill** [B 9B – 2016] (National Assembly – sec 75).
 3. **National Forests Amendment Bill** [B 11B – 2016] (National Assembly – sec 76).
 4. **Traditional Courts Bill** [B 1B – 2017] (National Assembly – sec 76).
 5. **Cybercrimes Bill** [B 6B – 2017] (National Assembly – sec 75) (introduced as **Cybercrimes and Cybersecurity Bill** [B 6 – 2017]).
 6. **National Environmental Management Laws Amendment Bill** [B 14D – 2017] (National Assembly – sec 76)
 7. **Customary Initiation Bill** [B 7B - 2018] (National Assembly – sec 76).
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