

*Thursday, 31 March 2022]*

No 49—2022] FOURTH SESSION, SIXTH PARLIAMENT

**PARLIAMENT**

**OF THE**

**REPUBLIC OF SOUTH AFRICA**

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**ANNOUNCEMENTS,  
TABLINGS AND  
COMMITTEE REPORTS**

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THURSDAY, 31 MARCH 2022

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**ANNOUNCEMENTS****National Assembly and National Council of Provinces****The Speaker and the Chairperson****1. Travel Policy for Former Members of Parliament**

- (1) A travel policy for former members of Parliament, effective from 1 April 2022, as approved by the Executive Authority of Parliament.



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

***Travel Policy for  
Former Members of Parliament***

**28 March 2022**

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## 1. Introduction

The travel policy for former Members of Parliament was approved by the Executive Authority on 18 February 2022 and 08 March 2022. This report provides detail of the approved policy

## 2. Travel policy

The travel policy for former Members of Parliament as approved by the Executive Authority, is outlined below:

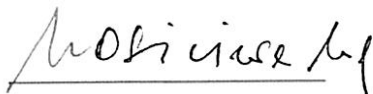
(i) Any Member who has served in Parliament for a continuous period of five (5) years or longer, or one (1) complete term in the event that a complete term is less than five (5) years, shall upon exiting Parliament be entitled to twelve (12) single air tickets per annum for a period of five (5) years after exit, provided that:

- (a) the tickets are for the personal use of the former Member and his registered spouse/partner;
- (b) the tickets are allocated annually per financial year;
- (c) any tickets not used in the financial year applicable are forfeited;
- (d) tickets are issued for economy class and domestic travel only; and
- (e) the surviving spouse or life partner of a former Member who dies within the benefit period, shall be entitled only to six single air tickets per annum to the end date of the original benefit.

(ii) The benefit end dates for Members already receiving travel benefits shall be the earlier of the current benefit end date, and 31 March 2027; and

(iii) The provisions set out above shall be effective from 1 April 2022.

Approved



Ms N N Mapisa-Nqakula, MP  
Speaker of the National Assembly

Date: 30 MARCH 2022

Approved



Mr A N Masondo, MP  
Chairperson of the National Council of Provinces

Date: 30 MARCH 2022

# TABLINGS

## National Assembly and National Council of Provinces

### 1. The Minister of Agriculture, Land Reform and Rural Development

- (a) Annual Performance Plan of the Department of Agriculture, Land Reform and Rural Development for 2022/2023.

### 2. The Minister of Public Service and Administration

- (a) Annual Performance Plan of the National School of Government for 2022/23.
- (b) Annual Performance Plan of the Centre for Public Service Innovation for 2022/23.

### 3. The Minister of Public Works and Infrastructure

- (a) Annual Performance Plan of the Department of Public Works and Infrastructure for 2022/23.
- (b) Annual Performance Plan of Agreement South Africa for 2022 – 2023.
- (c) Annual Performance Plan of the Council for the Build Environment for 2022/2023.
- (d) Annual Performance Plan of the Independent Development Trust for 2022/23.
- (e) Annual Performance Plan of the Council for the Build Environment for 2022/23.

### 4. The Minister in The Presidency

- (a) Annual Performance Plan of The Presidency for 2022/2023.

## National Assembly

### 1. The Speaker

- (a) Letter from the Auditor-General dated 31 March 2022, to the Speaker of the National Assembly on the publishing of the audit report of the Road Accident Fund (RAF) for the financial year ending 31 March 2021.

Dear Honourable Speaker Nqakula

#### **Publishing of the audit report of the Road Accident Fund (RAF) for the financial year ending 31 March 2021**

1. In terms of section 21(1) of the Public Audit Act, 2004 (Act 25 of 2004)(PAA), the Auditor-General South Africa (AGSA) is required to

submit an audit report in accordance with any legislation applicable to the auditee which is the subject of the audit.

2. The Road Accident Fund (RAF) is listed in schedule 3 of the Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA) as a public entity and the AGSA must comply with the provisions of the PFMA in submitting the audit report.
3. In terms of section 55(1)(c) and (d) of the PFMA, the accounting authority for a public entity must submit, within two months after the end of the financial year, to the auditors of public entity, their financial statements for auditing and must submit within five months of the end of the financial year to the relevant treasury and executive authority responsible for the public entity, an annual report, audited financial statements and audit report.
4. RAF timeously submitted its financial statements for the financial year ending 31 March 2021 for auditing on 31 May 2021 in compliance with section 55(1)(c) of the PFMA.
5. RAF changed its accounting policy, in accounting for the provision of claims liabilities. The AGSA evaluated the change in accounting policy and concluded that the revised accounting policy used by RAF to account for provisions for claims liabilities is inappropriate. The AGSA signed RAF audit report on 21 December 2021 and the report was submitted to RAF the same day ("the audit report").
6. RAF has embarked on a litigation process to prevent me from making this audit report public and seeking an order to set aside my audit report. The first part of the order seeking an interdict to prevent me from making the audit report public, was heard and dismissed by the Gauteng High Court (the Court). RAF has applied for leave to appeal that judgment which application has not been heard. RAF also sought to review the audit report, which they committed would be an expedited process, however they have not followed through on that commitment. At the date of signing this correspondence, I am advised that there is nothing in law preventing me from publishing the audit report, if not tabled by the executive authority.
7. In terms of section 55(3) of the PFMA, the accounting authority must submit the annual report, audited financial statements and audit report to the executive authority (through the accounting officer of the department designated by the executive authority), for tabling in Parliament. The responsible executive authority must in terms of section 65(1)(a) of the PFMA table in the National Assembly the annual report, audited financial statements and audit report, within one month after the accounting authority for the public entity received the audit report.
8. In terms of section 21(3) of the PAA, audit reports must be tabled in the relevant legislature in accordance with any applicable legislation or otherwise within a reasonable time. If an audit report is not tabled in a legislature within one month after its first sitting after the report has been submitted by the AGSA, the AGSA **must** promptly publish the report.

9. As at the date of this letter, the responsible executive authority has not tabled the annual report, audited financial statements and audit report of RAF as required by section 55(3) of the PFMA and section 21(3) of the PAA.
10. A courtesy letter was sent to the executive authority on 18 March 2022, indicating that the AGSA intended publishing the audit report of RAF on 31 March 2022 as required by section 21(3) of the PAA. The executive authority responded to my letter on 30 March 2022 (refer Annexure A) indicating that he has written to Parliament explaining the reasons why the annual report, audited annual financial statements and the audit report of RAF were not be tabled in terms of section 65 (2) (a) of the PFMA. I noted the response from the executive authority, however the PAA requires me to publish the audit report if not tabled and I am advised that I do not have legal basis for not publishing the audit report. As such, I will not be exercising the discretionary powers to issue a special report on the delay as stated in section 65 (2) (b) of the PFMA as there is no legal basis for the delay. More so since the Court has stated that there is no basis for the audit report not to be made public.
11. The AGSA hereby publishes the audit report for RAF for the year ended 31 March 2021, in line with our statutory responsibility in terms of section 21(3) of the PAA as indicated in Annexure B to this letter. This is also to ensure that Parliament can proceed to carry out its constitutional mandate in terms of sections 55 (2) and 69 of the Constitution of the Republic of South Africa, 1996. These sections relate to Parliament ensuring that organs of state are accountable to it and that the necessary oversight is maintained over those organs of state.

Yours sincerely



Tsakani Maluleke  
Auditor-General

- (b) Letter from the Minister of Transport, dated 30 March 2022, to the Speaker of the National Assembly explaining the reasons for the delayed submission of the Annual Report of the Road Accident Fund for 2020-21.

Dear Honourable Speaker

**DELAYED SUBMISSION OF 2020/2021 ANNUAL REPORT AUDITED FINANCIAL STATEMENTS AND AUDIT REPORT OF THE ROAD ACCIDENT FUND**

On 4 November 2021, I tabled reasons before Parliament why the annual report, audited financial statements and the audit report of the Road Accident Fund could



have not been tabled in compliance with section 65(2) of the Public Finance Management Act, 1999 (Act No. 1 of 1999). At the time, the reason for the delay was that the Auditor-General was yet to complete the audit. I therefore submit reasons for the further delay in the tabling of these papers.

Subsequent to the tabling of the reasons for the delay in tabling the papers as required by section 65(1)(a) of the PFMA, the RAF declared a dispute with the Auditor-General and approached the courts to seek a judicial review of the findings of the AGSA. The review application is currently before court and the outcome may materially affect the content and the conclusions of the report.

The Accounting Authority of the RAF has since advised me that it is unable to comply with the provisions of section 55(3) of the PFMA to submit its annual report, audited financial statements and audit report to me for tabling in Parliament. The Accounting Authority contends that the dispute with the Auditor-General, currently before the courts, has a material effect on its ability to meet the requirements of section 55(2)(a) of the PFMA.

Section 55(2)(a) of the PFMA requires that the annual report and financial statement tabled before Parliament must fairly present the state of affairs of the public entity, its business, its financial results, its performance against predetermined objectives and its financial position as at the end of the financial year concerned.

In the light of the above, I am therefore unable to table the annual report, annual financial statements and the audit report of the Road Accident Fund at this stage.

Kind regards

(Signed)  
Fikile Mbalula, MP  
**MINISTER OF TRANSPORT**

## **National Council of Provinces**

### **1. The Chairperson**

- (a) Letter from the Minister of Transport, dated 30 March 2022, to the Chairperson of the National Council of Provinces explaining the reasons for the delayed submission of the Annual Report of the Road Accident Fund for 2020-21.

Dear Honourable Chairperson

#### **DELAYED SUBMISSION OF 2020/2021 ANNUAL REPORT AUDITED FINANCIAL STATEMENTS AND AUDIT REPORT OF THE ROAD ACCIDENT FUND**

On 4 November 2021, I tabled reasons before Parliament why the annual report, audited financial statements and the audit report of the Road Accident Fund could have not been tabled in compliance with section 65(2) of the Public Finance

Management Act, 1999 (Act No. 1 of 1999). At the time, the reason for the delay was that the Auditor-General was yet to complete the audit. I therefore submit reasons for the further delay in the tabling of these papers.

Subsequent to the tabling of the reasons for the delay in tabling the papers as required by section 65(1)(a) of the PFMA, the RAF declared a dispute with the Auditor-General and approached the courts to seek a judicial review of the findings of the AGSA. The review application is currently before court and the outcome may materially affect the content and the conclusions of the report.

The Accounting Authority of the RAF has since advised me that it is unable to comply with the provisions of section 55(3) of the PFMA to submit its annual report, audited financial statements and audit report to me for tabling in Parliament. The Accounting Authority contends that the dispute with the Auditor-General, currently before the courts, has a material effect on its ability to meet the requirements of section 55(2)(a) of the PFMA.

Section 55(2)(a) of the PFMA requires that the annual report and financial statement tabled before Parliament must fairly present the state of affairs of the public entity, its business, its financial results, its performance against predetermined objectives and its financial position as at the end of the financial year concerned.

In the light of the above, I am therefore unable to table the annual report, annual financial statements and the audit report of the Road Accident Fund at this stage.

Kind regards

(Signed)  
Fikile Mbalula, MP  
**MINISTER OF TRANSPORT**

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