

# in session



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# Presiding Officers celebrate Mandela Day



**CALL TO ACTION: Ms Mapisa-Nqakula and Mr Masondo joined people around the world to celebrate the values embodied by Nelson Mandela of selfless servant leadership.**

*The Presiding Officers of Parliament joined millions of people across the globe in observing the Nelson Mandela International Day recently. July 18 marks Tata Madiba's birthdate, now known as Nelson Mandela International Day, commonly called Mandela Day, following a unanimous decision by the United Nations General Assembly in 2009.*

Mandela Day is more than an annual global celebration of the birth date of democratic South Africa's founding father and its first black President. It serves as a call to action for individuals, communities and organisations worldwide to reflect on President Mandela's timeless values and to make a tangible and positive impact in their own communities. This day holds profound significance for Parliament, as it not only pays tribute to the founding father of our democracy, but also commemorates a

man who endured 27 years in prison to liberate South Africans from the shackles of race-based oppression.

Former President Mandela remains a global icon of peace, forgiveness, compassion, human dignity, human rights and justice for all. Tata Madiba, who peacefully departed from this world in December 2013, left behind an indelible legacy of selfless servant leadership. Throughout his extraordinary life, he displayed an unwavering commitment to nation-building, reconciliation, and social cohesion.

As we reflect on President Mandela's legacy today, we are reminded of his tireless fight against inequality, his boundless capacity for forgiveness and his unshakable moral compass. Though facing formidable obstacles, he never compromised his principles or ideals. His life embodies the power of hope and resilience to overcome even the greatest injustices.

President Mandela's journey illuminates the long arc of justice, showing us that no matter how long

the night, the light of freedom will eventually dawn. His legacy gives us faith that even in the darkest hours, the human spirit can rise up through compassion and moral courage.

As the Presiding Officers, National Assembly (NA) Speaker Ms Nosiviwe Mapisa-Nqakula, and National Council of Provinces (NCOP) Chairperson Mr Amos Masondo, commemorated this year's Mandela Day, they extended a call to all South Africans and leaders locally and globally to embrace Tata Madiba's enduring values, not just as a symbolic gesture, but as a guiding force that shapes our words, actions, and decisions every day of our lives.

The void left by Tata Madiba in the fabric of global politics is irreplaceable. Today, more than ever, our world is in dire need of leaders who exemplify his unique qualities of leadership. We need individuals who tirelessly advocate for peace and justice, possess a powerful presence that disarms opponents, and have the ability to rise above self-interests and focus on collective goals and missions.

July, a month designated by South Africans to honour Tata's extraordinary life, grants us an annual opportunity to tangibly live out his principles in diverse communities across the globe. Beyond mere commemoration, it is our duty to translate his values into concrete actions that uplift the marginalised, empower the oppressed and build bridges of understanding among all people.

In the spirit of giving back, the Deputy Speaker of the National Assembly, Mr Lechesa Tsenoli, and parliamentary staff dedicated their 67 minutes – a tribute to Tata Madiba's 67 years of public service – to honour his legacy. They visited the community of Rawsonville, Western Cape, which

has recently faced the devastating aftermath of floods, displacing over 1 000 people. Through this act of service, Parliament affirmed its commitment to actively address the challenges faced by citizens and offered support in times of need.

Let us all unite in upholding the values that Tata Madiba embodied. Let us strive to be leaders of integrity, empathy and compassion, ensuring that our actions foster a world of equality, justice, and harmony. President Mandela's light continues to guide the way, reminding us that even the most arduous struggle is worth waging if it leads towards a more just and equitable world. 🌍

**ACTS OF SERVICE: President Mandela's example shows us that the hardest struggle can lead to a more just and equitable world.**



**PRIORITY UNDERTAKING: Deputy Speaker Tsenoli marked Mandela Day with a visit to informal settlements in Rawsonville after winter floods left many people without a roof over their heads.**

## NA Deputy Speaker visits Rawsonville flood victims in Worcester

*To mark Nelson Mandela International Day, the Deputy Speaker of the National Assembly, Mr Lechesa Tsenoli, met the community leaders of the Breede Valley Local Municipality in Worcester to hand over clothes and blankets to an informal settlement in Rawsonville, which was devastated by floods that swept the Western Cape Province recently, reports Abel Mputing.*

The people of this community on the banks of one of the river valleys in Worcester complained bitterly that

they never received any assistance from the province's disaster relief fund. Instead, they said, they were left to fend for themselves and are still recovering from the ruinous effects of the floods.

While the Deputy Speaker was investigating the flood damage, members of the informal settlement told him that even pigs live better than they do. They said they have not received the same assistance the province afforded to other victims of floods. They were promised that their informal settlement would be upgraded in the wake of these floods, but nothing has happened.

Mr Tsenoli was accompanied by the Chairperson of the Portfolio Committee on Health, Dr Kenneth Jacobs, who

urged the communities to stand together to find solutions to issues affecting them. He also promised that his committee will ensure that their plight receives the necessary attention in its future oversight programmes.

Mr Tsenoli also assured them that he would note all their concerns and relay them to the relevant parliamentary committees. The committees will in turn relay the concerns to the relevant provincial and national government departments to ensure that they benefit from the provincial disaster relief fund and other initiatives related to it.

He said: "It's critical to ensure that Rawsonville becomes one of the informal settlements that are prioritised by the ad hoc committee

on floods, to see how the plight of its communities can be addressed and to come to a lasting solution that would prevent them from being affected by floods in future."

Rawsonville is densely populated and has no adjacent land to expand, to be redeveloped or to relocate the community, because it's located within commercial farms. But nonetheless a solution must be found. If not, these communities are likely to be affected by similar floods in future because there is no built infrastructure in place to mitigate future floods.

After hearing of the effects of the recent floods in this informal settlement and seeing the dire living conditions, Mr Tsenoli said: "We are here amongst you on this iconic day to honour the values of selflessness that Nelson Mandela embodied. We identified your community as one among many that deserve our act of selflessness that Mandela taught us and that has become the cornerstone of our parliamentary democracy. And there was no day more befitting of such an undertaking than this day," he added. 🌍

*'We identified your community as one among many that deserve our act of selflessness that Mandela taught us and that has become a cornerstone of our parliamentary democracy.'*

*South Africa now has the obligation to develop and strengthen laws, policies and programmes to achieve gender equality in decision-making positions in the political, public and private sectors.*

## National Assembly Speaker Champions Peace on African Continent at SADC PF Plenary

*The Speaker of the National Assembly (NA), Ms Nosiviwe Mapisa-Nqakula, recommitted South Africa to championing peace and stability in the South African Development Community (SADC) region and on the continent by actively contributing to peacekeeping efforts through the South African National Defence Force (SANDF).*

Addressing the 53rd Plenary Assembly of the South African Development Community Parliamentary Forum (SADC PF) in Arusha in Tanzania, recently, Ms Mapisa-Nqakula presented the progress made by South Africa in implementing the resolutions of the last Plenary Assembly (52nd) in Kinshasa, DRC in December 2022.

In line with the theme of the 52nd Plenary Assembly – The Role of Parliaments in Strengthening Legislative Frameworks for Peace and Security in the SADC region – Ms Mapisa-Nqakula emphasised the critical role played by the SANDF in peacekeeping missions on the continent.

She informed the assembly that the President of South Africa is the only one authorised to deploy SANDF for domestic or international operations. She said the President must inform Parliament about the deployment and, if Parliament is not in session, the President must alert the Joint Standing Committee on Defence, which comprises Members of the NA and the National Council of Provinces.

Ms Mapisa-Nqakula reported that Parliament noted a letter received from President Cyril Ramaphosa dated 6 April 2023 informing them about the extension of employment of 1 495 members of the SANDF in

Mozambique and in the Democratic Republic of the Congo. The deployment was from 16 April 2023 until 15 April 2024, in fulfilment of South Africa's commitment to maintaining peace and security in the SADC.



**Ms Mapisa-Nqakula.**

On the matter of the SADC PF's transformation into a regional Parliament, she said South Africa remained committed to the integration of the region and was pleased to announce that President Ramaphosa signed the SADC Agreement Amending the Treaty in January 2023, aimed at recognising the SADC Parliament as an institution. She urged other parliaments to follow suit and looked forward to receiving news that the requisite 12 out of 16 signatures needed for the amendment treaty to come into force had been obtained.

The Regional Women's Parliamentary Caucus, in their report to the 52nd Plenary Assembly, encouraged the SADC member states to work towards the attainment of 50-50 parity by domesticating the SADC Protocol on Gender and Development. Ms Mapisa-Nqakula said significant strides were made by South Africa as the NA approved the Agreement Amending the SADC Protocol on Gender and Development on June 06, 2023, as per section 231(2) of the Constitution.

The agreement requires state parties to enact and adopt appropriate legislative, administrative and other measures to ensure that women and men enjoy equal rights. Under this amendment, South Africa now has the obligation to develop and strengthen laws, policies and programmes to achieve gender equality in decision-making positions in the political, public and private sectors.

In line with the forum's resolutions

on addressing child marriage and gender-based violence, members of the South African Parliament continue to raise questions and awareness on these matters. In March 2022, the Department of Home Affairs released the White Paper on Marriages in South Africa to recommend strategic interventions to make child marriage illegal.

Furthermore, the South African Law Reform Commission additionally proposed the enactment of a draft Prohibition of Forced Marriage and Regulation of Related Matters Bill, which seeks to make forced and child marriage a criminal offence, as well as allow victims of such marriages to apply for a forced marriage protection order. Through legislative efforts, South Africa is taking necessary



steps to ensure compliance with its constitutional and international human rights commitments.

The Food, Agriculture and Natural Resources Committee advocated for SADC member states to put in place deliberate measures, such as renewable energy tax rebates to attract the participation of local investors. Ms Mapisa-Nqakula acknowledged South Africa's struggle with load-shedding and informed the plenary that the country has adopted various means to address the challenge.

One such strategy was the government's announcement of new policy measures to increase the share of renewable energy in the country's energy mix and reduce the pressure on the grid. She said the proposed measures, which form part of the 2023 draft Taxation Laws Amendment Bill, are:

- An enhanced renewable energy tax incentive: The incentive allows businesses to claim a 125 per cent tax deduction for capital expenditure on any renewable energy project, regardless of the generation capacity. It is valid for two years and applies to projects that started operating between 1 March 2023 and 1 March 2025.
- A rooftop solar tax incentive: The incentive offers individuals a tax rebate of 25 per cent of the cost of new and unused solar PV panels, up to a maximum of R15 000. It is valid for one year and applies to panels acquired and used for the first time between 1 March 2023 and 1 March 2024.

Speaker Mapisa-Nqakula concluded by acknowledging the government's efforts in contributing to strengthening the electricity grid and finding solutions through new renewable energy generation. She pledged that Parliament would use all the legislative tools and power to oversee the efforts to fruition.

As the apex parliamentary body in the SADC region, the SADC Parliamentary Forum has a critical role to play in ensuring a coordinated and collaborative approach by parliaments in building the requisite capacity for parliamentarians and relevant parliamentary committees on how they can utilise their law-making and oversight mandate to ensure the effective implementation of resolutions taken at plenary sittings. 🌍

## NCOP Chairperson urges Commonwealth counterparts to focus on rebuilding public trust



Mr Amos Masondo

*The Chairperson of the National Council of Provinces Chairperson, Mr Amos Masondo, said African parliaments need to adopt revolutionary measures to rebuild the public trust lost by global parliaments over the years.*

Addressing a plenary session of the Commonwealth Speakers and Presiding Officers Conference (CSPOC) of the African region recently, Mr Masondo said trust is the lifeblood of resilient democracies. Without it, many democracies will fail, as people's participation, which enhances legitimacy in government, declines to threatening levels.

He said South Africa has adopted openness, transparency and accountability as core values underpinning its constitutional democracy and development, as well as progressive public sector performance. Nonetheless, the South African Parliament, like many democracies of the world, has experienced an unprecedented decline in the level of public trust. All three spheres of the South African government and the legislative sector must spare no effort in ensuring that the value of openness, transparency and accountability find practical expression and meaning in their daily operations and interactions with citizens.

There was unanimity among speakers during the debate on public trust that parliaments must develop and use their "teeth to bite" those that undermine openness, transparency and accountability, and those who abuse power and are involved in illegal and unconstitutional conduct, corruption and unaccountable executive practices.

It is incumbent on all current Members of Parliament to play their role, such that future generations inherit effective and working parliaments.

The 63 national and sub-national Parliaments and legislatures, under the umbrella of the African Region of the Commonwealth Speakers and Presiding Officers Conference, gathered in Yaounde in Cameroon to address a range of mutually beneficial issues and challenges. The conference formed part of African parliaments' preparations for the 27th World Commonwealth Speakers and Presiding Officers that will be hosted by Ghana early next year.

The conference debated and developed frameworks for effective parliamentary interventions to deal with climate breakdown and the attendant devastation, agricultural production to ensure food security, and strengthening of measures to execute the Africa Continental Free Trade Agreement, which holds hope for a prosperous Africa. South Africa's national Parliament was represented

by NCOP Chairperson Masondo and NA Speaker Nosiviwe Mapisa-Nqakula, while all provincial legislature speakers represented the sub-national member legislatures at the CSPOC.

The conference adopted key resolutions on how best these legislatures could collaboratively ensure that the over 1.3 billion African citizens realise a better life as envisaged in the NEPAD-led African Agenda 2063.

The resolutions included:

1. Heightened investments in agriculture research and development, and facilitation of better land acquisition by women, while strengthening intra-Africa trade to overcome general global headwinds that include the conflict between Ukraine and Russia.
2. Build the continent's capacity to deal with climate changes and related disasters including mobilising resources to fund initiatives that include encouraging private sector investment in alternative energy sources and harmonious policies.
3. Ensuring that the Africa Continental Free Trade Agreement is ratified by all, with closely tracked execution and reporting plans on progress made.
4. Sparing no effort to reconnect parliaments with the people by strengthening legislatures' openness, transparency and accountability, while using executive oversight to rebuild trust. 🌍

## NCOP Chairperson calls for sustainable interventions to halt devastating effects of climate change



Mr Amos Masondo

*The Chairperson of the National Council of Provinces (NCOP), Mr Amos Masondo, joined a global call for stronger and more sustainable interventions across all spheres of governance and society to halt and reverse the devastating effects of climate change.*

Mr Masondo addressed a plenary session of the Commonwealth Speakers and Presiding Officers Conference (CSPOC) of the African Region that was held recently in Yaoundé in Cameroon. The conference heard that losses in revenue generated from agriculture and business opportunities due to incessant rains, other natural disasters and unprecedented heatwaves all have a devastating impact on people's lives across the continent.

Solving climate change and its consequences requires all spheres of government working together. Mr Masondo also called for the global climate awareness movement to make a difference and to reach municipalities to find a local expression for climate action in a well-coordinated manner.

Other member legislatures of the CSPO also made inputs in the debate, proposing that all parliaments use

their oversight mandate and climate-responsive budget to empower successful execution of interventions. They also proposed the introduction of proper carbon pricing, which could generate over R900 billion rands for Cameroon alone, let alone the whole continent.

The conference also considered what African parliaments can do to accelerate the successful execution of the Africa Free Trade Area, the agreement endorsed by many countries, including South Africa.

Making her contribution during this debate, the Speaker of the National Assembly, Ms Nosiviwe Mapisa-Nqakula, regretted that Africa's raw materials are exported without local beneficiation, which results in the continent's stagnation and de-industrialisation, despite its rich natural resources. "As a continent with rich mineral and energy resources, I am compelled to mention that our mineral reproduction, trade and investments require urgent collective attention, beyond policies and our debates. We continue to produce and export raw materials yet our countries continue to suffer from deindustrialisation and poor beneficiation.

"Our industrial policies need serious consideration and rethink, so that we become the main beneficiaries to address unemployment of young people and other related constraints. The promotion of intra-African trade remains an imperative to boosting African economies and make it possible to address the triple challenges of poverty, inequality and unemployment in our various societies all around the continent."

As custodians of oversight and accountability, parliaments need to reaffirm their centrality in the implementation of the African Continental Free Trade Agreement, Ms Mapisa-Nqakula continued. She called for responsive and agile budgetary processes that deal appropriately with trade among the African countries, including the gender dimensions of growth and development. 🌱



Mr Seiso Mohai (middle)

## Climate Change Threatens Food Production and Regional Infrastructure

*Climate change has an impact on food production and economic activity within the Southern African Development Community (SADC) region and can have devastating effects on the infrastructure that connects neighbouring countries, causing huge economic losses, writes Jabulani Majazi.*

These were sentiments of Mr Seiso Mohai, a delegate from South Africa to the 53rd Southern African Development Community (SADC) Parliamentary Forum, held in Arusha, Tanzania, recently. Mr Mohai, a member of the SADC Standing Committee on Food, Agriculture and Natural Resources, said concerted efforts from member states are required on measures to mitigate against disasters such as those that affected South Africa in recent months.

Recent global events have made it clear that we have a long way to go in the fight against hunger and have undone much of the progress we have made over the years, said Mr Mohai during his statement in support of the Committee on Food, Agriculture and Natural Resources. Mr Mohai proposed agro-processing in which wheat is turned into various nutritious foods that last longer on the shelf, waste less and ensure there is enough food for everyone. This also results in a variety of safe and healthy options to eat and

can help people make better food choices and live healthier lives.

Mr Mohai further proposed that regional countries need to adopt South Africa's Agriculture and Agro-Processing Master Plan to address food insecurity. Furthermore, South Africa, like most countries, believes that agro-processing plays a crucial role in ensuring food security, improving well-being and driving job creation.

The Agriculture and Agro-Processing Master Plan was created in discussions with government, businesses, labour groups and civil society organisations. It provides a roadmap for making the agriculture sector more competitive through innovations in technology, improving infrastructure and embracing digitalisation, as well as generating employment opportunities, particularly for women and youth.

Mr Mohai cautioned that for agro-processing to be successful, member state need to support it with good policies and investments, including by investing in infrastructure, providing access to finance and technology, and creating an enabling environment through supportive policies and regulations.

Mr Mohai concluded by saying, "We are confident that the implementation of our Agriculture and Agro-Processing Plan will propel our country towards a brighter and more prosperous future." 🌱

## SADC must ensure women are protected against digital-based gender violence

*The Regional Women's Parliamentary Caucus to the 53rd Southern African Development Community (SADC) Parliamentary Forum, which was held in Arusha, Tanzania, recently, raised concerns about the imbalance in the reporting of issues affecting women in the mainstream media, as well as online gender-based violence and harassment, writes Jabulani Majozi.*

Ms Regina Esparon from the Seychelles, who is the Chairperson of the Regional Women's Parliamentary Caucus, presented a report on the theme Leveraging Social Media to Advance Women's Political Participation in the SADC Region.

The Women's Caucus reported that its

members received training in using social media and were exposed to the benefits and dangers of using social media platforms for advocacy and communication. The Women's Caucus encouraged SADC women in the political sphere to embrace social media but urged them to exercise caution and be aware of the potential for cyberbullying.

South African MP Ms Kate Bilankulu seconded the motion, saying that she appreciated the serious limitations and risks highlighted by the Women's Caucus concerning the use of social media. She added that there is still a great deal of concern about the online abuse and harassment of women, which threatens, intimidates, harasses and humiliates women in online spaces.

Ms Bilankulu said the media plays a very important role in disseminating information in society. However, media coverage of women is imbalanced

in comparison to the coverage of men's activities. "Women are either underrepresented or misrepresented in the media and as can be expected, this threatens, or at least reduces their political prospects," she said.

Ms Bilankulu called for SADC women parliamentarians to harness the use of digital platforms to publish compelling stories about themselves and make brand names for themselves so that the world can recognise their worth. Furthermore, publishing stories from the viewpoint of women may help to address the negative gender stereotypes often portrayed in both traditional and new media organisations. Violence against women and girls can still be largely located in existing gender inequalities in the SADC region.

Ms Bilankulu reminded the plenary that in 2008, SADC heads of state and government adopted the SADC Protocol on Gender and Development. The SADC protocol focused on four main pillars: gender mainstreaming; women in politics and decision making; gender-based violence; and women's economic empowerment. Ms Bilankulu said, "It is

quite disheartening to note that, in this day and age, women in the SADC region still face challenges related to gender inequality."

The plenary also heard that there is a need to increase women's and youth's access to digital technology and it called upon SADC member states to grant tax rebates or subsidies on the importation of digital devices.

Ms Bilankulu concluded by saying SADC member states should ensure the provision of reliable electricity supply and internet connectivity, especially in remote areas, while negotiating with mobile service providers to provide affordable airtime and data. 📶



MP Ms Kate Bilankulu

## South African Delegation Convinces SADC to Support a Female Candidate for IPU President

*The 53rd Southern African Development Community Parliamentary Forum (SADC PF) concluded its plenary in Arusha in Tanzania recently with the adoption of a motion to nominate a candidate*

*to contest the position of President of the Inter-Parliamentary Union (IPU), despite some initial resistance to the nominated candidate from some member states, writes Jabulani Majozi.*

South Africa tabled a motion for the SADC region to endorse the candidature of the Speaker of Tanzania, Dr Tulia Ackson. One reason given for the support of the motion was the need to support and advance women's representation in the highest political offices.

The IPU is a global organisation representing national parliaments. The term of the current president of the IPU, Mr Duarter Pacheco, a Member of Parliament from Portugal is coming to an end. His position will be filled during the 147th IPU Assembly to be held in Luanda, Angola from 23 to 27 October 2023.

Speaker Mapisa-Nqakula carefully explained the process that led to tabling the motion, as moved by Mr Darren Bergman, a delegate from the

South African Parliament. Speaker Mapisa-Nqakula said, "I don't want people to divide the South African delegation. We are not going to be divided on this matter and the motion moved by Bergman is a motion of the South African delegation."

The speaker refuted claims that South Africa's motion was based on undermining the economies of other member states and said that South Africa is on record calling for the lifting of sanctions against Zimbabwe and other African countries experiencing economic hardships through sanctions.

Delegates to the 53rd SADC pointed out that most former past and current presidents of the IPU have been men and it was therefore time to field a female candidate. Earlier in the plenary, a delegate from South Africa, Ms Kate Bilankulu, said in her speech

seconding the report of the Regional Women's Parliamentary Caucus that the 2008 SADC heads of states and governments had adopted the SADC Protocol on Gender and Development.

The SADC protocol is based on four strategic areas namely: Gender Mainstreaming; Women in Politics and Decision Making; Gender Based Violence and Women Economic Empowerment. During a heated debate on the motion, Zimbabwe and Malawi questioned the motion whether the motion was procedurally correct in that it limited the nomination to just one name and omitted other potential candidates from the race.

The Deputy Speaker of the Parliament of Botswana, Mr Pono Moatlhodi, moved that SADC adopt the motion calling for the Tanzanian Parliament Speaker's name to be the only name put forward for the incoming vacant position in the IPU. Mr Moatlhodi further called for unity, cooperation and coherence and reminded the delegates that supporting female candidates election to political office is an official SADC region position.

Speaker Mapisa-Nqakula concluded by telling delegates that regional solidarity and unity must be preserved for SADC to present a united front in contesting the IPU presidential position against other regions. 🌍



## Speaker calls on Speakers' Forum to use its legislative mandate for progress on gender transformation



*While providing concluding remarks at a three-day gender summit that took place at the Capital Zimbali Hotel in KwaZulu-Natal recently, the National Assembly Speaker, Ms*

*Nosiviwe Mapisa-Nqakula, urged the South African Legislative Sector (SALS) to use its legislative and oversight mandate to ensure meaningful and impactful progress on gender transformation in South Africa.*

The Speaker noted that the discussion had highlighted the structural barriers that impede gender transformation and emphasised the importance of collaboration with all relevant stakeholders.

Meanwhile, she welcomed the robust discussions on the need for planning, intentional policy-making and deliberate and responsive oversight.

The summit was a critical component of the building blocks aimed at facilitating economic transformation

for the benefit of women, reducing gender discrimination, promoting gender mainstreaming and eradicating gender-based violence.

The summit agreed to the following recommendations:

### **GENDER MAINSTREAMING**

An intersectional lens is required to address gender mainstreaming for women, girls, LGBTIQ+ persons and gender non-binary persons. The legislative sector is to implement transformational programmes for women, especially rural women and girls for economic transformation.

### **LEGISLATION AND PUBLIC POLICY**

The legislature to engage in legislative reform that aim to address barriers that inhibit women's participation.

### **BUDGETS**

Legislatures must oversee the maximisation of targeted financing to accelerate the achievement of gender-responsive planning, budgeting, monitoring and evaluation. The South African Legislative Sector ensures that the Auditor-General audits the financial analysis of departmental votes using gender indicators.

### **OVERSIGHT OVER GOVERNMENT**

#### **SERVICE DELIVERY**

The summit committed to ensuring the use of gender-responsive oversight tools to monitor the development and implementation of strategies and plans to address issues related to equality and justice in South Africa. The sector is to develop an oversight plan to guide oversight of the National Strategic Plan on Gender-based Violence and Femicide.

### **PUBLIC PARTICIPATION**

The summit acknowledged that men and boys must be encouraged to take an active part in and to engage fully as agents and beneficiaries for change in the realisation of women's economic transformation and the eradication of gender-based violence.

### **INTERNAL PROCESSES OF LEGISLATURES**

The legislative sector is to develop a stakeholder engagement plan and partnership framework inclusive of all sectors to advance gender mainstreaming in South Africa. Furthermore, the legislatures are encouraged to develop national action plans for oversight of the attainment of gender equality insofar as women's economic transformation and oversight where gender-based violence is concerned.

### **WOMEN AND THE ECONOMY**

The sector is to take lessons on the systematic transformation of the gender landscape from other sectors and state institutions to address the continued gender gaps in the labour force, participation, and leadership; wages and income; occupational segregation; social norms and workplace culture.

Having considered the recommendations, the Speaker encouraged the sector to thoroughly engage and scrutinise to put in place mechanisms for the implementation. She said the sector has the responsibility and the power, on behalf of the electorate, to hold the government accountable for budget allocation and expenditure that supports gender mainstreaming and transformation indicators. 🌍



# Rules committee gains rich experience from UK Parliament

*Members of Parliament's Rules Committee conducted a successful benchmarking study tour in the United Kingdom's (UK's) Parliament's House of Commons recently. The study tour explored the mechanisms available to conduct oversight over the presidency, with the goal of enhancing the effectiveness of parliamentary oversight in South Africa.*

The delegation consisted of senior Members of Parliament from various parties in the National Assembly. It engaged in discussions with independent experts who closely monitor and follow the work of the UK Parliament. One such expert was Ms Alice Lilly, a senior researcher from the British Institute of Government, the UK's leading independent think-tank focused on making government more effective.

With its in-depth analysis, expert commentary and influential public events, the institution seeks to understand and improve the functioning of government. Their rigorous evidence-based research and data analysis, coupled with insights from key decision-makers, enable them to propose fresh ideas and constructive recommendations for enhancing government processes.

The discussion delved into the historical link between the work of Parliament and the Office of the Prime Minister and analysed the challenges and successes of the existing oversight mechanisms in the UK House of Commons. The meeting also shed light on the political tensions that surround the relationship between the Prime Minister's office and Parliament,

which are not uncommon in a robust parliamentary oversight system.

In addition, the Rules Committee met with Sir Malcolm Jack, a retired long-serving clerk of the House of Commons who shared his insights and experiences regarding the parliamentary oversight systems and procedures, particularly in relation to the Office of the Prime Minister. Drawing upon his years of service, he provided the delegation with a comprehensive understanding of the mechanisms at play and the challenges encountered.

These engagements with independent experts and the information gathered, in addition to the information gleaned with engagements with representatives of the House of Commons, will greatly assist the Rules Committee in formulating an improved mechanism for parliamentary oversight over the executive branch.

The committee's objective aligns with the recommendations made by the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector, Including Organs of the State. By examining the lessons learned from the UK House of Commons, independent bodies and research conducted on the oversight system of 12 sister parliaments internationally, the Rules Committee aims to develop a tailored and effective oversight system unique to the South African context.

The study tour concluded with discussions on taxation and policy at the Institute for Fiscal Studies, an economic research institute specialising in taxation and public policy. The delegation also met with the UK Office of Budget Responsibility, which serves as the equivalent of the South African Parliamentary Budget Office. These discussions will



provide further insights into budgeting and independent economic and fiscal forecasting, offering valuable perspectives for enhancing the South African Parliament's oversight over budgetary processes.

The South African Parliamentary Rules Committee expresses its gratitude to the UK Parliament's House of Commons, the British Institute of Government, and all the experts and institutions involved for their support and cooperation throughout the benchmarking study tour. The delegation is confident that the knowledge gained, and the lessons learnt will contribute significantly to strengthening parliamentary oversight in South Africa, fostering good governance and ensuring accountability to citizens.

The leader of the delegation and the National Assembly's House Chairperson for committees, Oversight and ICT, Mr Cedric Frolick said: "The experience from this exercise has reaffirmed the importance of continuous learning and knowledge exchange in shaping effective parliamentary oversight. The insights gained from our engagements with independent experts and the in-depth analysis of parliamentary systems has provided us with a solid foundation to chart a way forward for our own oversight mechanisms."

He added: "Moving forward, we are committed to leveraging the lessons learned and implementing necessary reforms to strengthen our parliamentary oversight systems. Our aim is to ensure transparency, accountability and good governance

within our democracy. We will take into account the successes, challenges and best practices observed during this study tour, as well as draw upon our own unique context, to develop an enhanced framework for parliamentary oversight in South Africa.

"The public can expect a more robust and efficient Parliament that is dedicated to serving their interests. We understand the importance of their trust and confidence in our democratic institutions. Through the implementation of effective oversight mechanisms, we will strive to protect their rights, address their concerns and hold the executive branch accountable. We are committed to ensuring that our Parliament remains a strong pillar of democracy, serving as a platform for open dialogue, inclusivity and effective decision-making. Together, we will work towards a better future for our democracy, guided by the principles of transparency, accountability and good governance," he concluded. 🙏

*'This experience has reaffirmed the importance of continuous learning and knowledge exchange in shaping effective parliamentary oversight.'*

# Eastern Cape residents support Older Persons Amendment Bill



*The Portfolio Committee on Social Development is holding public hearings in the provinces on the Older Persons Amendment Bill. The committee started with hearings on the Bill in June in Limpopo, and in July and August will be in the Eastern Cape, KwaZulu-Natal and Mpumalanga. In these hearing that have already taken place, elderly people supported the Bill and expressed welcomed the opportunity to express their views on it, writes Mava Lukani.*

The elderly people in the hearings held in the Eastern Cape urged the committee to ensure that they are educated about the Bill before the committee arrives, as there were no workshops on the Bill before the public hearings took place. Had there been workshops beforehand, their contributions would have been more meaningful, they said.

Meanwhile, in supporting the Bill, the elderly people said that in as much they appreciate the services they receive from government, some services are still lacking. They

also have become more and more vulnerable to escalating crime, crimes they claim are perpetuated by their unemployed children. Load-shedding increases their risk of being robbed, physically and sexually abused by criminals they call “amapara”.

*Amendments in the Bill include strengthening the protection and prevention of abuse of older people and eliminating harmful traditional practices, including witchcraft accusations.*

The Older Persons Amendment Bill aims to strengthen the protection and prevention of abuse of older people, eliminate harmful traditional practices, including witchcraft accusations against older people, and recognise the responsibilities of older people in passing on inter-generational knowledge and wisdom. The Bill also seeks to make provision for the removal of older people to temporary safe care without a court order.

#### **What challenges does the Older Persons Act seek to address?**

The Bill seeks to address the gaps that were identified in the Older Persons Act and its implementation. It thus seeks to address the following challenges:

- lack of co-ordination between governments to deliver services for older people
- non-inclusion in the Act of the valuable role older people play in

- their families in terms of passing knowledge and wisdom to younger generation
- lack of legal provision for older people to be capacitated on non-communicable diseases
- lack of legal provision for services to older people with disabilities and chronic illnesses
- lack of proper monitoring and registration of community-based care services and residential facilities
- lack of legal provision for training of caregivers providing frail care services
- lack of legal provision for the removal of older people to temporary safe care, resulting

in older people continuing staying with the abusers in cases where they have no alternative accommodation

- gaps in bringing the alleged abuser before a magistrate. Cases of abuse of older people are often thrown out of court due to lack of evidence
- Lack of a legal definition of physical older person abuse resulting in lack of protection from certain unlawful activities that constitute physical abuse
- gaps in terms of empowering a clerk of the court or registrar to provide the Minister with the details of an offender, conviction and sentence for the purposes of adding such information to the register upon conviction and sentence

#### **What are the key amendments to address the challenges?**

The key amendments in the Bill include strengthening the protection and prevention of abuse of older people; strengthening of co-ordination mechanisms between government departments; elimination of harmful traditional practices including witchcraft accusations against older people; making provision for recognising the responsibilities of older people in passing inter-generational knowledge and wisdom; enabling the Minister of Social Development in consultation with members of the provincial executive to make information available and counselling on non-communicable diseases; strengthen registration and monitoring of residential facilities and community-based care and support services; safe removal of older people to a place of safety; inclusion of a person who has been maltreated, abused, neglected or de-graded by a care giver or a family member as a person in need of care and protection; extension of the definition of physical abuse to include unlawful detention, medical sedation or shackling, deprivation of nutrition or medical care, neglect or exploitation of an older person in any manner. 🌟

# Bill aims to give people more say on municipal boundary changes

Committee Chairperson Mr Fikile Xasa



**NATIONWIDE PUBLIC CONSULTATIONS:** The Portfolio Committee on Cooperative Governance and Traditional Affairs is currently travelling the length and breadth of the country to hear what people have to say about the draft legislation on municipal demarcation.

*The Independent Municipal Demarcation Authority (IMDA) Bill, which is currently a subject of nationwide public consultation process hosted by the Portfolio Committee on Cooperative Governance and Traditional Affairs, is expected to address the problems posed by the high number of municipal boundary disputes by ensuring enhanced public consultation and creating an appeals platform, reports Sakhile Mokoena.*

Disputes about changes in municipal boundaries and delimitation of wards have often resulted in violent public protests and lengthy court challenges. This new piece of legislation seeks to address these challenges by ensuring thorough consultation with communities affected by demarcation changes.

The Bill seeks to repeal and replace the Local Government: Municipal Demarcation Act, to align and update the legislation with current Demarcation Board practices, and to rename the Municipal Demarcation Board (MDB) as the Independent Municipal Demarcation Authority. It also makes provision for the establishment of the Demarcation Appeals Authority to deal with appeals; and provides for more extensive public participation and stakeholder consultation for any demarcation or delimitation of municipal wards.

The committee has so far conducted public hearings on the Bill in four provinces: Eastern Cape, Northern Cape, Free State and KwaZulu-Natal. It will continue with the process until all nine provinces are completed to give every South African an opportunity to make an input on the IMDA Bill. Public participation is one of Parliament's objectives and a constitutional obligation. The Constitution requires Parliament and its committees to facilitate public involvement in their legislative and other related processes.

During the public hearings in the provinces, citizens suggested that the new demarcation body that the Bill seeks to create must establish smaller municipal wards and municipalities that will be easy to manage for effective service delivery. They said the current arrangement of big wards and vast municipalities hinders service delivery, as many municipalities struggle to serve every citizen.

The practice of grouping together poor towns with no economic activities was criticised during the public hearings. There was a suggestion that in order to create economically viable municipalities, smaller towns should be merged with bigger towns that have vibrant economies.

Other participants in the hearings told the committee that the process of changing municipal boundaries and delimiting wards must run concurrently with Statistics South Africa's census for better government planning. There was also a submission that changes in municipal boundaries or ward delimitation should not disrupt planned developments, and that any

existing plans for development should continue even after re-demarcation.

Another input was that the Independent Municipal Demarcation Authority should consider the provisions of the Spatial Planning and Land Use Management Act. There was also a proposal that prominent features such as rivers, mountains and major roads must be used to demarcate to avoid confusion in communities.

Residents also told the committee that any changes in demarcation should consider the objectives of municipalities' integrated development plans and ensure undisrupted service delivery. Residents also submitted that municipal demarcation must consider growing population numbers and make use of the latest census records.

There was a common feeling among citizens that the frequent changes in the demarcation of municipal boundaries and the delimitation of wards is a major cause of instability in many municipalities and can also disrupt local government planning. The residents proposed that any reviews or changes of municipal boundaries must only happen after 10 or 15 years to avoid causing instability and disruption in municipalities.

There were those who felt that there was no need for a new legislation; instead, they said government should have identified weaknesses in the existing law and made some changes such as strengthening public consultation during demarcation and delimitation of wards.

Overall, citizens declared their support for the Bill and told the committee that they hoped the new Independent Municipal Demarcation Authority proposed in the Bill will resolve some of the existing demarcation discrepancies. They also claimed that the current demarcation board was taking too long to resolve demarcation disputes.

Committee Chairperson Mr Fikile Xasa thanked members of the public for their inputs on the Bill. He dismissed the criticism that the process was just to rubberstamp the Bill. "The committee doesn't have a position on the Bill. Our duty is to gather the views and opinions of the public on the Bill. All submissions are equally important for this process. The committee will at the end of the public consultation process go through all the submissions before compiling a report for tabling in the National Assembly for a decision," said Mr Xasa.

He also clarified what appeared to be confusion between the work of the committee and the current MDB and assured the public that the MDB was still in existence and performing its duties. All demarcation concerns should be referred to it.

"All concerns about existing demarcation disputes will be referred to the Municipal Demarcation Board and all other service delivery-related matters raised during the public hearings will be referred to the relevant national and provincial government departments as well as local government," said the committee Chairperson. 🗣️

# Careful monitoring of expenditure of state-owned enterprises can curb debt



Ms Benedicta van Minnen

*A delegation of the Standing Committee on Public Accounts (SCOPA) participated in the Southern African Development Community Organisation of Public Accounts Committees (SADCOPAC) peer review meeting with the South African Association of Public Accounts Committees which took place recently in Durban in KwaZulu-Natal, reports Faith Ndenze.*

SCOPA member Ms Benedicta van Minnen gave an overview on South Africa's debt management practices and the oversight role that Parliament can play in effective debt

management. She touched on the significant impact the bailouts of various state-owned enterprises (SOEs) have had on public debt management in South Africa. "SOEs rely heavily on government guarantees as they fail to meet their debt obligations, raising concerns about their budget process and governance issues. Intense monitoring of SOE expenditure and making these viable enterprises can assist in curbing debt management," she said.

Ms van Minnen told the meeting that effective management of public debt creates trust in the government's work and helps to control debt and encourage investment. "Maintaining such control over public debt will eventually help government to repay the money it has borrowed and, in the

process, minimise its reliance on local and foreign investors," she said.

Ms van Minnen also detailed the important role South Africa's National Treasury plays in creating a sustainable economy in collaboration with other executive institutions. There is also increasing recognition of the unique roles that parliaments can play in governing public debt, particularly through public accounts committees' oversight powers.

"To effectively undertake this oversight work, it is important for Members of Parliament to understand the support available to them and the context of their work. This support includes the work of the Parliamentary Budget Office and parliamentary research services, which make unique contributions in the provision of high-quality information to Parliament," she said.

SCOPA acts as Parliament's watchdog, scrutinising expenditure, identifying inefficiencies and making recommendations for improvement. It also reviews performance audits on public expenditure and issues recommendations. Currently, there is limited collaboration between SCOPA and other committees such as Finance and Appropriations.

"Debt management will require all these committees to work together to reduce wastage, corruption and mismanagement of public funds. In 2021, for example, South Africa's Appropriation Bill was referred to the Standing Committee on Appropriations (SCoA), following which SCoA debates on the matter highlighted how Parliament can raise matters of concern around public debt through the review of the budget proposals. One of the key issues raised by SCoA was on the bailouts of SOEs," she said.

Ms van Minnen said parliamentary committees can recommend corrective action and their work can have a practical value if it monitors the implementation of recommendations. She also emphasised the crucial role played by Parliament in debt management through the budget process and oversight of the National Treasury.

"This includes monitoring the implementation of fiscal policy and debt management strategies, such as austerity measures. The Money Bills Amendment Procedure and Related Matters Act empowers Finance committees (the Standing Committee on Finance and the Select Committee on Finance) to consider and report on various fiscal matters. They are responsible for overseeing fiscal management, including public debt management," she said.

Ms van Minnen concluded by saying that although Finance committees have a significant role to play in fiscal and debt management, they cannot do it alone. They require the involvement of other committees such as Appropriations and SCOPA, which seek to curb wasteful spending. 🌟

## SCOPA makes progress in holding executive accountable through public finance management

*A delegation of Standing Committee on Public Accounts (SCOPA) members participated in the Southern African Development Community Organisation of Public Accounts Committees peer review meeting with the South African Association of Public Accounts Committees*

*in Durban in KwaZulu-Natal, writes Faith Ndenze.*

SCOPA member Mr Sakhumzi Somyo gave an input on the Southern African Development Community (SADC) model law in which he spoke about public financial management in South Africa and the role of public accounts committees in the implementation of the model law.

Mr Somyo said the SADC model law on public financial management will help member states close existing legal and regulatory gaps in public finance management across the SADC region. "It serves as a benchmark and guiding legal instrument for national parliaments to reinforce their domestic legal framework on public financial management," he said. The model law aims to heighten parliamentary oversight powers over the public

financial management processes of the state to ensure transparency, accountability and the necessary checks and balances. It also aims to foster accountability, transparency, independence and modernity by providing for efficient and effective processes to be followed.

Mr Somyo said in South Africa, public financial management is anchored by the Public Finance Management

Act (PFMA) 1 of 1999, which regulates financial management and the optimum utilisation of public resources. He also said in addition to the PFMA, several legislative prescripts have been produced to fight the scourge of corruption, especially in the public service, and to discourage public officials from doing business with the state.

Mr Somyo also emphasised the role played by SCOPA in this area. "SCOPA in the National Assembly has made strides in holding the executive to account by examining financial

statements of all state organs including departments and entities," he said.

Although the model law on public financial management has been approved, it is not currently applied in South Africa. In a sitting of the National Assembly in November 2022 that considered the report on the development of SADC model law on public financial management from the virtual SADC Parliamentary Forum stakeholder consultative session with committee chairpersons, the House moved to adopt the report. 🗳️



Mr Sakhumzi Somyo

## Deputy Speaker calls for retention of experienced Members of Parliament after elections



Deputy Speaker Tsenoli

*The Deputy Speaker of the National Assembly (NA), Mr Lechesa Tsenoli advised members of the Southern African Development Community' Organisation of Public Accounts Committees (SADCOPAC) to find ways to retain skilled and experienced Members of Parliament and Provincial legislatures after elections, especially those serving in Public Accounts committees. He said this will help bolster accountability and ensure continuity in public finance oversight.*

Deputy Speaker was addressing the SADCOPAC Peer Review meeting held at the Southern Sun Elangeni in Durban recently. SADCOPAC is the region's organisation of Public Accounts committees, comprising of committees from fifteen (15) member countries

and nine South African provincial legislatures.

Mr Tsenoli said governance is not automatic, and to ensure continuity members of the regional body must appeal to their political parties to retain MPs with skills and experience in public accounts after elections.

"Our education system does not produce readily available governance specialists. In the majority of instances, because this is a political and democratic process, we do not always have the skills we had in those who return to Parliament. But it is important for political parties to be sensitive to retaining people with experience, so that what happens inside the legislatures is handled properly by those who have, not only the experience, but the expertise they have learned along the way", he said.

He emphasized that even though political parties have powers to retain members, the democratic processes in the form of elections are necessary and must be respected.

"Of course, democratic changes are necessary, and this is why we talk about continuity on the one hand and appropriate changes on the other. Because we also can't retain people who, for whatever reason, may not have been able to go through the election process successfully. But parties have a big hand in ensuring

that they can return the best of their members, especially in public accounts committees", he added.

He illustrated to the meeting how South Africa, as a constitutional democracy, functions and how the key role played by SCOPA and the provincial public accounts committees safeguards the public purse, despite the challenges.

He said Public Accounts committees are integral in the management of public resources, and regional collaboration is a great instrument. He added: "It's an important political accountability question on who does it, who gets to benefit from it, and whose interests are advanced in those resources that the country has.

"The necessity for using resources sustainably and in a consistent manner applies, not just to money, but also to overall public resources, such as mining and mineral resources and how these are managed in the interest of the countries in which they are found. But also, to the benefit of the region and an appropriate return for those countries that export them."

The Peer Review meeting forms part of preparations for the 16th annual SADCOPAC conference which will be held in Durban, South Africa, on 28 September to 5 October this year. Mr Tsenoli requested members to use the meeting to learn from each other and share best practices on how efficiently public accounts committees can play their oversight roles in their respective countries to ensure that

public spending translate into tangible benefits for members of society.

"SADCOPAC, the regional body, is important for enabling us to share from each other the specificities of the systems we have put in place in our respective countries to manage this, and whether they can be adapted creatively in respective jurisdictions, as we also learn from them", Mr Tsenoli said.

SADCOPAC members arrived in South Africa on Monday and held a series of courtesy engagements with the Auditor General, SARS Commissioner, before they proceeded to Durban to meet the Speaker of the KwaZulu Natal Provincial Legislature, to hold the Peer Review meeting, and to inspect the province's readiness to host the conference.

"We look forward to October when the conference takes place here (in South Africa). There is going to be a huge sharing of experiences and practices that advance the interests of the continent and our individual countries from this important area of responsibility", Mr Tsenoli concluded.

The 15th SADCOPAC Annual Conference, the 19th Annual General Meeting, and the 20th Anniversary Celebrations of the establishment of the regional body will all take place in Durban, South Africa, under the theme "Enhancing Oversight for advanced ethical public financial management and accountability towards the Development of Africa". 🗳️

# Lack of Service Delivery in Emfuleni a sore point for NCOP Committee



*A place that was once the heartbeat of South Africa's struggle for liberation and democracy is a shadow of its glorious past. With potholed roads, water running everywhere and dirty streets, Emfuleni Local Municipality is struggling to deliver on its constitutional mandate, writes Malatswa Molepo.*

This assessment was made by the

Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (COGTA) during its oversight visit to the municipality recently.

"What we have seen today is a municipality on its knees or worse beyond the grave. A question we must ask is: what is it that we are doing to reverse the situation in the Vaal and not undermine the history of this town? In reality, all cities are improving and developing but all that is non-existent in this town," said Mr

China Dodovu, the Chairperson of the committee.

The committee is concerned that the municipality has in general regressed since the audit opinion of the 2021/22 financial year, with residents bearing the brunt of no service delivery. What is worse, according to the committee, is that the municipality has no control of its accounts following a court order allowing Eskom to attach the municipality's accounts. As a result, the municipality can only access those accounts to pay employee salaries and nothing more.

"Without control of these accounts, the municipality is nonfunctional, can't pay its debtors and is unable to access much needed grants to implement service delivery initiatives," Mr Dodovu emphasised.

Emfuleni owes Eskom about R6.8 billion, which compelled Eskom to approach the courts to attach the municipality's accounts. On a positive note, the municipality is receiving assistance from the National Treasury to remedy this issue. Also, the South African Local Government Association (SALGA) informed the committee that Emfuleni has been included in its project to resolve some of the long-standing challenges affecting the local government sphere.

Also of concern is that the municipality is only able to bill for 35% of the water it receives from Rand Water, with 65% of the water lost due to infrastructure challenges. The municipality informed Parliament that this situation is dire, especially because it has spent less than 45% of its capital budget, which includes among other things the refurbishment of bulk water infrastructure.

The committee also raised concerns that the municipality has resolved less than 50% of its audit action plan, which highlights an obvious lack of appetite to implement solutions necessary to remedy the dysfunctional municipality. It is also unacceptable that the municipality recorded a 172% increase in unauthorised, irregular, fruitless and wasteful expenditure, an environment that will encourage acts of corruption.

To make matters worse the municipality has a high vacancy rate across the board, which impacts on its ability to deliver services. For example, there are only two senior managers employed, with five positions vacant. Overall, the municipality has a vacancy rate of about 50%. Furthermore, the chief financial officer is currently on suspension. The committee emphasised to the municipality that it is critically important to urgently appoint senior managers to drive the municipality's revitalisation strategy.

Lack of consequence management was also highlighted as a serious risk factor that needs to be addressed by the municipality. Currently the Municipal Public Accounts Committee has no chairperson as the previous incumbent resigned due to allegations of threats made. Also, the disciplinary board is not functional, impacting on the ability to undertake investigations and institute consequence management initiatives.

"We need urgent solutions to the challenges faced by this municipality. The provincial government and SALGA must urgently support the municipality to ensure that the people of this historic municipality receive their constitutionally guaranteed rights," Mr Dodovu emphasised. 🙏

# Tshwane's embarrassing financial affairs require immediate resolution

*The Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements is of the view that the lack of financial management within the City of Tshwane requires urgent action to*

*resolve, writes Malatswa Molepo.*

While the committee noted the City's plans to improve its dire financial position, it emphasised the necessity of effective implementation. However, the risk to achieving this are the lack of capacity and skills, especially in strategic roles within the city, the committee said.

The committee concluded a week-long oversight to municipalities in Gauteng recently where it called for a paradigm shift within the local sphere of government if challenges facing the sector are to be overcome. "We must be frank that the main challenge within the local sphere of government is the lack of appetite to implement effective consequence management,

which then encourages a self-seeking culture of corruption and undermining of service delivery," said Mr China Dodovu, the Chairperson of the committee.

The committee is also worried that the municipality is struggling to fill critical vacant positions, including the chief financial officer, which will be essential in implementing its plans.



# City of Johannesburg Highlights Urgency in Developing Framework for Coalition Governments

*The Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements is of the view that the persistent political instability in the City of Johannesburg indicates the urgent need to develop a credible framework to guide coalition governments and ensure the stability necessary to ensure delivery of quality service delivery, writes Malatswa Molepo.*

During its interactions with Gauteng municipalities, the committee raised its concerns about the negative impact of instable municipal political leadership on service delivery.

According to the committee, a credible framework is necessary to ameliorate the current instability that will ensure that municipalities serve the people and are not abused by political parties for selfish purposes. “The committee had previously scheduled a meeting with a mayor to deal with audit reports by the Auditor-General. Upon arriving in Gauteng, the committee was informed of a change in mayorship, leading to the postponement of a meeting. The administration has also raised concerns that this political instability impacted on their ability to plan and implement plans, as a change in leadership often leads to change in focus,” said Mr China Dodovu, the Chairperson of the committee. The committee remains concerned that the

While the City assured the committee that recruitment is at an advanced stage, the committee said speed is required to finalise appointments and fill vacancies with competent staff. The committee welcomed the commitment from the City that recommendations of candidates to council might be made by August 2023.

The committee underlined its concerns with the lack of tangible progress in implementing the audit action plan, which is necessary to address the negative areas of the audit. The committee called for the City to enhance the capacity of the teams delegated to implement the audit action plan to ensure visible progress. The committee also called for improvements in general financial management discipline and effective systems of internal controls within the City, which is dependent on the city urgently appointing skilled Section 56 managers.

Engagements with important stakeholders within the city, including businesses, households and government, is being negatively affected the City’s failure to establish ward committees, the committee said. It highlighted that the City’s cashflow problems could be resolved if residents pay for services. Effective communications anchored on effective ward committees is a necessary tool towards attaining this goal.

The committee is also concerned about

the low investment in infrastructure maintenance, which increases the risk of poor service delivery and losses. The city spends 2% of its budget on maintenance against the national norm of 8%. This is concerning in the context of the municipality’s huge water and electricity losses, which could be remedied by bulk infrastructure maintenance. This would ensure that residents receive reliable water, roads and electricity.

Meanwhile, the committee highlighted its support for programmes aimed at enforcing compliance and payment of services. The support is based on the understanding that for the municipality to continue to deliver services, it requires improved cash-flow, which is currently affected by non-payment from households, businesses and government departments.

The committee was also concerned about the overreliance on consultants and called for enhanced internal capacity to save money. While the committee acknowledged that in some instances consultants are necessary, it cautioned against abuse.

Meanwhile, the committee reiterated its call for a credible framework to guide the operation of coalition governments, which it believes is necessary to ameliorate the current political instability and ensure that municipalities serve the people and are not abused for short-term political gain. 🙏



**The Select Committee on Cooperative Governance conducted an oversight visit to the City of Johannesburg, which has experienced difficulties in navigating coalition governance issues in recent months.**



**Mr China Dodovu**

City of Johannesburg is struggling to implement consequence management, considering that irregular expenditure increased by 15% with irregular expenditure at R6.7 billion and with fruitless and wasteful expenditure increasing by 23%. Despite these high figures, no tangible consequence management has been implemented. While the committee welcomes the assurance that the new administration is at an advance stage in constituting a disciplinary board, the constant changing of leadership has impacted on the operation of this critical body.

The vacancy rate within the municipality is also a concern, especially at senior management level. Permanent management-level appointments are necessary to ensure implementation of the audit action plans and to drive the service level strategy. Meanwhile, the committee welcomed the appointment of a city manager and chief financial officer and urged these individuals to urgently ensure audit action plans and financial recovery plans are implemented.

Meanwhile, the committee welcomes the initiative to engage city residents to improve revenue collection, which is critical in ensuring the running of an efficient and effective municipality. "The City of Johannesburg, as the economic hub of the country, plays a critical role if the economic plans of the country are to be achieved. But for residents to pay for their services requires the delivery of quality and reliable services they are happy about and a functional billing system. The municipal manager and the CFO must together with other senior managers drive the process of improved service delivery to ensure improved revenue collection," Mr Dodovu emphasised.

The committee is also concerned about the continued overreliance on consultants, which drains the city's coffers. While the committee accepts the need for specific skills in certain areas, it has urged the city to improve internal capacity to ensure that some of the functions are implemented internally.

Meanwhile, the committee supports the call made by various political parties that the South African Local Government Association together with the Department of Cooperative Government, both national and provincial, train councillors to empower them to deliver on their critical mandate, especially the Section 79 committees of the Municipal Structures Act. The committee also asked political parties to monitor and implement consequence management against councillors who do not perform their duties properly.

Despite some of the challenges identified, the committee welcomes the continued efforts to strengthen performance within the city. 🙏



## Transport committee calls for conclusion of process to stabilise PRASA leadership

*The Chairperson of the Portfolio Committee on Transport, Ms Mina Lesoma, urged the Department of Transport not to prolong the process to stabilise leadership at the Passenger Rail Agency of South Africa (PRASA), writes Sibongile Maputi.*

Following former CEO Mr Leonard Ramatlakane's recent release from his position, both that position and the Board of Directors are vacant at PRASA. "The challenge of having such positions vacant at any entity can be untenable and result in regression. From the committee's side we do not want regression from the refurbishment work that was started when Mr Fikile Mbalula was the Minister of the Department of Transport," she said.

She added that the committee also supports the continuation of the stabilisation efforts that were initiated by Ms Sindi Chikunga when she was the department's Deputy Minister and which are now being carried out by Mr Lisa Mangcu, the current Deputy Minister.

Ms Lesoma said that work to turn PRASA around should continue and not be subjected to political jostling, especially on Cape Town's Central

Line, where land has been identified for dwellers occupying the rails in Langa and Philippi. The site identified is being serviced and some residents are satisfied, but it needs to be fully serviced before it can be used for human settlement.

"We are interested and committed to conduct oversight closely on PRASA in such a way that will give assurance to the public that needs the rail service the most. This is notwithstanding loose ends in stakeholder engagements and agreements thereof," emphasised Ms Lesoma.

She said PRASA is too important an entity to fail and is the only vehicle that will complement the taxi industry in providing South Africans with a safe, reliable and affordable form of transport.

"The work to move people to alternative settlement sites must continue. All stakeholders should be brought on board and patience should be exercised as people need to be moved to decent locations. We are satisfied that work is continuing and it must continue without hindrance. The Central Line will be brought back to its full operational capacity and the committee is committed in executing its oversight role. That work will be daunting if one has appreciation of rail transport operations," Ms Lesoma concluded. 🙏





## No Progress from all Parties on PRASA's Implementation Protocol is a Hindrance, says SCOPA

*The Standing Committee on Public Accounts (SCOPA) resolved to hold monthly progress meetings with the signatories to the implementation protocol who are responsible for ensuring that the communities between the Philippi and Langa railway reserve are resettled, in order to open up those corridors for the trains to reach Mitchells Plain and Khayelitsha communities.*

The signatories of the protocol include the departments of Transport, Human Settlements and Public Works and Infrastructure; the Western Cape provincial departments of Human Settlements and of Transport and Public Works; the City of Cape Town Metro Municipality; the Housing Development Agency (HDA); and the Passenger Rail Agency of South Africa (PRASA).

SCOPA met with PRASA, the HDA, the City of Cape Town Metro Municipality, and the national departments concerned to receive an update on the progress achieved but was disappointed to hear about the failure of all the parties involved to make any progress on the implementation protocol. Instead of providing the committee with a progress report, the parties started negotiations and planning how to work together.

The committee observed that there is a lack of collaboration and compliance with the protocol among the involved parties in executing it. This has led to a lack of progress and has a bearing on PRASA's adherence to the third extension of the executive order on the eviction of the affected communities.

The committee has asked the involved parties to develop a roadmap that adheres to the law and ensures that the work is done. The committee has tentatively proposed to hold its next meeting on this matter. 🙏

## Sports Committee Welcomes European Court of Human Rights' Ruling on Caster

Ms Beauty Dlulane



*The Portfolio Committee on Sports, Arts and Culture has welcomed South African middle-distance runner Ms Caster Semenya's recent successful appeal to the European Court of Human Rights. The court's ruling vindicated the committee's long-held view about the unfair and inhumane nature of her treatment by the world governing athletics body.*

The Chairperson of the committee, Ms Beauty Dlulane, said she was excited for Ms Semenya and other women athletes who might be subjected to similar treatment, without recourse, had it not been the success of the appeal. Ms Dlulane said the committee never doubted the correctness of its position on this matter.

Ms Semenya appealed to the European Court in 2021 following a set of International Association of Athletics Federations (IAAF) regulations aimed at lowering testosterone levels in hyperandrogenic athletes. Female athletes with differences of sex development (DSD) would be forced to medicate to reduce their testosterone levels if the new regulations had been implemented.

Ms Dlulane said the unfairness of it all is that there can never be recourse to correct the IAAF error given the number of competitions Ms Semenya missed. "It would have been a sad day if international bodies entrusted with responsibility to foster international competition and inclusiveness had succeeded in preserving a form of alienation where one could legitimately hide behind unscientific rules and guidelines.

"There could not have been a way to explain implementation of these rules other than as a deliberate ploy targeting Ms Semenya. Luckily someone else agreed and saw the unfairness of it all," emphasised Ms Dlulane. 🙏