



Proposed Practice Note

National Council of Provinces

Bills affecting provinces

- all Bills received by the National Council of Provinces must be widely advertised either on print or electronic or social media or in all those platforms
- bills summaries must be compiled in at least three languages spoken in a particular province
- the National Council of Provinces must determine whether a bill requires public hearings
- if yes, the advertisement must indicate that public hearings will take place in the provinces
- permanent delegates who are members of the Select Committee to which the bill was referred, must attend the public hearings
- all negotiating mandates must be accompanied by reports detailing comments from the public
- each proposed amendment by a provincial legislature must be considered in detail and decided on
- a Select Committee must ensure that all provincial legislatures submit negotiating mandates and final mandates
- all final mandates must be considered in detail and decided on
- the Chairperson of the National Council of Provinces must consider and grant all the requests for the extension of a six-week cycle (rule 240(3)).

Provincial legislatures

- the Chairperson of the National Council of Provinces must immediately refer a bill to the provincial legislatures in terms of rule 166 of the Rules
- provincial legislatures must, immediately upon receipt, widely advertise the bill for public comment and hearings
- the advertisement must indicate in sufficient details the date, time and venue of the hearings

- a provincial legislature must advertise and conduct public hearings in areas most likely to be affected by the bill
- the advertisement must indicate where the bill may be obtained and, in sufficient detail, provide any other information relevant to the hearings
- the advertisement must give the public at least 7 working days' notice of the public hearings
- the advertisement must give the public at least 7 working days within which to submit comments
- the programme of a Select Committee must be determined after consultation with a relevant committee of a provincial legislature
- the programme must take into consideration the importance and the complexity of a Bill
- where a provincial legislature, for any other reason, is unable to comply with a six week cycle (rule 240(3)), it must request extension from the Chairperson

The role of administration

Committee Section

Committee Administration must

- (a) anticipate all bills likely to be transmitted to the National Council of Provinces;
- (b) propose programmes for such bills;
- (c) once transmitted, cause the bills to be transmitted to the provincial legislatures;
- (d) ensure that all negotiating mandates are accompanied by reports of public hearings or submissions or any other relevant information;
- (e) ensure that a Select Committee has before it all final mandates;
- (f) compile in sufficient detail quality minutes of the proceedings on the bills within 3 days of the meeting;
- (g) compile quality reports on the consideration of the bill indicating the proposed amendments, if any, agreed to or rejected by the Select Committee and the reasons for such as required by rule 171(2)(b) of the Rules (the report that “having considered the bill, the committee reports the bill with or without amendment” shall no longer be sufficient);

- (h) compile quality reports that complies with all other requirements of rules 171 and 172 of the Rules; and
- (i) to provide overall quality content support to the Select Committees on the bills before them.

Public Education Office/Parliamentary Democracy Offices must, together with the provincial legislatures and after consulting Committee Administration,

- (a) design public education programme;
- (b) mobilise the public in targeted areas;
- (c) at least 10 days before a public hearing, provide material; and
- (d) at least even days before a public hearing, educate the public on the bill through workshops and other means.

Where applicable, public education programmes must be co-ordinated through Parliamentary Democracy Office

Procedural and Legal Services

Procedural Service must

- (a) advice on whether, considering its importance and complexity, six weeks will be sufficient for the consideration of a bill; and
- (b) advice on the requirements of the Mandating Procedures of Provincial Legislatures Act and the Rules.

Language Services must translate bills

Research Services and Information Services must provide relevant information and research support to the Committee Select Committee, Committee Administration, Public Education Section and any other relevant authority.

Bills not affecting provinces

The Practice Note applies with necessary alterations to bills not affecting provinces.