

**PLANNING SESSION OPENING REMARKS / SPEECH BY
CHAIRPERSON OF NCOP**

HONOURABLE AMOS MASONDO

VENUE: OLD ASSEMBLY

DATE: 20 AUGUST 2019

TIME: 08H45

Deputy Chairperson of the NCOP

Deputy Speaker of the National Assembly

House Chairpersons of the NCOP and the National Assembly

Permanent Delegates

Speakers of the Provincial Legislatures

Deputy Speakers of the Provincial Legislatures

Chief Whips

Chairpersons of Chairpersons

President of SALGA

SALGA Representatives

Ladies and Gentlemen

Today marks the beginning of a two days' Planning session which is aimed at helping us to set the strategic agenda and firm up a Legislature roadmap for the duration of the 6th National Council of Provinces.

This institution was inaugurated following the May 8 national and provincial election.

In line with the provisions of the Financial Management of Parliament and Provincial Legislatures Act, Act 10 of 2009, the main objectives of this workshop are to:

- Deliberate and come up with key issues that will inform the NCOP and Provincial Legislatures strategic plan for the 6th Parliament – 2019 – 2024;
- Identify challenges emanating from previous workings of the NCOP and Legislatures and come up with programmes to address them in this term;
- Identify priority programmes systems and processes that improve on how we fulfil our constitutional mandate to the benefit of our people on the ground;
- Come up with a coordinated process for developing and completing the final strategy in a manner that allows for extensive consultation, coordination and cooperation.

In developing this strategy, we need to bear in mind and take into account the coming Local Government elections due in 2021. This is crucially important because of the lessons coming from the recent Auditor General's and other studies that show massive capacity challenges faced by this very central sphere that is at the heart of service delivery in our country.

The May 8 general elections as well as the Legacy Report of Parliament have given us an insight into what the masses of our people demand of us as their representatives. Central to these include greater involvement

by the public, vigorous scrutiny of the executive actions; more open responsive and accountable government. In addition, they demanded that in the process of making laws, we should always take their input seriously instead of just consulting them for the sake of compliance. These demands should guide our strategic thinking as we go into this planning session.

At any rate this is what the Constitution demands of us. If we fail on these, we will be betraying the very covenant that we have entered into with those who put us in these position.

That we have converged here today as the National Council of Provinces, provincial legislatures and organised local government is a reminder of how intricately connected our operations are. It is a recognition that as the three spheres of government, we are required to plan together to give effect to the constitutional injunction of co-operating with one another in mutual trust and good faith by, amongst others, co-ordinating our actions and legislation.

As Legislators, the Constitution further requires us to ensure that the Executive in the three spheres of government provides effective, transparent, accountable and coherent government for the Republic as a whole. This, we cannot achieve without consultation, co-ordination and co-operation amongst ourselves in the Legislative Sector. Irrespective of where we are situated in the spheres of government, the Constitution

requires us to make laws, oversee Executive action, facilitate public involvement and participate in parliamentary diplomacy.

It is these common objectives that bring us together. One therefore cannot overemphasise the point that differently located as we may be in the different spheres of government, we must co-ordinate our programmes in order to achieve coherence as required by the Constitution.

This Planning Session must be located within the constitutional mandate of the National Council of Provinces to

“.... ensure that provincial interests are taken into account in the national sphere of government” and by extension those of local government. We are required to do this “mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting provinces”.

It goes without saying that as the National Council of Provinces, we will not be able to achieve this if we do not have a dynamic relationship with the provincial legislatures and organised local government or if we do not grasp these interest.

This relationship must be predicated on consultation, co-operation and co-ordination of common programmes. This Planning Session should serve to lay the basis of our future relationship in the three spheres of government.

It is this relationship , that must guide us in crafting a strategy that will creatively build on what has been achieved by those who came before us as we endeavour to introduce new ideas and approaches that will best advance the needs and interests of those who we represent .

As the National Council of Provinces, provincial legislatures and organised local government we have to work together to develop a Strategy that promotes coherent government in the whole of the Republic, mindful of the our constitutional architecture that the three spheres are distinctive, interdependent and interrelated.

We have a responsibility as the Legislative Sector to create a greater sense that together we are succeeding to weave different spheres and are ensuring that they plan together in delivering services to the masses of our people. This we must do as we make laws, exercising oversight and accountability and in facilitation of public involvement.

In this instance we must be guided amongst others, by the Constitution, National Development Plan, State of the Nation Address, State of the Provinces and Municipalities Addresses and other relevant imperatives.

When the Executive introduce bills, the question that we must ask ourselves is whether these are in pursuance of government priorities and objectives. If not, as Legislators we must be able to point these out on the basis that they are incongruent with the undertaking made.

Where the bills are consistent with the undertakings, we must collectively facilitate effective public involvement to ensure that the laws that we make are informed by views of the public. In doing so, we must be acutely aware that our democracy is also representative in nature.

We must be bold to inform the public that comments that are consistent with the Constitution and objectives of the bill in question will reinforce progressive efforts to advance our freedom and democracy

We can only achieve this if we are aware of each other's programmes through consultation. In addition of being aware, we must also co-ordinate these programmes and co-operate in their implementation in order to achieve the desired outcomes.

Whereas Parliament is required to approve international agreements, we have not mastered the art of ensuring that these agreements comprehensively take provincial and local government interests into consideration. There has been times when we have approved them without soliciting relevant comments from provincial legislatures or organised local government. In instances where we have done do, we have not done enough to help translate the law into meaningful implementation.

While it may be argued that international relations falls within the competence of national sphere of government, it cannot be denied that as different spheres of government, we continue to build relationships in the

international arena. For instance, provincial legislatures, provincial and local governments have what is referred to as “twinning agreements” which are mostly focused on development of skills and sharing of experiences. There is a need to revisit this area and determine whether the Legislative Sector derives any meaningful benefit therefrom.

By doing so, we will avoid all being at different places, at the same time, doing same things (that require same stakeholders). Instead, we will be at the same place, doing same things that require same stakeholders. We will seek at all times to maximise our collective impact.

At the heart of all these lies the synchronisation of our activities and the effective and efficient utilisation of resources to attain maximum returns. In saying this, I am not ignorant of the fact that there might be other programmes that require our ways to part. Where it is necessary to do so, we must part ways in pursuit of constitutional mandate that is peculiar to each sphere of government in terms of Schedules 4 and 5 of the Constitution.

Planning together and collectively implementing our programmes will also give us an opportunity to use the data that is at our disposal on matters of common interest. Whereas we may have gathered this data as separate spheres of government, it may have an impact on our common constitutional functions of oversight, law-making, facilitation of public involvement and international participation.

Our processes must therefore take into account the current opportunities that the Fourth Industrial Revolution put at our disposal. We must maximise the use of technology to achieve as much as we possibly can, to reach as many people as possible, to disseminate as much information as possible in our facilitation of public involvement efforts to take the Legislative Sector to the people.

Given the technological advances, it cannot be that people are unable to participate in our processes because they do not have the means to reach the seat of our legislatures. While technology may minimise travelling time and costs, it must maximise our reach and impact in performing our constitutional functions. Whatever we do is likely to be impacted upon by the the Fourth Industrial Revolution.

With the above I have no doubt in my mind that we shall emerge from this Planning Session with progressive ideas of how to improve outcomes based oversight to improve law-making processes to make quality laws, improve facilitation of public involvement in the law-making and other processes, and to improve international participation.

In conclusion , allow me to do no more than repeating the following words of Amilcar Cabral;

“Always bear in mind that the people are not fighting for ideas, for the things in anyone’s head. They are fighting to win material benefits, to live better and in peace, to see their lives go forward, to guarantee the future of their children.....” In the spirit of Cabral’s words, let us therefore ensure that the Strategy and plans we develop in these two days do not only end

up as new ideas, but have a positive bearing in changing the material conditions of our people for the better.

I wish all of us a productive planning session.

Thank you