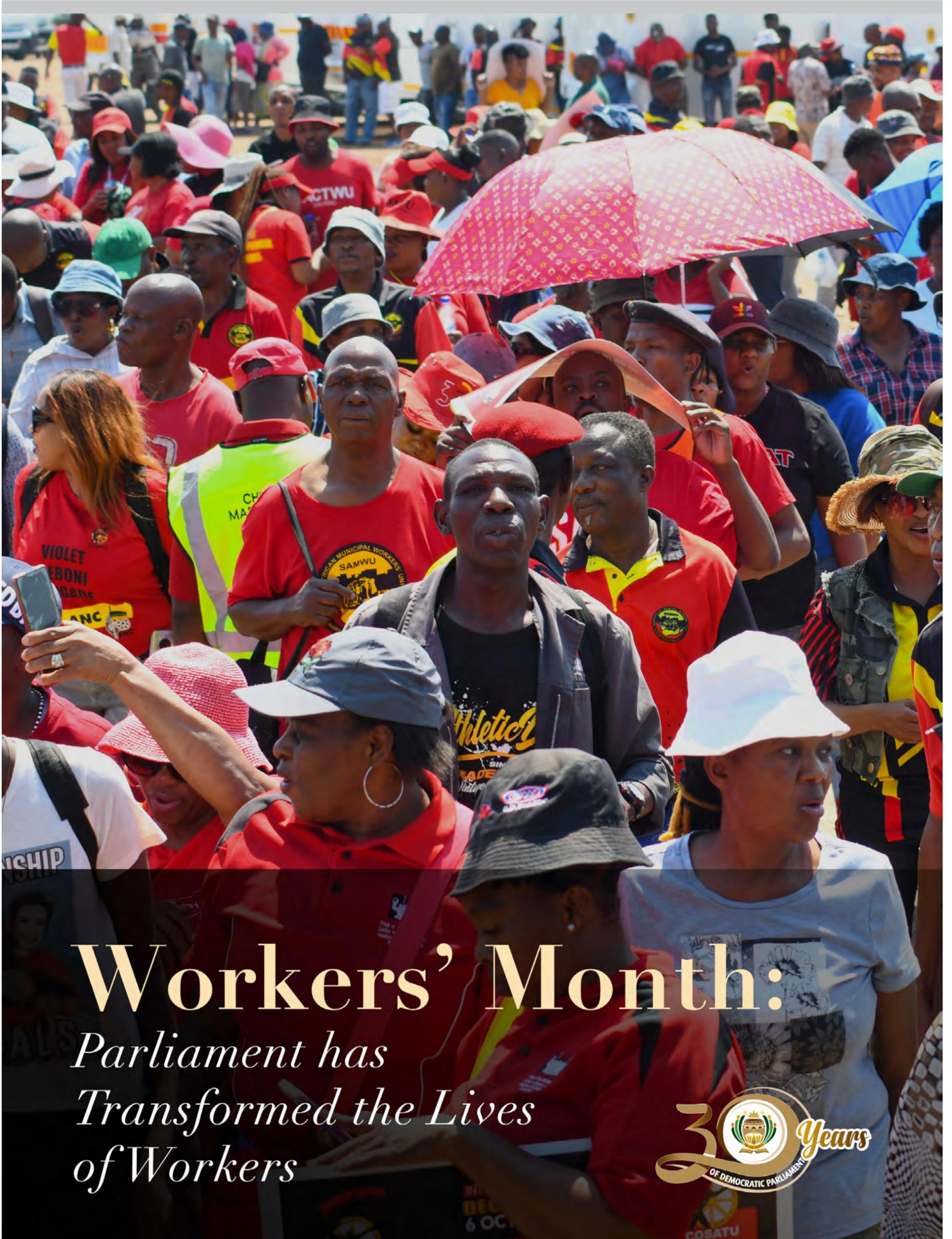


# in session



**Workers' Month:**  
*Parliament has  
Transformed the Lives  
of Workers*







# Parliament celebrates 30 years of democracy and freedom

Mr Lechesa Tsenoli, Acting Speaker of the National Assembly & Mr Amos Masondo, Chairperson of the NCOP

*As we celebrate 30 years of our constitutional democracy, Parliament reaffirms its dedication to protecting and expanding the frontiers of freedom and democracy. This includes fulfilling the founding provisions of the Constitution to ensure human dignity, achieve equality, and promote human rights through passing progressive laws.*

27 April marked a significant moment in South Africa's history when people of all races and creeds – for the first time – voted for a government based on the will of the people, ending the brutal apartheid regime and its oppressive laws. This ushered in a new era where the law would protect all citizens equally, heal the divisions of the past,

and unleash and develop everyone's potential.

We crafted a Constitution to protect our aspirations of building a South Africa based on democratic values, social justice and fundamental human rights. We pay tribute to the heroes of the struggle for democracy who fought and gave their lives for this hard-won freedom. As we prepare for the elections on 29 May, we also honour those unsung heroes who made our first democratic general election possible.

On 9 May 1994, Nelson Mandela was unanimously elected President in the National Assembly. On 24 May, he delivered the first State of the Nation Address in a democratically elected Parliament. President Mandela hailed the Constitution and the law as vanguards in the fight for change. He said that it is through legislative instruments that we can create a better life for all and through Parliament that there must be oversight of government and the people can influence policy and its implementation.

As the legislative arm of our democratic state, Parliament played a unique role in achieving the South Africa so

many have fought for. Now, 30 years later, Parliament has, through law-making, among others, improved the lives of millions of people and has been crucial in supporting democracy and development.

Over the years, Parliament has consistently shown a steadfast commitment to its constitutional mandate. In its rigorous pursuit of effective oversight, its engagement in comprehensive legislative work, robust public participation, and strategic international collaboration, Parliament has not only advanced but also enriched the democratic tenets fundamental to our constitutional democracy.

As the People's Parliament, the institution has been a voice for all South Africans by providing a national forum for public consideration and discourse on issues that affect them. Over the last three decades, Parliament repealed outdated apartheid-era legislation and passed legislation that has shaped the country's future and improved the lives of millions of South Africans.

Among these were landmark shifts in legislation that put the country on a progressive trajectory of inclusivity,

transparency, and entrenching human rights. In a massive feat for women's sexual and reproductive health rights, Parliament in 1996 passed the Termination of Pregnancy Act, which provides for abortion on demand within the first twelve weeks of pregnancy. Another significant law that entrenched the right to sexual orientation and passed by Parliament in 2006 recognised gay marriage – making it the first country on the continent to legalise same-sex marriages.

The passing of several bills has also enabled the country to make remarkable progress in various areas, such as access to water, education, healthcare, housing, and social assistance, among others. In 2004, Parliament passed two pieces of legislation that proved to be a game-changer in efforts to redress the social ills of our apartheid past. The Social Assistance Act and the South African Social Security Agency Act provided a social assistance safety net through social grants payouts to millions of poor and marginalised South Africans. Today, almost 19 million South Africans benefit from social assistance.

Parliament continues to work around the clock to



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**OUR IDEALS**  
**Vision**

An activist and responsive people's Parliament that improves the quality of life of South Africans and ensures enduring equality in our society.

**Strategic Objectives**

- Strengthening oversight and accountability;
- enhancing public involvement; deepening engagement in international fora;
- strengthening cooperative government;
- strengthening legislative capacity.

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ensure that bills that seek to improve the country and the lived realities of our people are processed and passed. By December last year, Parliament had passed 24 of the 56 Bills that were under consideration last year. As a testament to Parliament's commitment to democracy, transparency, and inclusivity in the law-making process, 65 public hearings were held last year across provinces for public input on various pieces of legislation – all in an effort to offer opportunities for meaningful public involvement in law-making.

Among these bills passed is the National Health Insurance Bill – another landmark law that is set to transform access to universal healthcare for all. Another landmark piece of legislation – the Electoral Matters Amendment Bill – for the first time in the country's history, now enables independent candidates to contest elections for seats in

the National Assembly and provincial legislatures.

More recently, three bills were introduced to improve public sector governance. These Bills include the Public Service Commission Bill, the Public Administration Management Amendment Bill, and the Public Service Amendment Bill. The approval of these bills will result in a more

professional public service, leading to efficient service delivery to the people of South Africa.

Despite significant progress, however, South Africa's social ills such as persistent poverty, corruption, crime and violence, unemployment, especially among youth, gender-based violence, and inequality continue to

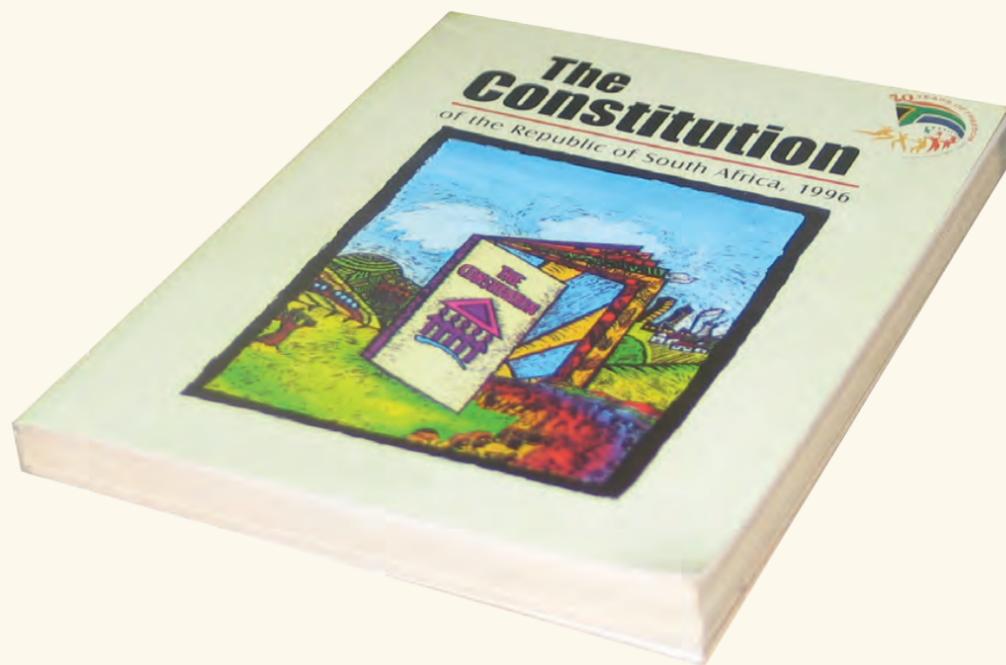
plague our society. To address these challenges decisively, we must unite and work cooperatively.

Parliament has made substantial progress in implementing the recommendations of the State Capture Commission, reflecting its firm commitment to combatting corruption. Through a

series of legislative actions, oversight mechanisms, and transparency initiatives, Parliament has demonstrated its determination to address the systemic issues identified by the Commission.

On 29 May, South African citizens will go to the polls to vote in the 2024 national and provincial elections. Parliament urges all South Africans to mark this historic milestone of 30 years of democracy by going to the voting stations in their numbers to cast their votes.

As we celebrate 30 years of our constitutional democracy, Parliament affirms its dedication to expanding the frontiers of freedom. This includes fulfilling the founding provisions of the Constitution to ensure human dignity, achieving equality, and promoting human rights through law-making. 🇿🇦



## Committee Chairpersons welcome plans to secure 2024 Elections

**The chairpersons of the Portfolio Committee on Police and the Portfolio Committee on Home Affairs welcomed the assurances by the Justice, Crime Prevention, and Security Cluster that there is**

**coordinated and intelligence-led planning and operations in place to secure the 2024 provincial and national elections, writes Malatswa Molepo.**

The chairpersons believe that a secure election process is central to

ensuring and protecting a thriving democracy. "It is important that operations are intelligence-led to ensure that threats are dealt with swiftly. Also of importance is the collaboration with communities through the sharing of information to enable the security agencies to respond timeously," said Mr Nocks Seabi, the Chairperson of the Portfolio Committee on Police. The chairpersons stressed the importance of

a deployment plan that is fit-for-purpose to respond to potential threats of crime and violence, especially around voting stations and national and provincial results centres. They also stressed the need to ensure that the plan is implemented adequately and that the rights of all citizens to a secure environment is protected.

Mr Seabi said that it must also be reiterated that while the

right to protest, picket and to petition is protected by the Constitution, those rights must be exercised within the prescripts of the law. "Law enforcement agencies must also ensure that the right to vote must also be protected and those that violate other citizens' rights must be prosecuted." Mr Seabi welcomed the assurance that a protocol was established between the Department of Justice and Constitutional

Development, the South African Police Service, Detectives, and the National Prosecuting Authority to prioritise all election-related crimes.

Meanwhile, the chairpersons also welcomed the guarantee that the Department of Home Affairs would open its offices from 08h00 to 13h00 on Saturdays until 25 May

2024 to enable voters to collect their IDs and apply for Temporary Identity Certificates. "To ensure that the services of the Department of Home Affairs reach the most remote areas, the deployment of mobile offices to certain areas is welcomed. We urge the department to share extensive information on where these mobile units will be availed to enable collection of IDs,"

said Mr Mosa Chabane, the Chairperson of the Portfolio Committee on Home Affairs. Mr Chabane also reiterated the confidence the committee has in the Independent Electoral Commission (IEC) to deliver a free and fair election process. The committee this past weekend visited the IEC and was reassured that all processes are in place to deliver the elections. "Our

oversight has reaffirmed our confidence that the IEC remains a credible institution to deliver on its constitutional mandate. This safety plan will go a long way in ensuring that the IEC does its work unhindered," Mr Chabane said. The chairpersons reiterated the call by the JCPS cluster Ministers that individuals, independent candidates, and political parties must

adhere to the election code of conduct and to desist from any intimidation and vandalism of election materials. The chairpersons stressed that all South Africans have a responsibility to ensure that these elections are held in an environment that will ensure a free and fair election process. 🇷🇷



## The 6th Parliament's Speakers' Forum ready to hand over the reins

*The Speakers' Forum had its last meeting on Friday, 3 March to wrap up the work of the 6th parliamentary term and plan for the transition to the seventh Parliament. Abel Munting reports.*

Addressing the Forum, the Chairperson of the National Council of Provinces, Mr Amos Masondo, noted the great strides made in the sixth Parliament that served as a midwife to the 30th year of democracy.

"We are now at the tail end of our parliamentary term and general elections are pending. They coincide with more than 60 elections taking place globally amid various tumultuous issues the world is currently grappling with, including, among others, the devastating incidents of climate change that led to the death of well over two hundred people in Kenya, China and Dubai," he said.

Also making opening remarks, the Acting Speaker of the National Assembly, Mr Lechesa Tsenoli, said, "This being the last meeting of the Speakers Forum, it's important to acknowledge the milestones we have registered in solidifying a coherent,

collaborative and citizen-centric legislative sector."

He said the sector has played a critical role in international parliamentary platforms such as the Inter-Parliamentary Union, the South African Development Community's Parliamentary Forum and the Commonwealth Parliamentary Association, to name a few. These diplomatic engagements, he said, have galvanised the South African Legislative Sector as a voice of reason that advances the African agenda in parliamentary affairs globally. The Secretaries' Association of the Legislative Sector of South Africa (SALSA) also presented the sector's transitional framework and the plans to

ensure a smooth transition. It assured the Forum that the sector is ready for a smooth transition and any eventuality that may arise. It also outlined in its report the key dates, roleplayers and constitutionally required processes that will be followed during the transition.

### Key dates and numbers

The Chief Electoral Officer of the Independent Electoral Commission (IEC), Mr Sy Mamabolo, who also provided input to the Forum, assured them of the IEC's readiness for the elections. He said there are 27 million registered voters and 23 929 voting stations across the country. Giving a breakdown of voters' demographics, he

said that 15.3 million of the 27 million voters registered are female voters and 12.4 are males. What is most encouraging in these elections, is that the 18 to 19-year-old voters have increased from 5% in previous elections to 27%, he said. The IEC forecast is that there would be a marginal increase in voter turnout.

Mr Mamabolo said the IEC intends to declare the elections on 1 or 2 June. The publishing of election results in the Government Gazette is set for 5 June and the handover of the lists to the Chief Justice is set for 6 June.

If all goes according to plan, the report states, the National Assembly will be formally

constituted on 12 June and the new President is then expected to be inaugurated on 15 June.

#### Preparing for the end of the parliamentary term

According to the report, there is no need for Parliament and provincial legislatures to be dissolved and the National Assembly and provincial legislatures will function until 28 May – the eve of the elections. However, the National Council of Provinces (NCOP) will operate until the seventh provincial legislatures are formally constituted.

In terms of section 57 of the Electoral Act of 1998, the election results must be declared within seven days

from the day of elections, while in terms of the Constitution, the first sittings of the legislatures should take place within 14 days from the date the official results are declared.

To ensure a seamless transition, the report states, staff of the National Assembly is currently working with the Office of the Chief Justice to ensure that this process complies with prescribed statutory rules. This collaboration is crucial because once the election results are declared, the lists of Members of Parliament and Provincial Legislatures – certified by the Independent Electoral Commission (IEC) and handed over to the Chief Justice, will

be handed over to Parliament and the provincial legislatures to allocate seats accordingly.

#### The first sittings

The Chief Justice will preside over the swearing-in of Members of Parliament. Following the swearing-in of members, the Speakers will be elected. The Chief Justice also presides over this session. This is followed by the election of the Deputy Speakers in a session the Speaker presides over. Once the House is fully constituted with members sworn in and office-bearers elected, it then proceeds to elect the President in the case of the National Assembly and Premiers in the case of the provincial legislatures.

The NCOP, constituted by provincial delegates, would follow suit with the swearing of permanent delegates, as well as the election of the Chairperson and Deputy Chairperson and Chief Whip of the Council. This only happens once the provincial legislatures are constituted.

The designated judges will preside over the swearing-in of Members of Provincial Legislatures. Following the swearing-in of members, the Speakers will be elected. The designated Judge also preside over the election of the Premier.

#### Induction of new members

SALSA has devised six Induction

Modules that include the rules, legislative process, law-making processes, oversight, public participation, and operational manuals. A task team has been set to review these modules which will be published and circulated on 28 May. The Legislative Sector, sixth Parliament and Legislatures' Legacy Reports would be consolidated and handed over to the incumbents. Critically, these reports would contain an overview of the evolution of the sector, the performance of its committees, lessons learnt in its public participation initiatives, challenges and progress made by its oversight and law-making mechanisms, the operational milestones it achieved and those that still lie ahead. 🇿🇦



## Student Financial Aid Scheme under administration for second time

*The continued organisational inefficiencies at the National Student Financial Aid Scheme (NSFAS) and the board's inability to focus the entity on its core mandate has seen the scheme placed under*

*administration for a second time. Jabulani Majazi reports.*

The Minister of Higher Education, Dr Blade Nzimande dissolved the NSFAS board amid failures to disburse student allowances. The committee's Chairperson, Ms Nompandulo Mkhathshwa, expressed support for the Minister's decision to dissolve

the current NSFAS accounting authority and place the scheme under administration. Between 2018 and 2020, NSFAS also faced significant challenges that impacted the scheme's work, leading to the decision to place it under administration for the first time.

The committee Chairperson also highlighted concerns about the impact this move may have on governance stability in the sector. The

committee has observed a pattern of ineffectiveness within NSFAS, including delays in fund disbursements, failure to submit annual reports to Parliament, and persistent IT system issues causing further delays.

Ms Mkhathshwa expressed her grave concerns about the instability at some of the universities and technical and vocational education and training (TVET) colleges

due to unpaid allowances. The various challenges faced by NSFAS extended to the accommodation pilot project, outstanding payments from the previous academic year, allowances disappearing from students accounts a few hours after payments and delays in the processing of appeals.

In addition, student protests affected institutions and disrupted the academic programmes, and this

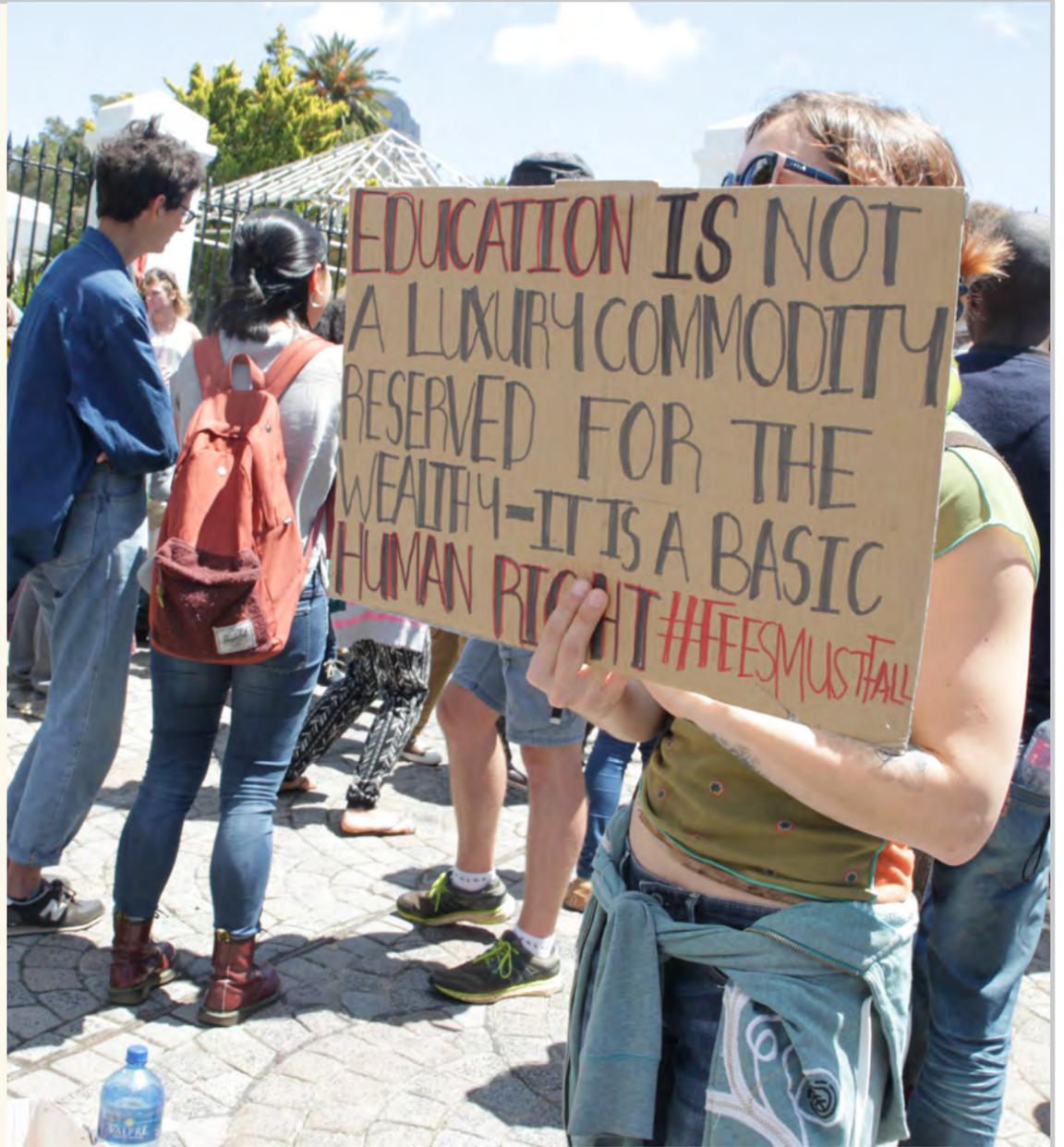
will affect students' performance. The committee has engaged with NSFAS on several occasions on the same issues, however, there seemed to be no ending to the challenges, the Chairperson said.

Moreover, the committee remained troubled by the instability at universities and TVET colleges resulting from unpaid allowances, accommodation challenges, and delays in fund disbursements. Student protests earlier this year further exacerbated these issues, disrupted academic activities, and potentially affected student performance. Despite engaging with NSFAS multiple times on these matters, there seemed to be no resolution in sight.

The committee noted that employees who have failed

to do their jobs have not faced consequences for their failures. The committee called on the Minister to consider conducting a skills audit of the workforce and that performance management be implemented without fear or favour and that investigations into allegations of corruption within the organization must continue. In addition, those implicated in alleged corruption must be investigated even when they are no longer employed by NSFAS.

The committee as the oversight organ over the higher education sector was not successful in convening a meeting with NSFAS due to schedule challenges and the fact that Parliament has risen for the term. The committee emphasized the need for swift action to prevent further regression and ensure accountability within NSFAS. 🇿🇦





# Parliament commemorates Africa Day

*The Acting Speaker of the National Assembly (NA), Mr Lechesa Tsenoli, and the Chairperson of the National Council of Provinces (NCOP), Mr Amos Masedo, on behalf of Parliament of the Republic of South Africa, joined the African continent in commemorating Africa Day.*

This year, the African Union (AU) theme for Africa Day 2024 is “Educate an African fit for the 21st Century”, encouraging member states to build resilient education systems for increased access to inclusive, lifelong, quality, and relevant learning in Africa.

Every year on 25 May, Africans commemorate the anniversary of the AU, which was established in Addis Ababa as the Organisation of the African Union (OAU) on 25 May 1963. It was repositioned for the realities of the new millennium and renamed as the African Union in South Africa in July 2002 to, among others, promote the unity and solidarity of African countries, defend

state sovereignty, eradicate colonialism, promote international cooperation, and coordinate and harmonise member states’ policies.

This year’s Africa Day coincides with the last days of the sixth parliamentary term and days before the country’s national and provincial elections on 29 May. Africa Day serves as a poignant reminder of the political freedoms gained in South Africa and across the continent and the responsibility to protect and exercise them responsibly.

Part of the AU’s objectives is achieving the goals of the AU’s Agenda 2063 and all the other strategic plans aimed at improving the lives of African people in every country on the continent. These goals include, among others, improved quality of life and well-being of all citizens, well-educated citizens and a skills revolution underpinned by science and innovation, healthy and well-nourished citizens, transformed economies, and modern agriculture for increased productivity.

The Presiding Officers echoed the AU Agenda 2063 objectives by calling on all Africans, governments of the world and multilateral institutions to use this day to reflect on and pledge their

commitment to achieving the goal of a conflict-free continent. We must all strive to make education accessible to all children in Africa and not to bequeath the burden of illiteracy and conflicts to future generations, the Presiding Officers said.

“As the South African nation celebrates 30 years of a democratic Parliament, we do so with a broader appreciation of the support we enjoyed from African countries. The AU remains a beacon of hope and an ever-shining star that guided our struggle for freedom. It is one of the international sources we drew on for morale and material support that helped us to defeat the monster of the apartheid regime.”

Parliament remains deeply concerned by the scourge of conflicts on the continent, including the persistent unrest plaguing the Democratic Republic of Congo and the impediment to education and socio-economic development. African governments must reaffirm their commitment to realise AU objectives, including silencing the guns by 2030.

In respect of the AU’s shared objectives, the Parliament of the Republic of South Africa has maintained close relationships with other progressive international

parliaments and forums that are at the cutting edge in their countries to alleviate all forms of the legacy of colonialism, underdevelopment and impoverishment that continue to define the former colonies in Africa. These forums also include the Pan African Parliament (PAP), the Southern African Development Community Parliamentary Forum (SADC-PF), the Commonwealth Parliamentary Association (CPA), the Inter-Parliamentary Union (IPU), and the African, Caribbean and Pacific-European Union Forum (OACPS-EU).

To date, South Africa, in partnership with several multilateral forums, has contributed greatly to managing tensions in conflict-ridden countries on the continent. In many African countries, South Africa has deployed thousands of peacekeepers through forums such as SADC-PF and provided the

much-required strategic intervention for peace and reconciliation negotiations. The country still plays a pivotal role in several peace, security, and human rights matters, such as in the DRC and Mozambique. It further plays a fundamental role in resolving post-election violence and has been profusely fighting against terrorism on the African continent.

Parliament views Africa Day as a rallying point for every African country and their governments to reflect and act to improve the lives of African people. The day creates a strategic opportunity in the journey of political freedom for reflection and commemoration and to deepen our efforts to turn the tide against the legacy of colonialism and to focus on development.

Aluta Continua!!! May we all celebrate Africa Day in peace and harmony. 🌍

*“As the South African nation celebrates 30 years of a democratic Parliament, we do so with a broader appreciation of the support we enjoyed from African countries.”*



# National Assembly adopts transformative amendment to the House rules and guidelines for petitions

*In a landmark move, the National Assembly (NA) has adopted a transformative amendment to the House's Rules and Guidelines for Petitions. This important amendment heralds a new era of direct public engagement in parliamentary processes.*

Previously, public petitions required a Member of Parliament to act as an intermediary between the House and a member of the public. Also, before this amendment, the provision allowing members of the public to submit petitions directly, without Members of Parliament as intermediaries, was exclusive to the National Council of Provinces (NCOP).

Now, this significant reform empowers members of the public to directly approach Parliament, fostering a more open, transparent, and responsive legislative body. Crucially, this amendment

is not merely a procedural change but represents a profound commitment and effective mechanism for swift and direct interventions in addressing service delivery challenges and other public concerns relating to government's obligations to the public.

A notable and key development in the petitions process is the introduction of a Petitions Framework that applies to both Houses of Parliament. The Framework creates a definitive period of about three months for

processing each petition, ensuring expeditious and efficient responses to the needs of the people of South Africa.

This responsiveness underlines Parliament's endeavour to continuously enhance its oversight and accountability interventions, ensuring deeper engagement with the issues affecting its citizens and their quality of life.

By allowing direct submission of petitions, subject to specific conditions, the NA is dismantling barriers to

democratic participation, fostering a more transparent and accessible legislative process.

## **Petition Types and Requirements**

The Constitution permits the National Assembly and its committees to receive petitions from individuals and institutions. With the growing volume of petitions, these amendments aim to optimise the handling of these crucial documents.

A petition may be:

- A single petition: A personal submission regarding a specific issue.
- A collective petition: A joint submission with multiple signatures on a common issue.
- A multiple/group/mass petition: Submissions from individuals or groups on the same matter.
- An associated petition: Submissions from an association or its representative on a particular issue.

Petitions must conform to the format prescribed by the Speaker and align with the guidelines of the Rules Committee, specifically

adhering to Assembly Rules 345 to 347. These guidelines cover language, signing, submission, clarity, decorum, and provision of supporting documentation.

## **Ensuring Appropriate, Effective Petitioning**

Petitions should seek action within the ambit of the House, the national government, or a Minister's purview. They must not repeat previously considered matters unless new, impactful information arises. Petitions should not interfere with ongoing legal proceedings or seek to overturn legal judgments. They must steer clear of matters currently under scrutiny in the National Assembly.

This amendment redefines the role of the National Assembly, underscoring its evolution into an activist, people-oriented body. It ensures that the voice of the public is not just heard but promptly acted upon, symbolising a new era in democratic participation. 🌟





## National Council of Provinces adopts Joint Ethics Committee report

*The National Council of Provinces (NCOP) adopted two reports of the Joint Committee on Ethics and Members' Interests recently. The first report dealt with the non-disclosure of members' interests for 2023, while the other report dealt with the review of the Code of Ethical Conduct and Disclosures of Members' Interests*

*for Assembly and Permanent Council Members.*

The committee found that 11 members – ten Members of the National Assembly and one Permanent Delegate of the National Council of Provinces (NCOP) – failed to disclose their financial and other registrable interests by the deadline of 30 September 2023.

Members of Parliament are required to disclose their registrable interests annually as stipulated by the Code of Ethical Conduct and Disclosure of Members' Interests. This also mandates members to submit a "nil" return if they have no registrable interests.

The committee recommended

disciplinary actions against several members, including Mr Itumeleng Ntsube, a Delegate in the NCOP who faces a fine equivalent to 30 days' salary, including a reprimand in the House.

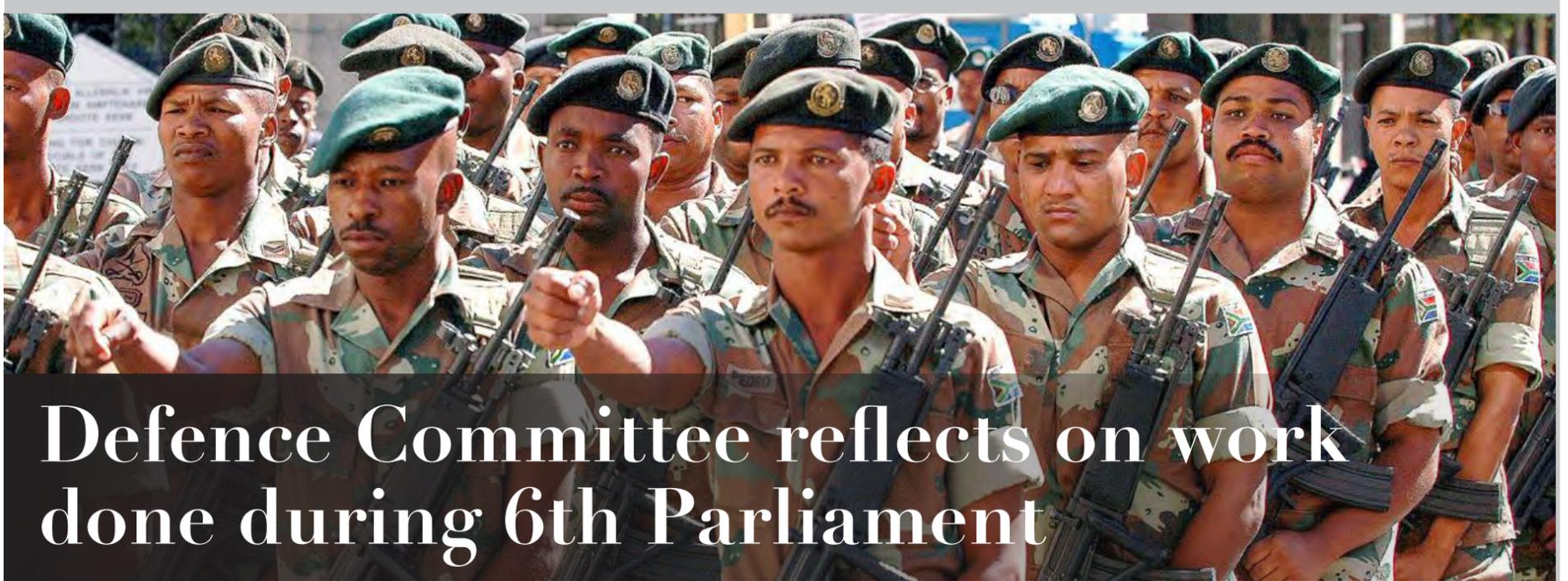
The House also adopted the second committee report on the review of the Code of Ethical Conduct and Disclosures of Members' Interests for Assembly and Permanent Council Members. The review of the Code was to ensure that it addresses contemporary challenges.

One such challenge is that the previous Code did not have clear guidelines on the ethical use of social media platforms by Members of Parliament. Social media create a platform for members

of the public to interact with Members of Parliament. The same platforms, however, still pose a reputation risk for an institution such as Parliament. Proposals made in the new Code are, among others, for constitutional parameters on the prevention of incitement of violence or promotion of hate speech and racism.

The Code also proposes stronger penalties for breaching the Code ranging from a reprimand in the House, R10 000 fine for a first offence of breaching the Code, R45 000 for a third offence, a fine not exceeding 30 days' salary, the suspension of a member's right to participate in parliamentary debates and committees for a period determined by the committee, and a reduction in their salary and allowances

for a period not exceeding 30 days, depending on the nature of the breach. Furthermore, the Code proposes risk-based profile lifestyle audits for categories of members, including Presiding Officers, Chairpersons of Committees, Chief Whips of all Political Parties, any member that has been red-flagged by the e-disclosure system, and any other member or categories of members as the committee may identify from time to time. 🇿🇦



# Defence Committee reflects on work done during 6th Parliament

*Reflecting on its achievements during the 6th administration, the Portfolio Committee on Defence and Military Veterans said there is a sense of pride in the relentless efforts to advocate for the socio-economic well-being of military veterans. However, it said the pressing challenge remains to ensure that the South African National Defence Force (SANDF) receives the necessary support and resources to operate effectively, writes Jabulani Majozi.*

The committee has diligently worked to address the intricate human resource processes within SANDF, particularly addressing the concerning high vacancy rate at senior levels that has a ripple effect on the entire defence value chain. Moving forward, the incoming 7th administration must focus on enhancing support for SANDF by ensuring they are equipped with reliable mission equipment and infrastructure to fulfill their crucial role in safeguarding the nation.

During the term of the 6th Parliament, the committee visited military facilities and attended a mini-symposium on Civil-Military Relations so that committee members familiarise themselves with the military environment and the challenges facing the South African National Defence Force. During its term, the committee dealt with ongoing funding constraints in the Department of Defence coupled with an urgent need to address over-expenditure on employee costs. The committee stressed that a long-term permanent solution was needed to sustain the SANDF. Despite the setbacks of the COVID-19 pandemic, the committee managed to address most of the focus areas it identified during its 2021 committee strategic plan.

The committee also dealt with entities that fall under the defence portfolio, such as the Armaments Corporation of South Africa (Armscor) and the Castle Control Board (CCB). During the 6th Parliament, the committee led by its chairperson, Mr Cyril Xaba, focused mainly on oversight as only one bill was introduced and subsequently withdrawn by the Minister of Defence.

## **Funding and other challenges**

In its deliberations on its legacy report, the committee said it was unhappy with the impact funding constraints had on upgrading and servicing

defence prime mission equipment. During site visits to selected defense facilities, the committee observed conditions and challenges facing defense force members. The committee would like the incoming seventh parliamentary committee to pay close attention to the state of the SANDF bases and especially the infrastructure housing prime mission equipment. Some of the issues the committee would like the incoming committee to look at included the fuel supply of diesel to SANDF bases and the availability of Oryx and Rooivalk helicopters as well as parts for broken equipment.

Through the Budgetary Review and Recommendations Reports process, the committee intervened to secure additional funds for the upgrade of SA Navy equipment and the SA Air Force's strategic airlift capability and securing additional funds for border safeguarding technology to enhance the SANDF border safeguarding efforts.

## **Military veteran's pension benefits**

Toward the end of the parliamentary term, the committee focused on the roll-out of the military veterans' pension benefit to eligible military veterans. This came after the President appointed the Presidential Task Team on Military Veterans which was chaired by the then Deputy President, Mr David

Mabuza, to ensure issues raised by military veterans with government regarding their benefits were addressed. These benefits included database cleaning, socio-economic support, pensions and benefits, memorialisation, and burial support. There was progress when the Minister of Defence and Military Veterans, Ms Thandi Modise, promulgated the Military Veterans regulations on 6 October 2023.

Following this, the Government Pension Administration Agency was established to implement pension payments for soldiers. The Deputy Minister of Defence and Military Veterans, Mr Thabang Makwetla, said the promulgation marked the beginning of yet another important milestone in addressing the plight of military veterans in accordance with the provision of the Military Veterans Act No 18 of 2011.

However, the committee was disappointed at the slow pace of releasing pensions since the gazetting of pension benefits and subsequent amendments. The numbers of paid beneficiaries remain alarmingly low as outstanding bank details are cited as reasons for the high number of applications not finalised. The committee also prioritised and pressed for finalising the military veterans' database which is crucial to managing benefits. However, cleaning and verification of the database was challenging for

the Department of Military Veterans due to lack of personnel to manage the database.

The Government Pension Administration Agency told military veterans that payments will be made from the date of approval of the application and those approved will be contacted by the pension agency to provide banking details. Yet the committee continued to be inundated with enquiries from military veterans who said they had complied and submitted required information such as bank forms (Z894), bank statements and other relevant documents for processing payment of pensions.

Among the recommendations for the incoming seventh Parliament committee is to focus on filling key senior vacancies in the department, ensuring border safeguarding and the appropriate use of technology. Moreover, it is critical to ensure there is regular prime mission equipment upgrades and maintenance that will boost the armed forces' confidence to defend the country as required.

The committee is hopeful that the planned National Consultative Summit with Military Veterans scheduled for this month (May) in Gauteng will go a long way in resolving military veterans' concerns. 🇿🇦



# How it happened: Tracing the removal of the Public Protector

Mr Qubudile Dyantyi

*Among the successes of the sixth Parliament that will be remembered as a first in the history of Parliament, is the successful removal of the head of a Chapter 9 institution Adv Busisiwe Mkhwebane, now the former Public Protector. The Committee for Section 194 Enquiry exercised its mandate successfully despite several disruptions resulting from challenges, including COVID-19 and the fire that gutted parts of the National Assembly and Old Assembly buildings, reports Rajaa Azzakani.*

Following a motion adopted in the National Assembly, the sixth Parliament on 7 April 2021 established the Committee for Section 194 Enquiry into Public Protector Adv Busisiwe Mkhwebane's

fitness to hold office. The charges in the motion included allegations of misconduct relating to a PP report involving the South African Reserve Bank and ABSA Bank; misconduct relating to the investigation and reporting on the Vrede Dairy Project; incompetence during both of those investigations and in a report about the former Financial Services Board; allegations of misconduct relating to the alleged intimidation, harassment and victimisation of staff at the Office of the Public Protector; matters related to the expenditure of public funds on legal costs; the failure to conduct investigations independently or impartially; and deliberately seeking to make adverse findings against certain public officials while not making findings or directing remedial action in respect of others.

Compared to existing parliamentary committees in the Sixth Parliament, the committee, with 36 members from across political parties in the National Assembly, had more members. It had 19 members from the African National Congress (ANC), four from the Democratic Alliance (DA), two from the Economic Freedom Fighters, and one member from each of the smaller parties, including the Inkatha Freedom Party, African Christian Democratic Party, National Freedom Party, Freedom Front Plus, United

Democratic Movement, GOOD, African Independent Congress, Congress of the People, Pan Africanist Congress, and Al Jama-ah.

The African Transformation Movement was also allocated a voting member, although the party chose not to participate in the committee.

Initially, the enquiry was expected to last about three months, but it took 14 months to conclude its work. The committee's work ended with adopting its final report recommending to the NA the removal of Adv Mkhwebane from office. The committee based its recommendation on several findings of serious misconduct and incompetence. In presenting the report, the chairperson of the committee, Mr Qubudile Dyantyi, said the committee's recommendation for removing Adv Mkhwebane was solely based on conclusive evidence put before the committee.

## The start of proceedings

The committee initially started its work on 20 July 2021. It was put on hold shortly after pending court applications brought by Adv Mkhwebane for the committee to stop the enquiry. A Constitutional Court ruling early in February 2022 paved the way for the committee to continue with its work, making it clear that there was no legal impediment to prevent the

enquiry from continuing. Following this, the committee held several planning meetings. This included a briefing in March 2022 by Parliament's Constitutional and Legal Services on litigation relating to the enquiry and a briefing on the appointment of evidence leaders. Despite more legal challenges by Adv Mkhwebane, the enquiry pushed ahead with its preparatory work to start the hearings.

The committee's hearings began on 11 July 2022 with opening statements by the evidence leaders Adv Nazreen Bawa, SC and Adv Mkhwebane's legal representatives Adv Dali Mpofo, SC. At this meeting, Adv Mkhwebane made it clear that she was participating in the proceedings under protest.

## The evidence

The committee heard oral evidence from 24 witnesses, of whom 22 submitted written statements. In addition, Adv Mkhwebane gave oral evidence concerning Part A of her two-part statement. In addition to oral evidence, the committee was presented with documentary evidence. Early in the proceedings, the committee clarified that oral and written evidence would be considered during deliberations.

During this period, Adv Mkhwebane brought further

unsuccessful challenges – two for the recusal of the chairperson which she argued was biased and a further recusal application against Mr Kevin Mileham, a DA member of the committee.

On 15 March 2023, Adv Mkhwebane started her evidence before the enquiry. At the start of her testimony, she read parts of her affidavit in which she accused both the DA and the ANC of joining forces to remove her, thereby stopping her from investigating them. Adv Mpofo told the committee that the time provided for this according to the programme – 15 March 2023 to 31 March 2023 – would not be sufficient. Adv Mkhwebane's legal team initially said they would need six to nine days. Later it was changed to 10 to 12 days.

A few days into Adv Mkhwebane's testimony, the committee had to adjourn again – this time due to her ill health. After her recovery and giving evidence for a few more days, on 31 March 2023 – on the sixth day of giving her version – Adv Mpofo informed the committee that the Office of the Public Protector would withdraw its financial support covering Adv Mkhwebane's legal costs and that this would mean Adv Mkhwebane would not have legal representation.

## Issues with legal representation

The committee resolved on 3 April 2023 to continue with normal meetings while the relevant parties tried to find a solution to the funding challenges. This saw the committee improvising and giving evidence leaders Adv Bawa, SC, and Adv Ncumisa Mayosi the floor in contextualising the documentary evidence before the committee by taking the committee members through various court judgements in a bid to help them assess the charges of misconduct and incompetence. They finalised this process by 19 April 2023.

As the legal funding challenge of Adv Mkhwebane had still not been resolved by then, it was only on 9 May that the enquiry was expected to hear from her again to continue her testimony. At that meeting, the enquiry was informed that the funding challenge still existed, and they could not continue. This trend continued with several forced postponements due to the same challenge.

Another curve ball in May 2023 was the allegation of

bribery Adv Mkhwebane's husband, Mr David Skosana, made against Mr Dyantyi and other MPs. During this time, the committee also sadly experienced the death of one of its members.

By 3 June 2023, the committee resolved to push ahead full steam with its work. The committee also heard that the rates for all three of Adv Mkhwebane's advocates had now increased by R12 000 a day. The committee also heard that the State Attorney on 23 May confirmed that Adv Mkhwebane's attorneys were appointed and briefed by Adv Dali Mpofu at R45 000 a day.

On 9 June 2023, after Adv Mkhwebane rejected the State Attorney's services, the committee resolved to amend its directives to allow committee members and evidence leaders to present written questions to the Public Protector, which she may choose to answer orally or in writing.

This followed as the committee was forced to postpone its hearing yet again – this time due to the

Public Protector rejecting the newly appointed office of the State Attorneys as her instructing attorneys to brief her counsel, citing a conflict of interest. A few weeks before, Chaane attorneys were briefed on her behalf, but Mr Hope Chaane had been booked off sick indefinitely. Before that, Seanego attorneys said they would no longer act on behalf of the Public Protector for professional reasons they did not share with the committee.

On 16 June 2023, the Chairperson issued an addendum to the directives governing the committee's work. In terms of the amendments, whether the Public Protector has responded in writing to the questions posed, or given oral evidence or a combination thereof, she could still make a closing argument, or at her election via a legal representative to the committee orally or in writing. In addition, she will be provided an opportunity to comment on the committee's draft report before it is adopted and tabled in the National

Assembly.

Following this, Adv Mkhwebane failed to meet all deadlines set by the committee. This included additional affidavits or documentation in support of Part B of her evidence at that stage before the committee, the evidence leaders' presentation on Part A of her oral evidence, the written questions posed by MPs, and the final closing argument on the allegation in the motion before the committee.

Toward the end of July 2022, the committee deliberated on the allegation in the motion. It was in one of those meetings the committee resolved to sustain the allegations made against Adv Mkhwebane. A copy of the draft report was provided to Adv Mkhwebane to give input. She did not take up the opportunity.

On 22 August 2023, the Committee for Section 194 Enquiry into Public Protector Adv Busisiwe Mkhwebane's fitness to hold office adopted its final report in which it recommended to the National Assembly that Adv Mkhwebane be removed from office on grounds of incompetence and misconduct based and established by the evidence before the committee.

At the adoption of the final report, a third set of attorneys was appointed as Adv Mkhwebane's legal representatives of choice. At one stage, her attorneys were briefed for 63 days (split into two parts) without briefing her Senior Counsel and bringing a second application for the Chairperson to recuse himself. Thus, notwithstanding the additional R4 million made available to Adv Mkhwebane to complete the enquiry proceedings, since 31 March 2023 she did not actively participate in any part of the enquiry dealing with the merits of the motion.

#### Forging a new path

Mr Dyantyi highlighted that it was only after this date and Adv Mkhwebane's refusal to accept

the State Attorney's assistance that the committee resolved on 9 June 2023 to forge a new path. The programme adopted on that day put in place concrete deadlines to ensure that the committee adhered to its constitutional responsibility and finalised its mandate.

"Since the introduction of the new way forward, Adv Mkhwebane still has not met any of those deadlines. In fact, in most instances, she did not even provide the committee with the courtesy to indicate that she could not respond. She acted as if she was above Parliament and not accountable to the institution or the committee," said Mr Dyantyi.

The committee at all stages gave Adv Mkhwebane an opportunity to give her version. "We encouraged her at all times to participate in the process – whether it was to respond to questions by evidence leaders or questions by members. Even after she continuously ignored the deadlines, when the committee adopted its draft report, it provided her with a final opportunity to comment. Nothing was forthcoming."

The committee faced various obstacles that impeded its ability to carry out its work on time, forcing it to extend its programme on several occasions. "The committee has carried out its functions diligently despite what some members viewed as deliberate attempts by Adv Mkhwebane and her legal team to delay the proceedings and to undermine its authority and function. The committee intervened regarding her legal funding and legal assistance, although these matters were outside its mandate," said Mr Dyantyi.

A few weeks after being removed from office, Adv Mkhwebane was sworn in as a Member of the National Assembly for the Economic Freedom Fighters. 🇿🇦



# Portfolio Committee on Social Development wraps up its work in the Sixth Parliament



**Ms Nonkosi Mvana, Chairperson of the PC on Social Development**

*As the term of the sixth Parliament draws to end, the Portfolio Committee on Social Development compiled a legacy report outlining all its work, from processing legislation to public participation, oversight and international study tours, writes Sakhile Mokoena.*

All Parliament's committees have prepared similar legacy reports, which will be handed over to the committees in the seventh term to ensure that work continues, and a seamless transition is achieved. The reports included a detailed summary of the work completed during the term, along with outstanding matters that must be followed up by committees in the seventh administration.

In its legacy report for the period 2019 to 2024, the Portfolio Committee on Social Development processed five pieces of legislation – the Social Assistance Amendment Bill, the Children's Amendment Bill, the Fundraising Amendment Bill, the Older Persons Amendment Bill and the Children's Amendment Bill (a Private Member's Bill). Two Bills, the Children's Amendment Bill and the Older Persons Amendment Bill involved extensive public participation processes.

The committee has deferred certain clauses of the Children's Amendment Bill for the seventh Parliament to consider, including the proposed amendments contained in the Private Member's Bill.

The committee refers to a Gauteng High Court judgement dated 29 June 2023 in the matter between VJV and Another v Minister of Social Development and Another [2023] ZACC 21, which found that Section 40 of

the Children's Amendment Act (No. 38 of 2005) is constitutionally invalid, as it "unfairly and unjustifiably discriminates on the basis of marital status and sexual orientation by excluding the words – (a) "or permanent life partner" after the word "spouse" and "husband" wherever such words appear in Section 40 of the Children's Act. The Children's Amendment Bill [B18 of 2020] already provided a remedy to this in the proposed amendment to section 40(3).

"The implication of this court judgement is that the upcoming committee has a very stringent timeframe to provide the remedy and meet the court's deadline. As pointed out in the advice from Adv van der Merwe, there are approximately 126 clauses of the Bill that were put in abeyance by the committee to be considered as Second Amendment," the committee said in its report.

The report further states that some of these clauses require policy to be formulated before they can be incorporated into the Bill. Policy can take up to two years or more to be formulated due to the extensive research that has to be conducted before the policy can be drafted.

The committee's oversight work mainly focused on the interventions the Social Development portfolio implemented to curb the impact of the Covid-19 pandemic. The committee focussed on food security, gender-based violence, sheltering, implementation of the Social Relief of Distress (SRD) Grant and provision of psychosocial support services.

Other outstanding matters in the committee's programme

that need be followed up on in the seventh Parliament include employing unemployed social work graduates and challenges around the administration and payment of social grants.

The National Development Plan (NDP) vision 2030 and the Medium-Term Strategic Statement priority 4 propose that 55 000 social service professionals are needed to adequately address South Africa's social ills. The Department of Social Development reported to the committee that 22 168 social service professionals are employed by various government departments, which by 1 November 2023, had increased to 23 561. The sector has to employ 31 744 such practitioners in the next six years.

The committee also reports that social grant payments continue to be beleaguered by fraud, while payments are delayed or not paid at all due to technological challenges. In addition, the committee report states, the South African Social Security Agency (SASSA) relies on external stakeholders, previously the Post Office and currently Postbank, to pay most (46%) grant recipients. The introduction of the Social Relief of the Distress (SRD) grant exacerbated these challenges.

Funding non-profit organisations (NPOs) is another challenge, the legacy report states. The Department of Social Development relies on NPOs to deliver most of its statutory services and these organisations rely on the department for funding. However, this symbiotic relationship has suffered due to delayed or non-payment of NPOs and high non-compliance of NPOs to norms

and standards, resulting in the department withdrawing the funding.

In its legacy report, the portfolio committee also recommended the need for a coordinated joint oversight (meetings and oversight visits) between the Portfolio Committee of Social Development and the Select Committee on Health and Social Services, as well as other relevant portfolio committees. The relevant accounting departments should also be invited. This will eliminate the challenge of oversight stampede. It will also address challenges relating to interdependencies between government departments that have affected service delivery.

The seventh administration's portfolio committee should also invite provincial social development MECs to account for their departments' performance in their respective areas of competency. This should also apply to SASSA regional managers.

The committee also identified in its report the need to address the intergovernmental relations framework that governs response to natural disasters, including climate-change and pandemic-related disasters.

In addition, the report also stated, "There is a need for a more focused oversight programme that will have dedicated weeks for specific focus area – child protection services, gender-based violence, substance abuse, social assistance programme, older persons, people with disabilities." 🌟



## Botshabelo Parliamentary Constituency Office moves closer to the people to enhance impact

Mr Lechesa Tsenoli, Acting Speaker of the National Assembly

*Located in the aptly named Rea Hloa shopping complex, meaning “we are growing”, the Acting Speaker of the National Assembly, Mr Lechesa Tsenoli, said that repositioning the office in its new location was aimed at ensuring improved access and maximum impact on the lives of the people within the area. Malatswa Molepo reports on the launch.*

The Acting Speaker opened the new office to much fanfare and Botshabelo residents hope it will bring Parliament’s services closer to the people. “This office was moved here primarily because it is in reach of the people, as the previous office was far,” Mr Tsenoli acknowledged. “It is important that this office is located here so that the people can have access to their public representative and services of the legislature. Through this intervention, we hope that we will get you the developmental answers you want from government as well as ensuring that you

will have access to legislations that we pass in Parliament,” Mr Tsenoli emphasised.

Parliamentary constituency offices were established to enable Members of Parliament to remain in contact with the people they represent, be available to the public, help solve problems and report back to their constituents on what is happening in Parliament.

The Acting Speaker also stressed the importance of the linkages the office must create between the three spheres of government in resolving daily challenges people face. “We also hope this office will ensure responsiveness to questions raised by the community. We request that councilors and government departments respect officials from these offices when they come looking for information because they will be asking in the interest of the people,” Mr Tsenoli said.

The local councilor, Mr Dikololo Matshepe, represented the Mangaung Metro at the launch. He emphasised importance of collaboration in resolving issues affecting the people. “Today our people will understand the relationship between the people and Parliament. Because of the proximity to the people, this office will ensure that people understand the oversight role

of Parliament and why it was created to ensure effective service delivery. We appreciate the decision to move the office to this location because it is now placed at an area frequented by the people,” Mr Matshepe pointed out.

In a move to further strengthen access, the Acting Speaker also launched a specially designed Google Maps directory of all Parliamentary Constituency Offices across the country. The map lists contact details of every constituency office, its location, and the public representative responsible for that office.

“The advent of Covid-19 necessitated that we embrace technology as a tool to enhance access to Parliament,” Mr Tsenoli said. “Many people have seen how we struggled with live sittings of Parliament utilising technology, but I am happy to say that we have made significant progress, hence the adoption of this Google Maps directory. We encourage people to interface with this directory and be in touch with their respective representatives,” Mr Tsenoli suggested.

Despite the inconvenient position of the previous office, Mr Tsenoli highlighted a few of its successes, including donating 100 wheelchairs to

people living with disabilities in the area. “We were able, through the generosity of one business leader, to donate those wheelchairs and ensure mobility for people with disability in the area. We hope that many such philanthropic gestures will be realized, especially now that we are in this economic area,” Mr Tsenoli said.

Mr Tsenoli also urged the municipality to speedily

refurbish walkways and cut grass to ensure that beneficiaries benefit from the wheelchairs as much as possible. Mr Tsenoli also urged the incoming cohort of Members of Parliament to strengthen their work to ensure a better life for the people of Botshabelo to ensure that they too baa hloa. 🇿🇦





## Release of water reports a critical milestone for the water sector

**The 6th Parliament's Portfolio Committee on Water and Sanitation finally achieved what once looked like an insurmountable task. Following persistent pressure from the committee, the Department of Water and Sanitation released the Blue Drop, Green Drop and No Drop reports on 5 December. Malatswa Molepo reports.**

The Blue Drop Report assesses the quality of drinking water, while the No Drop Report focuses on water losses and non-revenue water in all municipalities in the country. The Green Drop Progress Assessment Report provides an update on the performance of wastewater management systems at municipal level. "We were insistent on these reports because they provide a credible assessment of where the sector is in providing

quality water and sanitation to the people," said Mr Robert Mashego, the Chairperson of the Committee. "These reports assist in refocusing the entire value chain to strengthen where there are weaknesses to ensure a viable water value chain. We are happy that the department finally headed our call and released the reports," said Mr Mashego.

Last published in 2014, the reports are critical for evaluating the sector. The committee welcomed the report but flagged some concerns, especially about the quality of drinking water in some areas. Based on water quality tests carried out by municipalities during the 2021/2022 municipal financial year, 54% of water supply systems achieved excellent or good microbiological water quality compliance and 46% achieved poor or bad microbiological water quality compliance. In 2014, 5% of water supply systems achieved poor or bad microbiological water quality compliance. This indicates a severe regression in drinking water quality between 2014 and 2023. Drinking water quality is generally good in the metropolitan areas. The committee has called for immediate action to reverse the regression in water quality levels.

Also of concern is the high loss of water within the value chain. The committee has called on municipalities to increase maintenance budgets urgently to resolve water loss issues. The assessment found that national non-revenue water increased from 37% in 2014 to 47% in 2023. This is caused by physical losses, for example, water leaking out of pipes above or underground, poorly functioning or non-existent water meters, illegal connections, and poor billing and revenue collection. The international average for non-revenue water is 30%.

Meanwhile, the committee has expressed appreciation for the progress in completing the Giyani Water Project. This project is meant to provide water to 55 villages in Giyani as part of the Giyani Bulk Water Project with phase 1 of the programme at various stages of completion. The committee noted the extensive work done, for example, the completion of the 40.5 km bulk canal transferring raw water from Nandoni Dam to Nsami Dam.

The reticulation connection by the municipalities to households, however, remains a huge challenge. "This points to misalignment of planning as municipalities should have taken into consideration

the envisioned March 2023 completion date and made plans to reticulate the bulk water," said Mr Mashego.

Following the committee's visit to the various sites during the parliamentary term, the committee found it unacceptable that communities are yet to benefit from the investment made. The committee appreciates that the department has completed the bulk infrastructure development but called for municipalities to complete processes. "It is unacceptable that people from Homu 14 A have to pay R3.50 for a 21-litre bucket from households with boreholes when they were promised water at the end of March 2023. Municipalities must move with speed to complete reticulation work," Mr Mashego stressed.

A major achievement for the committee in this term was

the improved oversight that ensured improvement in efficiency and governance within water boards across the country. Despite this, the committee remains concerned that five water boards, namely Amatola, Bloem, Lepelle, Mhlathuze, and Rand Water, are performing below 80% of planned targets, which affects the ability to deliver services. The committee has urged the entities to find solutions to these challenges to ensure they operate optimally to benefit the people relying on the service.

"The achievement of planned targets is the primary basis of effective service delivery and if water boards achieve this, the sector will be taking positive strides towards achieving the constitutional goal of universal access to quality water and sanitation services," Mr Mashego said.

***"This points to misalignment of planning as municipalities should have taken into consideration the envisioned March 2023 completion date and made plans to reticulate the bulk water"***



## Lifestyle Audits for select members of Parliament approved by both Houses

*Among the key developments for the 6th Parliament, were efforts to strengthen ethical leadership among Members of Parliament. During this term, the Joint Committee on Ethics and Members Interests has reviewed the Code of Ethical Conduct and Disclosure of Members' Interests for Assembly and Permanent Council Members and has proposed risk-based lifestyle audits, writes Malatswa Molepo.*

The categories of members that will have to undertake these audits include the Presiding Officers, Chairpersons of Committees, Chief Whips of all Political Parties, any member that has been red-flagged by the e-disclosure system, and any other member or categories of members as the committee

may identify from time to time. If there is an allegation of fraud, bribery, corruption, or unethical conduct against a member, the member shall also form part of the risk profile for a lifestyle audit. "We have had to contend with declining trust levels in public institutions, including Parliament, with communities we serve no longer having trust in the leadership they have chosen. The new Code charts a clear path towards ensuring that the national legislature rebuilds the necessary public trust and confidence in the institution and its public representatives," said Mr Bekisizwe Nkosi, Committee Co-Chairperson. Mr Nkosi also highlighted that the fact that the code was last reviewed in 2014 meant it did not address current ethical challenges members face. One such challenge is that the previous Code did not have clear guidelines on the ethical use of social media platforms by Members of Parliament. These interactive platforms have created an avenue for members of the public to interact with their public representatives, but they also present inherent ethical risks. "In an institution that prides itself on enabling public participation, social media presents a credible platform to

enhance engagement with the public and, provide up-to-date information on the work of Parliament hence the inclusion of regulatory provisions for the use of social media," Mr Nkosi stressed. Both Houses of Parliament – the National Council of Provinces and the National Assembly – have agreed to the proposals made in the reviewed code and as part of the last decision, the 6th Parliament adopted the reviewed code. Swift handling of complaints The committee has also made significant progress in investigating and reporting on cases before it. On 11 September 2019, the committee boldly committed to processing all cases with

speed, impartiality, and following the Code. In line with this promise to speedy processing of complaints, the Office of the Registrar of Member's Interests received 41 complaints of alleged breaches of the Code over the term of the 6th Parliament. Of the 41 complaints, the Joint Committee has finalised 35 complaints. Six matters were not completed. Of the six matters, three relate to current members of Parliament and three relate to persons who are no longer Members of Parliament, so there are only three active complaints before the Joint Committee. The 41 complaints do not include alleged breaches of the Code relating to late disclosure of Members' Interests where

members failed to meet the annual disclosure deadline. Embracing technology The committee also embraced technology to ensure members can declare their registrable interests on time and easily. "I am happy to report that for the past two years, members have embraced the e-disclosure system and moved away from paper-based declarations. The time it took to prepare and release the Register of Members' Interests has now been significantly shorter than in previous years, demonstrating the Joint Committee on Ethics and Members' Interests' commitment to ensuring accountability to the electorate," Mr Nkosi stressed. Despite the advances made by the committee in streamlining its work, it stressed that ethical behaviour is a personal choice made by individual members. "It is up to members to use the minimum framework provided by the Code as a guide to enhanced ethical and servant leadership. The committee has put in place a solid foundation for the incoming committee, and reforms in place will certainly strengthen the credibility of Parliament to deliver on its mandate of oversight over the executive," said Mr Nkosi. 🇿🇦

*"We have had to contend with declining trust levels in public institutions, including Parliament, with communities we serve no longer having trust in the leadership they have chosen."*



## Sixth Parliament passes more than 140 Bills

*South Africa's Constitution states that one of the functions of Parliament is to pass legislation. Here below are the Bills passed by Parliament during the sixth term (2019 to 2024).*

### **Bills passed in 2019**

Act 24 of 2019  
Appropriation Bill [B6B - 2019 (s77)] (assented to 8 August 2019; GG 42632)  
Act 25 of 2019

Special Appropriation Bill [B10-2019 (s77)] (assented to 22 November 2019; GG 42852)

Act 26 of 2019  
Foreign Service Bill [B35B-2015 (s75)] (assented to 26 May 2020; GG 43403)  
Act 27 of 2019

Independent Police Investigative Directorate Amendment Bill [B25-2018 (s75)] (assented to 26 May 2020; GG 43385)

Act 28 of 2019  
Child Justice Amendment Bill [B32B-2018 (s75)] (assented

to 26 May 2020; GG 43402)

Act 29 of 2019  
Adjustments Appropriation Bill [B16-2019 (s77)] (assented to 13 January 2020; GG 42948)

Act 30 of 2019  
Division of Revenue Amendment Bill [B15-2019 (s76)] (assented to 13 January 2020; GG 42949)

Act 31 of 2019  
Promotion of Access to Information Amendment Bill [B20-2019 (s75)] (assented to 26 May 2020; GG 43388)

Act 32 of 2019  
Rates and Monetary Amounts and Amendment of Revenue Laws Bill [B17-2019 (s77)] (assented to 13 January 2020; GG 42950)

Act 33 of 2019  
Tax Administration Laws Amendment Bill [B19-2019 (s75)] (assented to 13 January 2020; GG 42952)

Act 34 of 2019  
Taxation Laws Amendment Bill [B18B-2019 (s77)] (assented to 13 January 2020; GG 42951)

Act 35 of 2019  
Hydrographic Bill [B17B-2018 (s75)] (assented to 26 May 2020; GG 43389)

### **Bills passed in 2020**

Act 1 of 2020  
National Public Health Institute Bill of South Africa Bill [B16D-2017 (s76)] (assented to 5 August 2020; GG 43604)

Act 2 of 2020  
Border Management Authority Bill [B9D-2016 (s75)] (assented to 16 July 2020; GG 43536)

Act 3 of 2020  
National Minimum Wage Amendment Bill [B9-2019 (s75)] (assented to 5 August 2020; GG 43603)

Act 4 of 2020  
Division of Revenue Bill [B3-2020 (s76)] (assented to 22 June 2020; GG 43467)

Proposed Act 5 of 2020  
National Land Transport Amendment Bill [B7D-2016 (s76)] (returned by President 21 Sept 2021)

Act 6 of 2020  
Defence Amendment Bill [B18B-2017 (s75)] (assented to 5 August 2020; GG 43606)

Act 7 of 2020  
Appropriation Bill [B4-2020 (s77)] (assented to 22 June 2020; GG 43468)

Act 8 of 2020  
Civil Union Amendment Bill [B11B-2018 (s75)] (assented to 20 October 2020; GG 43832)

Act 9 of 2020

Science and Technology Laws Amendment Bill [B42B-2018 (s75)] (assented to 20 October 2020; GG 43829)

Act 10 of 2020  
Division of Revenue Amendment Bill [B9-2020 (s76)] (assented to 5 August 2020; GG 43605)

Act 11 of 2020  
Adjustments Appropriation Bill [B10B-2020 (s77)] (assented to 14 August 2020; GG 43624)

Act 12 of 2020  
Judicial Matters Amendment Bill [B13B-2019 (s75)] (assented to 20 October 2020; GG 43831)

Act 13 of 2020  
Disaster Management Tax Relief Bill [B11B-2020 (s77)] (assented to 3 November 2020; GG 43883)

Act 14 of 2020  
Disaster Management Tax Relief Administration Bill [B12B-2020 (s75)] (assented to 3 November 2020; GG 43884)

Act 15 of 2020  
Prescription in Civil and Criminal Matters (Sexual Offences) Amendment Bill [B22B-2019 (s75)] (assented to 20 December 2020; GG 44034)

Act 16 of 2020

Social Assistance Amendment Bill [B8B-2018 (s75)] (assented to 20 December 2020; GG 44035)

Act No 17 of 2020  
Airports Company Amendment Bill [B5B-2018 (s75)] (assented to 2 March 2021; GG 44225)

Act No 18 of 2020  
Air Traffic and Navigation Services Company Amendment Bill [B6B-2018 (s75)] (assented to 2 March 2021; GG 44226)

Act No 19 of 2020  
Cybercrimes Bill [B6D-2017 (s75)] (assented to 26 May 2021; GG 44651)

Act No 20 of 2020  
Division of Revenue Second Amendment Bill [B24-2020 (s76)] (assented to 15 January 2021; GG 44081)

Act No 21 of 2020  
Second Adjustments Appropriation Bill [B25-2020 (s77)] (assented to 15 January 2021; GG 44079)

Act No 22 of 2020  
Rates and Monetary Amounts and Amendment of Revenue Laws Bill [B26B-2020 (s77)] (Afr) (assented to 15 January 2021; GG 44082)

Act No 23 of 2020  
Taxation Laws Amendment Bill [B27B-2020 (s77)] (assented to 15

January 2021; GG 44083)	Upgrading of Land Tenure Rights Amendment Bill [B6B-2020 (s76)] (assented to 26 May 2021; GG 44649)	Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill [B16D-2020 (s75)] (assented to 25 January 2022; GG 45823)	(assented to 14 January 2022; GG 45786)	Local Government: Municipal Systems Amendment Bill [B2D-2019 (s76)] (assented to 16 August 2022; GG 46740)
Act No 24 of 2020				
Tax Administration Laws Amendment Bill [B28-2020 (s75)] (assented to 15 January 2021; GG 44080)	Act No 7 of 2021		Act No 20 of 2021	Proposed Act No 4 of 2022
<b>Bills passed in 2021</b>	Correctional Services Amendment Bill [B32-2020 (s75)] (assented to 26 May 2021; GG 44650)	Act No 14 of 2021	Taxation Laws Bill [B22B-2021 (s77)] (assented to 14 January 2022; GG 45787)	Employment Equity Amendment Bill [B14B-2020 (s75)](assented to 17 April 2023; GG 48418)
Act No 1 of 2021	Act No 8 of 2021	Domestic Violence Amendment Bill [B20D-2020 (s75)] (assented to 25 January 2022; GG 45824)	Act No 21 of 2021	Act No 5 of 2022
Recognition of Customary Marriages Amendment Bill [B12B-2018 (s76)] (assented to 26 May 2021; GG 44646)	Liquor Products Amendment Bill [B10B-2016 (s75)(with technical correction)] (assented to 2 September 2021; GG 45179)	Act No 15 of 2021	Tax Administration Laws Amendment Bill [B23-2021 (s77) (assented to 14 January 2022; GG 45788)	Division of Revenue Bill [B6-2022 (s76)] (assented to 13 June 2022; GG 46549)
Act No 2 of 2021	Act No 9 of 2021	Second Special Appropriation Bill [B17-2021 (s77)] (assented to 16 December 2021; GG 45698)	Act No 22 of 2021	Act No 6 of 2022
Customary Initiation Bill [B7D-2018 (s76)] (assented to 1 June 2021; GG 44668)	Division of Revenue Bill [B3-2021 (s76)] (assented to 24 June 2021; GG 44773)	Act No 16 of 2021	Civil Aviation Amendment Bill [B44B-2018 (s75)] (assented to 31 March 2022; GG 46205)	Second Adjustments Appropriation (2021/22 Financial Year) Bill [B8-2022 (s77)] (assented to 7 July 2022; GG 46689)
Act No 3 of 2021	Act No 10 of 2021	Criminal Procedure Amendment Bill [B12B-2021 (s75)] (assented to 4 February 2022; GG 45893)	Act No 23 of 2021	Act No 7 of 2022
Local Government: Municipal Structures Amendment Bill [B19D-2018 (s76)] (assented to 26 May 2021; GG 44647)	Appropriation Bill [B4B-2021 (s77)] (assented to 6 July 2021; GG 44835)	Act No 17 of 2021	Financial Sector Laws Amendment Bill [B15B-2020 (s75)] (assented to 25 January 2022; GG 45825)	Appropriation Bill [B7-2022 (s77)] (assented to 7 July 2022; GG 46690)
Act No 4 of 2021	Act No 11 of 2021	Division of Revenue Amendment Bill [B19-2021 (s76)] (assented to 14 January 2022; GG 45784)	<b>Bills passed in 2022</b>	Act No 8 of 2022
Electoral Laws Amendment Bill [B22D-2020 (s75)] (assented to 26 May 2021; GG 44648)	Special Appropriation Bill [B5-2021 (s77)] (assented to 24 June 2021; GG 44775)	Act No 18 of 2021	Act No 1 of 2022	Criminal Law (Forensic Procedures) Amendment Bill [B25-2021 (s75)] (assented to 9 December 2022; GG 47735)
Act No 5 of 2021	Act No 12 of 2021	Adjustments Appropriation Bill [B20-2021 (s77)] (assented to 14 January 2022; GG 45785)	National Forests Amendment Bill [B11D-2016 (s76)] (assented to 26 June 2022; GG 46650)	Act No 9 of 2022
Auditing Profession Amendment Bill [B2B-2020 (s75)] (assented to 23 April 2021; GG 44493)	Criminal and Related Matters Amendment Bill [B17B-2020 (s75)] (assented to 25 January 2022; GG 45822)	Act No 19 of 2021	Act No 2 of 2022	Traditional Courts Bill [B1D-2017 (s76)] (assented to; GG)
Act No 6 of 2021	Act No 13 of 2021	Rates and Monetary Amounts and Amendment of Revenue Laws Bill [B21-2021 (s77)]	National Environmental Laws Amendment Bill [B14F-2017 (s76)] (assented to 21 June 2022; GG 46602)	Act No 10 of 2022
			Act No 3 of 2022	Compensation for Occupational





Injuries and Diseases  
Amendment Bill [B21D-2020  
(s75)](assented to 17 April  
2023; GG 48431)

Act No 11 of 2022  
Financial Sector and Deposit  
Insurance Levies Bil [B3B-  
2022 (s77)] (assented to 6  
December 2022; GG 47695)

Act No 12 of 2022  
Financial Sector and  
Deposit Insurance Levies  
(Administration) and Deposit  
Insurance Premiums Bill  
[B4B-2022 (s75)] (assented  
to 6 December 2022; GG  
47696)

Act No 13 of 2022  
Sectional Titles Amendment  
Bill [B31B-2020 (s76)]  
(assented to 22 December  
2022; GG 47830)

Act No 14 of 2022  
Drugs and Drug Trafficking  
Amendment Bill [B19-2022  
(s75)] (assented to 12  
December 2022; GG 47736)

Act No 15 of 2022  
Division of Revenue  
Amendment Bill [B22-  
2022 (s76)] (assented to 5  
December 2022; GG 44235)

Act No 16 of 2022  
Tax Administration Laws

Amendment Bill [B27B-  
2022 (s75)] (assented to 22  
December 2022; GG 47826)

Act No 17 of 2022  
Children's Amendment Bill  
[B18D-2020 (s76)] (assented  
to 22 December 2022; GG  
47828)

Act No 18 of 2022  
Special Appropriation Bill [B24-  
2022 (s77)] (assented to 22  
December 2022; GG 47824)

Act No 19 of 2022  
Rates and Monetary Amounts  
and Amendments of Revenue  
Laws Amendment Bill  
[B25-2022 (s77)] (assented to  
22 December 2022; GG 47825)

Act No 20 of 2022  
Taxation Laws Amendment Bill  
[B26-2022 (s77)] (assented to  
22 December 2022; GG 47826)

Act No 21 of 2022  
Adjustments Appropriation Bill  
[B23-2022 (s77)] (assented to  
22 December 2022; GG 47829)

Act No 22 of 2022  
General Laws (Anti-Money  
Laundering and Combating  
Terrorism Financing)

Amendment Bill [B18B-  
2022 (s75)] (assented to 22  
December 2022; GG 47802)

Act No 23 of 2022  
Protection of Constitutional  
Democracy against Terrorist  
and Related Activities)

Amendment Bill [B15B-  
2022 (s75)] (assented to 23  
December 2022; GG 47803)

#### **Bills passed in 2023**

Act No 1 of 2023  
Electoral Amendment Bill [B1D-  
2022 (s75)] (assented to 17  
April 2023; GG48432)

Act No 2 of 2023  
Second Adjustments  
Appropriation (2022/2023)  
Bill [B4-2023 (s77)] (assented  
to 30 March 2023; GG 48339)

Act No 3 of 2023  
Constitution 18th Amendment  
Bill [B1-2023 (s74)] (assented  
to 25 July 2023; GG 49041)

Act No 4 of 2023  
Repeal of Transkeian Penal  
Code Bill [B34-2022 (s75)]  
(assented to 16 September  
2023; GG 46371)

Act No 5 of 2023  
Division of Revenue Bill [B2-  
2023 (s76)] (assented to 15  
June 2023; GG48792)

Act No 6 of 2023  
Land Court Amendment Bill

[B11D-2021 (s75)] (assented  
to 16 September 2023; GG  
49372)

Act No 7 of 2023  
Eskom Debt Relief Bill [B5-  
2023 (s77)] (assented to 7 July  
2023; GG48915)

Act No 8 of 2023  
Appropriation Bill [B3-2023  
(s77)] (assented to 7 July  
2023; GG48916)

Act No 9 of 2023  
Financial Matters Amendment  
Bill [B20B-2022 (s75)]  
(assented to 7 July 2023;  
GG48917)

Act No 10 of 2023  
SA Post Bank Limited  
Amendment Bill [B12-2022  
(s75)] (assented to 13  
September 2023; GG49374)

Act No 11 of 2023  
Fund-Raising Amendment Bill  
[B29B-2020 (s75)] (assented to  
20 December 2023: GG: 49939)

Act No 12 of 2023  
Agricultural Product Standards  
Amendment Bill [B15B-2021  
(s76)] (assented to 18 March  
2024: GG 50427)

Act No 13 of 2023  
National Veld and Forest Fire  
Amendment Bill [B24B-2021

(s76)] (assented to 18 March  
2024: GG 50428)

Act No 14 of 2023  
Correctional Services  
Amendment Bill [B14-2021  
(s76)] (assented to 18 March  
2024: GG 50429)

Act No 15 of 2023  
Judicial Matters Amendment  
Bill [B7B-2023 (s75)]  
(assented to 18 March 2024:  
GG 50430)

Proposed Act No 16 of 2023  
Prevention of Hate Crimes  
and Hate Speech Bill [B9D-  
2018 (s75)] (assented to)

Act No 17 of 2023  
Taxation Laws Amendment  
Bill [B36-2023 (s77)]  
(assented to 22 December  
2023: GG: 49894)

Act No 18 of 2023  
Tax Administration Laws  
Amendment Bill [B37-2023  
(s75)] (assented to 22  
December: GG: 49947)

Act No 19 of 2023  
Rates & Monetary Amounts  
Amendment Bill [B35-2023  
(s77)] (assented to 22  
December 2023: GG: 49948)

Act No 20 of 2023  
National Health Insurance

Bill [B11B-2019 (s76)] (Afrikaans) (assented to 15 May 2024 (assented to)

Act No 21 of 2023 Adjustments Appropriation Bill [B34B-2023 (s77)] (assented to 22 December 2023: GG: 49949)

Proposed Act No 22 of 2023 Regulation of Interception of Communications and Provision of Communication-Related Information Amendment Bill [B28B-2023 (s76)] (assented to)

Proposed Act No 23 of 2023 National Land Transport Amendment Bill [B7F-2016 (s76)] (assented to)

Act No 24 of 2023 Division Revenue Amendment Bill [B35-2023 (s76)] (assented to 22 December 2023: GG: 49950)

**Bills passed in 2024**

Proposed Act No 1 of 2024 Divorce Amendment Bill [B22-2023 (s75)] (assented to)

Proposed Act No 2 of 2024 Copyright Amendment Bill [B13F-2017 (s76)] (assented to)

Proposed Act No 3 of 2024 Performers' Protection Amendment Bill [B24F-2016 (s76)] (assented to)

Proposed Act No 4 of 2024 Municipal Fiscal Powers and Functions Amendment Bill [B21D-2022 (s75)] (assented to)

Act No 5 of 2024 Eskom Debt Relief Amendment Bill [B38-2023 (s77)] (assented to 4 April 2024; GG 50452)

Proposed Act No 6 of 2024 Economic Regulation of Transport Bill [B1D-2020 (s76)] (assented to)

Proposed Act No 7 of 2024 Cannabis for Private Purposes Bill [B19B-2020 (s75)] (assented to)

Proposed Act No 8 of 2024 National Road Traffic Amendment Bill [B7D-2020 (s76)] (assented to)

Proposed Act No 9 of 2024 National Council on Gender-Based Violence and Femicide Amendment Bill [B31B-2022 (s75)] (assented to)

Proposed Act No 10 of 2024 National Prosecuting Authority Amendment Bill [B29B-2023 (s75)] (assented to)

Proposed Act No 11 of 2024 National Youth Development Agency Amendment Bill [B13B-2022 (s75)] (assented to)

Proposed Act No 12 of 2024 Revenue Laws Amendment Bill [B39B-2023 (s77)] (assented to)

Proposed Act No 13 of 2024 Expropriation Bill [B23D-2020 (s76)] (assented to)

Proposed Act No 14 of 2024 Electoral Matters Amendment

Bill [B42B-2023 (s75)] (assented to)

Proposed Act No 15 of 2024

Independent Police Investigative Directorate Amendment Bill [B21B-2023 (s75)] (assented to)

Proposed Act No 16 of 2024 Companies Amendment Bill [B27B-2023 (s75)] (assented to)

Proposed Act No 17 of 2024 Companies Second Amendment Bill [B26B-2023 (s75)] (assented to)

Proposed Act No 18 of 2024 Second Adjustments Appropriation (2023/24 Financial Year) Bill [B6-2024 (s77)] (assented to)

Proposed Act No 19 of 2024 South African Post Office Soc Ltd Amendment Bill [B11B-2023 (s75)] (assented to)

Proposed Act No 20 of 2024

Deeds Registries Amendment Bill [B28-2022 (s75)] (assented to)

Proposed Act No 21 of 2024

National Small Enterprise Amendment Bill [B16B-2023 (s76)] (assented to)

Proposed Act No 22 of 2024 Climate Change Bill [B9B-2022 (s76)] (assented to)

Proposed Act No 23 of 2024 Upstream Petroleum Resources Development Bill [B13B-2021 (s75)] (assented to)

Proposed Act No 24 of 2024 Division of Revenue Bill [B4B-2024 (s76)] (assented to)

Proposed Act No 25 of 2024 Housing Consumer Protection Bill [B10D-2021 (s76)] (assented to)

Proposed Act No of 2024 Preservation and Development of Agricultural Land Bill [B8B-2021 (s76)] (assented to)

Proposed Act No of 2024 National Nuclear Regulator

Amendment Bill [B25B-2023 (s75)] (assented to)

Proposed Act No of 2024 South African Institute for Drug-Free Sport Amendment Bill [B41B-2023 (s75)] (assented to)

Proposed Act No of 2024 Gold and Foreign Exchange Contingency Reserve Account Defrayal Amendment Bill [B7-2024 (s77)] (assented to)

**The following bills have also been submitted to the President for assent:**

Basic Education Laws Amendment Bill [B2D-2022] (s76)

Public Procurement Bill [B18D-2023] (s76)

Statistics Amendment Bill [B31D-2023] (s75)

Pension Funds Amendment Bill [B3D-2024] (s75)

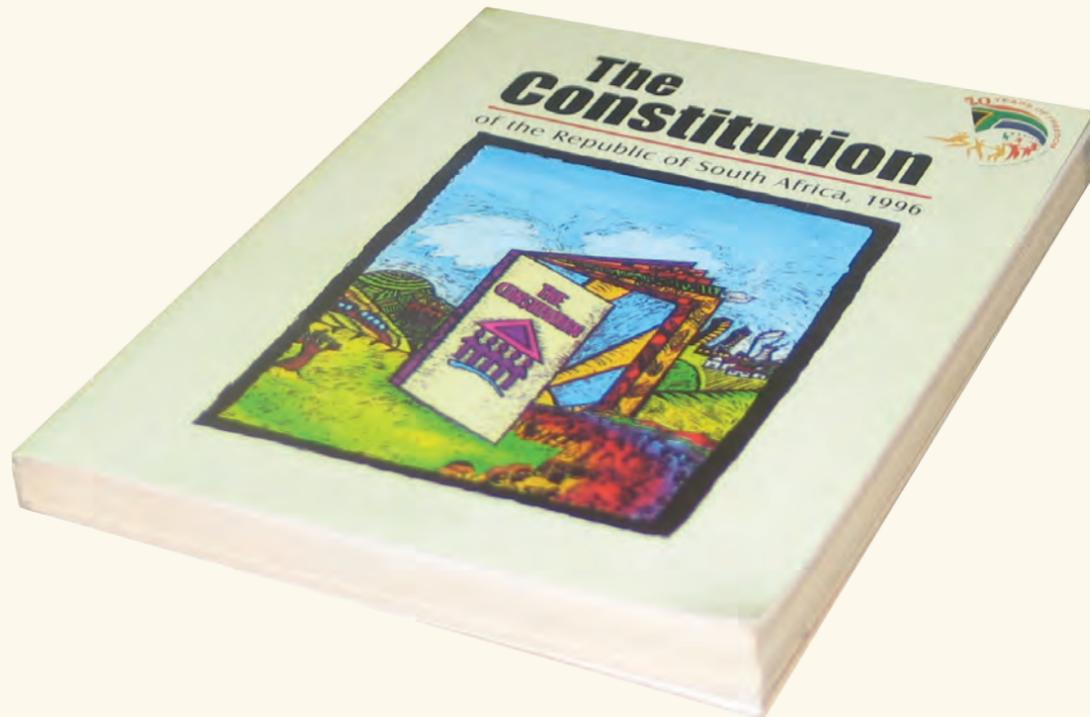
Plant Health (Phytosanitary) Bill [B14B-2021] (s76)

Marine Pollution (Prevention of Pollution from Ships) Amendment Bill [B5-2022] (s76)

Electricity Regulation Amendment Bill [B23B-2023] (s76)

South African National Water Resources Infrastructure SOC Ltd Bill [B24B-2023] (s75)

General Intelligence Laws Amendment Bill [B40B-2023] (s75) 🇷🇷





#### **OUR SOUTH AFRICA – THE SUN**

The sun heals the divisions of the past, improves the quality of life of all South Africans, frees the potential of each person and builds a united and democratic South Africa, taking its rightful place as a sovereign state in the family of nations.



#### **OUR PEOPLE – THE PROTEA LEAVES**

Our people, building on the foundation of a democratic and open society, freely elect representatives, acting as a voice of the people and providing a national forum for public consideration of issues.



#### **OUR PARLIAMENT – THE DRUM**

The drum calls the people's Parliament, the National Assembly and the National Council of Provinces, to consider national and provincial issues, ensuring government by the people under the Constitution.



#### **OUR CONSTITUTION – THE BOOK**

Our Constitution lays the foundation for a democratic and open society based on democratic values, social justice and fundamental human rights. It is the supreme law of our country, and ensures government by the people.