

**PARLIAMENT OF THE
REPUBLIC OF SOUTH AFRICA**

**NATIONAL COUNCIL OF
PROVINCES**

ORDER PAPER

THURSDAY, 17 OCTOBER 2019

Meeting of Council: 14:00

MOTIONS:

1. Draft Resolution (Acting Chief Whip of the Council): That, notwithstanding Rule 247 (1), which provides that a sitting of the Council will be dedicated for oral questions, the Council considers the motions below and Report of Select Committee on on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements.
2. Draft resolution (Acting Chief Whip of the Council): That the Council:
 - (1) revives the following bills, which were not finalised when the term of the 5th National Council of Provinces ended:
 - (a) Border Management Authority Bill [B9B-16 (s75)];
 - (b) National Forests Amendment Bill [B11B-16 (s76)];
 - (c) Traditional Courts Bill [B1B-17 (s76)];
 - (d) Cybercrimes Bill [B6B-17 (s75)];
 - (e) National Environmental Management Laws Amendment Bill [B14D-17 (s76)];
 - (f) Customary Initiation Bill [B7B-2018 (s76)];
 - (g) iKamva Digital Skills Institute Bill [B10B-2018 (s75)];
 - (h) Civil Union Amendment Bill [B11B-2018 (s75)];
 - (i) Hydrographic Bill [B17B-18 (s75)];
 - (j) Local Govt: Municipal Structures Amendment Bill [B19B-2018 (s76)];

- (k) Independent Police Investigative Directorate Amendment Bill [B25-18 (s75)];
 - (l) National Gambling Amendment Bill [B27B-2018 (s76)];
 - (m) Child Justice Amendment Bill [B32B-18 (s75)];
 - (n) National Minimum Wage Amendment Bill [B9-2019 (s75)]; and
 - (o) Customary Initiation Bill [B7B-2018 (s76)].
- (2) further, that, the proceedings on these Bills should resume at the stage at which they were at the end of the term; and
- (3) further, that, where Committees have commenced with the processing of the Bills, that work be accepted as having being done by Committees.
3. Draft resolution (Acting Chief Whip of the Council): That the Council with the concurrence of the National Assembly:
- (1) notes that –
 - (a) during 2016 and 2017, the Executive Authority received a number of allegations, including allegations of financial misconduct, levelled against the Secretary to Parliament, Mr GME Mgidlana, who is also the Accounting Officer;
 - (b) the Executive Authority requested the Audit Committee to promptly investigate the allegations, including the allegations of financial misconduct as they are obliged to do by section 67(2)(a) of the Financial Management of Parliament and Provincial Legislatures Act (Act No 10 of 2009) (FMPPLA);
 - (c) the Executive Authority requested the Audit Committee to undertake an investigation into these allegations on 25 May 2017;
 - (d) on 9 June 2017, the Secretary to Parliament was on paid special leave in order to allow the investigation of the matter by the Audit-Committee;
 - (e) on 27 October 2017, the Audit Committee recommended that disciplinary action be considered against the Secretary to Parliament;
 - (f) the Executive Authority instituted disciplinary proceedings in accordance with the applicable procedures and as required by section 67(2)(b) of the FMPPLA;

- (g) disciplinary charges were served on the Secretary to Parliament on 01 February 2018 and the hearing was scheduled to commence on 12 February 2018;
 - (h) the Secretary to Parliament was found guilty on seven out of thirteen charges;
- (2) further notes that in light of the seriousness of the misconduct, the Chairperson of the disciplinary hearing, on 30 August 2019, recommended summary dismissal for the Secretary to Parliament;
 - (3) accepts the findings of the disciplinary hearing and the recommendations of the Chairperson of the disciplinary hearing; and
 - (4) resolves that the Secretary to Parliament be dismissed summarily and his contract of employment be terminated with immediate effect.

ORDER OF DAY:

1. Consideration of Report of Select Committee on on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcement, Tablings and Committee Reports, 16 October 2019) **Notice of Intervention issued in terms of section 139(1)(c) of the Constitution, 1996 in Mamusa Local Municipality, dated 16 October 2019.**

QUESTIONS:

1. Cluster 3: Governance.

FURTHER BUSINESS

ORDERS

1. Noting of Report of the Joint Standing Committee on Defence on the **Extension of Employment of the South African National Defence Force for service in cooperation with the South African Police Service dated 10 October 2019** (Announcement, Tablings and Committee Reports, 11 October 2019, p 2).
2. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcement, Tablings and Committee

Reports, 14 October 2019, p 2) **Hearing of Ndlovu Petition held on 17 July 2019 at Parliament and a inspection in loco to Thokoza Hostel and Palm Ridge, in Ekurhuleni Metropolitan Municipality on 23 August 2019 dated 09 October 2019.**

3. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcement, Tablings and Committee Reports, 14 October 2019, p 20) **Executive Undertakings made by the Minister of Human Settlements during the House Sitting of 6 June 2017 dated 9 October 2019.**
 4. Consideration of Report of Select Committee on Petitions and Executive Undertakings (Announcement, Tablings and Committee Reports, 14 October 2019, p 31) **Executive Undertakings made by the Minister of Social Development during the House Sitting of 7 June 2017 dated 9 October 2019.**
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PETITION 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)- (Select Committee on Petitions and Executive Undertakings – National Council of Provinces 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).**

BILL REFERRED TO JOINT TAGGING MECHANISM (JTM)

1. **Recognition of Customary Marriages Amendment Bill [B 12 - 2019] (National Assembly – proposed sec 76).**
2. **Judicial Matters Amendment Bill [B 13 - 2019] (National Assembly – proposed sec 76).**

BILLS REFERRED TO COMMITTEES

1. **National Health Insurance Bill** [B 11 - 2019] (National Assembly – sec 76) (Portfolio Committee on Health – National Assembly).

2. **Recognition of Customary Marriages Amendment Bill** [B 12 - 2019] (National Assembly – proposed sec 76) – (Portfolio Committee on Justice and Correctional Services – National Assembly).

3. **Judicial Matters Amendment Bill** [B 13 - 2019] (National Assembly – proposed sec 76) (Portfolio Committee on Justice and Correctional Services – National Assembly).