



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



MAKING YOUR FUTURE
WORK BETTER

**OVERSEEING CO-OPERATIVE GOVERNANCE & IGR:
THE ROLE OF SELECT COMMITTEES**

BY

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Introduction

- There exists a strong case for effective oversight and the enhancement of Executive accountability.
- Such a case is even made stronger by the latest statistics, indicating that unemployment is on the rise. This is coupled by the widening gap of inequality and poverty levels affecting our people.
- The recent report of the Auditor General on the audit outcomes of Municipalities also points to a dire situation, requiring immediate intervention.
- Parliament is better placed to intervene and heighten executive accountability through various oversight activities.



Introduction (Contd)

- Whereas Committees exercise oversight over specific departments, it is in today's planning that we should be able to shape the discourse that should ensue between ourselves and the Executive with a view to forging and creating a responsive state.
- This presentation seeks to outline the tools necessary for us to foster accountability through Intergovernmental relations and oversight.
- But what is IGR and oversight?



Background

- **“intergovernmental relations”** according to the **Intergovernmental Relations Framework Act, 2005** refers to relationships that arise between different governments or between organs of state from different governments in the conduct of their affairs.
- **“Oversight”** refers to an act of supervision to ensure that **desired outcomes are achieved.**
- The Act seeks to establish a framework for the national government, provincial governments and local governments to promote and facilitate intergovernmental relations.
- to provide for mechanisms and procedures to facilitate the settlement of intergovernmental disputes; and to provide for matters connected therewith.



Principles of Co-operative government & intergovernmental relations

- The Constitution states that all spheres of government and all organs of state within each sphere must exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere;
- co-operate with one another in mutual trust and good faith by:
 - i. fostering friendly relations;
 - ii. assisting and supporting one another;
 - iii. informing one another of, and consulting one another on, matters of common interest;
 - iv. co-ordinating their actions and legislation with one another;
 - v. adhering to agreed procedures.



The role of Committees in the Legislative Sector

- Committees undertake oversight work in provinces, district municipalities, local municipalities, as well as state owned entities.
- Committees convene meetings in accordance with their annual performance plans.
- Committees conduct public participation by way of meetings and facilitate public comments to inform law-making.
- Committees facilitate the passing of Legislation.
- Committees follow up on the commitments made by Government during various platforms.



Strengthening Oversight and Accountability

- Overseeing government's expenditure of public funds
- Monitoring progress in achieving annual performance plans
- Effectiveness of MPs and Committees in the application of various mechanisms such as plenaries, committee work in general



Strengthening Oversight and Accountability (contd)

- We need to improve coordination with the Executive to ensure attendance of Ministers in the sittings of the Houses when required.
- Adhoc Committees should be used only as a tool to strengthen parliamentary oversight and accountability.
- We must make an effort to Implement the recommendations of the High Level Panel on the Assessment of Key Legislation and Acceleration of Fundamental Change as led by the Legislative Sector.



Strengthening Legislative Capacity

- Constitution vests national legislative authority in Parliament.
- Programming of legislation is key to co-ordination.
- Coordination and collaboration between Parliament and the Executive to determine the annual law-making agenda must be prioritised.
- Scheduling of urgent legislation in light of other competing activities should be prioritised.
- This Planning Session must consider the balance between time spent in Parliament and outside the parameters of Parliament.



Enhancing Public Involvement

- Parliament is the national forum for public consideration of issues of public interest and the representation of the provinces in the national sphere of government.
- Legislative Sector adopted a revised Public Participation Model that reinforces the continuum of public participation activities and completes the cycle by a feedback loop.
- This also enhances our accountability to the public in following up on commitments made during public engagement activities.



Enhancing Public Involvement (contd)

- With regard to the NCOP Taking Parliament to the People programme, coordination must be improved for effective results.
- The question is how do we plan alongside programmes such as Taking Legislature to the People.
- The NCOP and NA together with the other spheres must continue to work together in implementing the programme effectively – and conduct follow-up in respect of the areas they are most suited to follow up.
- Engagements must continue to be more sector focused, allowing for coordinated follow-up and oversight activities.



Strengthening Co-operative Government

- The Legislative Sector is at the centre of the facilitation of effective intergovernmental relations and cooperative government in the Republic.
- Processing interventions in terms of the provisions of the Constitution and promoting co-operation among the spheres of government is fundamental.
- Co-ordinated and standardised oversight through the adoption of a Sector Oversight Model is crucial.
- A co-ordinated approach for Provincial Legislatures to engage with the High Level Panel Report must be endorsed.
- Capacity building and induction programmes across the Sector should be enriched.



Strengthening Co-operative Government (Contd)

- The NCOP has always been in a position to promote intergovernmental relations and cooperative governance through its flagship programmes such as:
- Taking Parliament to the People
- Provincial Week
- Local Government Week &
- Oversight Week



Collaboration through the use of technology

- New technologies are emerging and affecting our lives in ways that indicate we are at the beginning of a fourth industrial revolution.
- It is important that as the Legislative Sector we advance in this manner in order to fast track some of the resolutions we seek to implement.
- In an attempt to save the environment, we need to standardise the use of technology for all meetings.
- For meetings and briefings, documents, we should consider sending documents electronically.
- Members should endeavour to optimally use the gadgets issued to them.



Collaboration through the use of technology contd.

- Technology is key if we are to increase the voice of young people in the work we do and the decisions we take
- Video conferencing could be one of the ways through which we communicate thereby saving on costs and increasing efficiency.
- It cannot be justified that we travel across the country for 30-minute meetings which could have been conducted by other technological means.



Recommendations & Way Forward

- Co-ordination at different levels (between the NA and NCOP in Parliament, and between Parliament and the Provincial Legislatures, and with SALGA) needs to be enhanced.
- We need to see more collaboration and learning across the provinces (the NCOP is best placed to facilitate this).
- We are one government – we need to see more collaboration among MPs, MPLs and Councillors in their localities (this is important for purposes of educating our people about the different spheres and their functions, and to serve them better).



Recommendations & Way Forward Contd

- We need to take advantage of the availability of resources such as the Parliamentary Budget Office (PBO) and use these effectively.
- We need to continue engaging with the Office of the Auditor General that provides a critical analysis of National and Local Audit Outcomes for purposes of reporting, monitoring and evaluation.
- We must share best practices that harness co-ordination such as the Finance Committees of the two Houses that deliberately receive joint briefings as they continue to engage in their business.



Conclusion

- **The NCOP is entrusted with the responsibility of looking out for the interests of Provinces. This task requires meticulous planning lest we spread ourselves very thinly on a task as mammoth as ours.**
- **As we plan, we need to identify those priorities, which are crucial for bettering the lives of our people and are within our grasp.**
- **For instance, if the President identified 14 key priorities for government, we cannot hope to deal with them all and hope to make meaningful impact.**



THANK YOU