



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA



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4TH PARLIAMENT LEGACY REPORT

2009-2014



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To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.



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## INTRODUCTION

The 4th democratic Parliament was established shortly after the April 2009 elections and builds on the foundation of the preceding three democratic Parliaments. Parliament is elected to represent the people, ensure government by the people under the Constitution, and represent the provinces in the national sphere of government.

The 4th Parliament continued building an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa. In this, the 4th Parliament utilised its oversight mechanisms to ensure, effect and advance the pace of service delivery to all the people of South Africa.

After the establishment of the 4th Parliament a process commenced to develop and craft a

strategic plan for the institution. This process was undertaken in accordance with the provisions of the Financial Management of Parliament Act, 10 of 2009, under the direction of the Executive Authority, and included the active participation of Presiding Officers, Office Bearers, Leaders of Political Parties and Members of Parliament. The process incorporated elements such as vision-sharing, adopting of policy imperatives and the translating of this political direction into a strategic plan.

This report provides highlights of the 4th Parliament as well as parliamentary business that remains outstanding.

*Annexure A-F provide further information on matters discussed in the report.*

*Procession enters New Assembly Chambers for the State of the Nation Address*



## ACHIEVEMENTS OF THE FOURTH PARLIAMENT

### ESTABLISHMENT OF THE PARLIAMENTARY BUDGET OFFICE

The establishment of the Parliamentary Budget Office can be traced back to the work done in respect of the Oversight and Accountability Model during the 3rd Parliament. Parliament established a Task Team on Oversight and Accountability, comprising Members of both Houses of Parliament, which studied the mandates relating to oversight emanating from the Constitution. The task team established focus groups, including one on the Budget.

The Budget Focus Group was tasked with the responsibility of developing procedure for the amendment of money bills and drafting legislation on the amendment of money bills. This process gave rise to the Money Bills Amendment Procedure and Related Matters Act of 2009. Section 15 of this Act established a Parliamentary Budget Office. The Parliamentary Budget Office is meant to provide independent advice and technical support to committees of Parliament in relation to budgetary matters.

In May 2012, Parliament commenced with a process of establishing the Parliamentary Budget Office. The Development Bank of Southern Africa seconded a senior official to assist in this regard. This was preceded by study visits to various countries such as Germany, Sweden, Kenya, South Korea and Japan to determine how these countries' budget offices were operating. Observations made during these visits and additional information extracted from other budget offices in countries such as Canada and the USA were used as benchmarks in making proposals for the South African Parliamentary Budget Office.

In June 2013 the Director of the Parliamentary Budget Office was appointed. Since then work has been underway to build this office so that it is able to provide the committees with the necessary support and expertise. To date, four senior specialists have been employed, and a report on work done so far has been presented to the Presiding Officers.

### ESTABLISHMENT OF THE TREASURY ADVICE OFFICE

The Treasury Advice Office was established to provide technical support to the Executive Authority of Parliament with regard to its Treasury responsibilities. These responsibilities are assigned to the Executive Authority by the Financial Management of Parliament Act.

The acting head of the Treasury Advice Office was appointed by the Secretary to Parliament with effect from 1 March 2014. Work is underway with the HR Division to create posts and clarify work flows with the view to inform clear job descriptions as well as job grading for the Treasury Advice Office. Similarly office space will be identified for this section.

### HOSTING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION CONFERENCE

In 2013, Parliament successfully hosted the 59th Commonwealth Parliamentary Association (CPA) General Assembly. The mission of the CPA is to promote the advancement of parliamentary democracy by enhancing knowledge and understanding of democratic governance.

*Delegates at a plenary meeting of the 59th Commonwealth Parliamentary Conference, hosted by South Africa in Gauteng.*

The CPA is made up of the following regions: Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean; Americas and Atlantic; India; and South Asia. The General Assembly, the Association's supreme authority, is constituted by delegates to the annual CPA Conference. Approximately 900 participants were involved in the conference.

The conference was held from 30 August to 6 September 2013 at the Sandton Convention Centre.

### **NATIONAL ASSEMBLY AND NATIONAL COUNCIL OF PROVINCES CHAMBER REFURBISHMENTS**

The chamber upgrades date back to the 3rd Parliament. The revamp of the chambers was deferred due to an increase in sittings and Bills that had to be completed before the end of the 3rd Parliament. The camera control and video recording systems in the National Council of Provinces (NCOP) were obsolete and needed replacement. This infrastructure was installed in the 1980s and was more than 20 years old.

Upgrades in the NCOP chamber were undertaken in 2010. IT and sound upgrades in the National Assembly (NA) chamber commenced in December 2013 and were completed in February 2014.

A critical feature in the chambers has been the installation of a biometric system which will be utilized for recording of attendance in support of the Attendance/Leave Policy.

### **INSTALLATION OF BUST OF FIRST DEMOCRATIC PRESIDENT**

In June 2013, Parliament took a decision to celebrate the 20 years of a democratic Parliament. At the initial stages, this project focused on publications such as comic strips, coffee table books and similar items, with a

budget of R12,5 million. In August 2013, the Executive Committee accepted an invitation from the City of Cape Town to collaborate in erecting a statue in honour of the first democratic President. In January 2014, a decision was taken to erect a bust of the first democratic President, as part of the 20 years celebrations. The bust, placed in front of the main entrance to the NA, was unveiled by President JG Zuma at the launch of the "Celebrating 20 Years of a Democratic Parliament" project on 28 April 2014. This project is lead by the Deputy Presiding Officers as political sponsors and managed by the Deputy Secretary, with a budget of R10,5 million.

Amongst the guests who attended the unveiling of the bust were the Deputy President, Mr Kgalema Motlanthe, former Deputy President Ms Baleka Mbete, former President Mr FW De Klerk accompanied by his wife, Ministers and Deputy Ministers, and the head of the Anglican Church, Archbishop Thabo Makgoba.

### **DECLARATION OF PARLIAMENT AS A NATIONAL HERITAGE SITE**

In 2014 Parliament received a letter from the South African Heritage Resource Agency (SAHRA) dated 30 January 2014 to inform the Presiding Officers and the Secretary to Parliament that with effect from 30 January Parliament would be declared a national heritage site in terms of Section 27(5) of the National Heritage Resource Act, 1999 (Act 25 of 1999). This declaration was based on the fact that, on assessment, Parliament was defined as having (a) historical value, (b) aesthetic value, (c) scientific value, (d) social value, (e) rarity qualities, and (f) has representivity that speaks a universal language.

The implications of this declaration, among others, are that no person may destroy or damage, deface, excavate, alter, remove from its position, subdivide or change the planning of any heritage site without a permit issued by the heritage resource authority.

*At the unveiling of the bust of the first democratic President, his grandson, Chief Mandla Mandela pays tribute.*





## SECTORAL PARLIAMENTS

The NA and the NCOP, as the Houses of Parliament, have a constitutional obligation to facilitate public involvement in the business of Parliament. The business of Parliament includes passing legislation, exercising oversight over the executive and ensuring public participation and involvement. Its public participation initiatives and programmes must give expression to these constitutional requirements and therefore one of Parliament's core objectives is to "facilitate public participation and involvement".

Sectoral parliaments, such as Africa Day, Youth Parliament, Women's Parliament and the People's Assembly, form part of the business of Parliament and serve as platforms for public participation and involvement. These programmes, driven by the Deputy Presiding Officers, afford communities an opportunity to interact with their elected representatives. The Parliamentary Service provides administration and support for the implementation of decisions and policy directives in respect of all matters relating to sectoral parliaments.

During the 4th Parliament, the following sectoral parliaments were hosted: Youth Parliament, Women's Parliament, Africa Day and the People's Assembly.

### YOUTH PARLIAMENT

Since 2006 Parliament's interaction with the youth has become more interactive and the Youth Parliament is used as a platform for national discussions. It is aimed at debating contemporary issues facing young South Africans and to hear and listen to the opinions of the youth. This programme also seeks to educate the youth about how democracy was attained and the gains thereof. Since 2011, the Youth Parliament has taken the form of plenaries with the exclusion of breakaway group discussions.

### WOMEN'S PARLIAMENT

This programme seeks to provide a vehicle for women's voices to be heard on issues affecting them. It also seeks to identify challenges women face as well as assist them in addressing those. Some of the key factors considered in respect of this programme are issues of capacity development for women as well as women and rural development.

### PEOPLE'S ASSEMBLY

The People's Assembly calls on South Africans from across the country to reflect on issues and to share their experiences, thereby helping to build a legacy of participation as well as strengthening the concept of a "People's Parliament".

The People's Assembly provides a platform for public engagement, where Members have the opportunity to hear what the citizens across the length and breadth of the land have to say on important issues affecting their lives.

### AFRICA DAY

Africa Day was founded in 1963 by the Organisation of African Unity, the forerunner of the African Union. On this day all African countries celebrate their independence from colonialism, assert their identity as Africans and demonstrate their pride in being Africans.

The reports of these sectoral parliaments have been presented to various political steering committees, however the 5th Parliament will have to review the character and thrust of these strategic fora that ensure participation of various community sectors.

*Women's Parliament 2012 on the theme of "Mainstreaming gender equality in all sectors of the South African society".*





## NATIONAL ASSEMBLY

### COMPREHENSIVE REVIEW OF ASSEMBLY RULES

The adoption of the Oversight Model, the Report of the Independent Panel Assessment of Parliament and an in-depth study of the legislative process indicated that new rules were required in these areas. The rules of the National Assembly have not undergone a comprehensive review since 1994. The Rules Committee usually reviews the rules in a piecemeal fashion, but there was a need for a more comprehensive review that would make the rules easier to follow and rectify anomalies. The National Assembly Rules Committee (NARC) agreed to this and instructed a subcommittee to table an operational plan for the review of the rules process. The review process entailed a capacity-building workshop for members of the Subcommittee on Review of the Assembly Rules and support staff; a workshop to provide background on the origin and application of the current Rules of the NA; submissions by parties; and the compilation of a consolidated report. The Rules Committee was not able to finalise its work on the review and this is a matter that the National Assembly of the 5th Parliament must complete.

### COOPERATION WITH EXTERNAL AGENCIES

The Chairperson of the Commission of Inquiry into the Allegations of Fraud, Corruption, Impropropriety or Irregularity in the Strategic Defence Procurement (the Commission), Mr Justice W L Seriti, wrote to the Speaker on 15 May requesting Parliament to provide it with:

- i. Copies of all reports generated by or submitted to Parliament or any of its

- committees relating to the procurement of arms that is the subject of the Commission's inquiry, prior to and after the acquisition of the military equipment in question; and
- ii. The names and contact details of the members of the parliamentary committees seized with the issues relating to the procurement of the arms in question.

The reports in question were requested in terms of section 3(1) of the Commission Act (No 4 of 1947) which gives a commission of inquiry the same powers as a court of law to call for "the production of books, documents or objects". After having established that there was nothing in the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act (No 4 of 2004) that prohibited Parliament from submitting the documents and information requested by the Commission, the Speaker agreed to the request.

The documents requested by the Commission relating to the arms procurement process that were in the possession of Parliament were in two categories, namely:

- i. Documents generated through the work of parliamentary committees as well as internal correspondence; and
- ii. Confidential documents received from the Ministry of Defence on 6 February 2001 and 22 May 2001, and from the Armaments Corporation of SA Ltd, also on 6 February 2001 (see Issue 4, Item 17).

After the Speaker had approved the documents to be submitted, to ensure that confidentiality was maintained, the documents were delivered to the Pretoria offices of the Commission. The list of documents and reports submitted to the Commission were announced by the Speaker in the

*The Mace of the National Assembly features an engraving of the Constitution.*

Announcements, Tablings and Committee (ATC) Report of 5 July. With regard to the names of the members of the parliamentary committees seized with issues relating to the procurement of the arms in question, the Speaker informed the Commission that those could be gleaned from the minutes of the Joint Standing Committee on Defence, the Portfolio Committee on Defence and the Standing Committee on Public Accounts (Scopa).

In his letter to the Commission, the Speaker indicated that the documents submitted by the Ministry of Defence and the Armaments Corporation of SA Ltd were classified as confidential and had been placed in Parliament's custody for controlled access by members of Scopa.

He requested the Commission to treat them as secret and confidential, and to return them to Parliament when the Commission has completed its work.

The return of the documents is likely to occur during the 5th Parliament.

## CO-ORDINATED OVERSIGHT

The Oversight Model adopted by Parliament in 2009 envisaged the notion of joint planning and coordinated oversight by committees of Parliament. This approach is meant to ensure synergy in the implementation of Parliament's oversight responsibilities in terms of the Constitution. This exercise takes the form of an ad hoc committee which consists of members from different committees who have an interest in the matter being enquired upon. In the period under review, two ad hoc committees of this nature were established. One was established to conduct co-ordinated oversight on service delivery under the theme "Working together to ensure the delivery of quality service to communities". The ad hoc committee conducted co-ordinated visits in rural and urban areas to enquire about the service delivery challenges, especially in areas engulfed by protests. The

other ad hoc committee of this nature dealt with the reversal of the legacy of the Native Land Act of 1913. It is critical to ensure that these committees are effective to respond to any community concerns in good time.

## INTERNATIONAL RELATIONS

*Cooperation Agreement between the Assembly of the Republic of Mozambique and the National Assembly of the Republic of South Africa.*

The President of the Assembly of the Republic of Mozambique, Ms V N M Dlhovo, paid an official visit to our Parliament on 10 September 2013. The visit was in part to establish a regular exchange programme between the National Assembly of South Africa and the Assembly of the Republic of Mozambique.

A draft memorandum of understanding establishing a regular exchange programme was agreed prior to the visit by the Parliamentary Group on International Relations (PGIR). A House Resolution mandating the Speaker to sign the agreement on behalf of Parliament was agreed to on 22 August 2013.

The Cooperation protocol between the two assemblies was signed by both sides on 10 September 2013. It was then referred to the Parliamentary Oversight Authority (POA) and the NARC for consideration of issues arising from the agreement in terms of their respective mandates.

It is important to note:

- The agreement became effective on 10 September 2013, when it was signed by both sides.
- The agreement is in place for five years, to be automatically renewed for successive equal periods unless stated otherwise by one of the parties.
- The agreement must still be presented to the POA.

*Former Speaker of the National Assembly, Mr Max Sisulu, receiving the Speaker of Mozambique's Parliament, Ms Veronica Maçamo.*





## NATIONAL COUNCIL OF PROVINCES

### INTRODUCTION OF THE NCOP

The 4th Parliament saw major changes in the NCOP. Having come into effect on 6 February 1997, after the signing of the new Constitution by President Mandela in December 1996, the NCOP was charged with representing the provinces to ensure that provincial interests were taken into account in the national sphere of government. It was to do this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting the provinces.

### THE NCOP IN THE 4TH PARLIAMENT

At the beginning of the fourth term of Parliament in 2009, the NCOP set out the work that needed to be carried out to build on earlier initiatives and achievements. These were priority areas for oversight and included agriculture, education, economic development, health, social development, human settlements and rural development.

These functional areas were selected from the 10 strategic priorities in the Medium Term Strategic Framework document. Further, it identified certain measures for improving public education and participation. Importantly, there needed to be enhanced co-ordination of oversight activities and the harnessing of collective resources for cost effectiveness and maximum impact. Improvement in monitoring was also highlighted.

The following is a summary of some of the achievements by the NCOP in the work that it had identified:

### LEGISLATION

The 4th Parliament saw the NCOP increasing the quality of legislative scrutiny and playing a critical role in adding value to legislation. Some practical examples in this regard include the manner in which it considered Bills such as the Basic Education Laws Amendment Bill, the Protection of State Information Bill and many other pieces of legislation. Through the Select Committee on Trade and International Relations, which spearheaded a number of hearings which led to the introduction of Regulation 37386 in the Government Gazette, the Department of Trade and Industry was requested to assess the feasibility of relieving consumers from blacklisting by the credit bureaux. This gave birth to the National Credit Amendment Bill.

Notably, unlike in the past, the term saw many Members of the Executive considering the option of having their Bills introduced in the NCOP.

### OVERSIGHT

In order to ensure that select committees were able to interact with communities and monitor and follow up on the work and programmes of government, more time was set aside for oversight. Special committee oversight weeks were introduced, creating more time for the NCOP to synchronise oversight activities with those of provincial legislatures. Committee oversight activities permeated other programmes, such as the NCOP's Taking Parliament to the People and Provincial Week programmes.

Another important development was the resumption of questions to the President. The NCOP had little history of posing questions directly

*The Black Rod symbolises the National Council of Provinces.*

to the President of the Republic. President Jacob Zuma's acceptance of the request to take questions in the NCOP has led to an enhancement of this important tool of oversight.

It is important to observe that the Report of the Independent Panel Assessment of Parliament notes that through its oversight role, the NCOP should aim to contribute to effective government by ensuring that provincial and local concerns are recognised in national policy making, and that provincial, local and national governments work effectively together, hence the likely need to streamline the oversight mechanisms in the two houses.

## PUBLIC PARTICIPATION

The impact study on the NCOP's Taking Parliament to the People programme, conducted in the 3rd Parliament, was used to remodel the programme. From the first programme of the 4th Parliament, held in Limpopo in March 2010, to the last one held in October 2013, the activities were preceded by intensive pre-visit research, public education and oversight programmes by committees. These allowed for greater collaborative work between the NCOP, the relevant provincial legislature and affected municipalities. This assisted in the processing and resolution of issues raised before the main visit. Follow-up work also improved, especially from the point of view of select committees. There was greater integration of the different programmes, for example with committee oversight and Provincial Week programme assignments linked to the work being done through the Taking Parliament to the People programme for monitoring and follow-up purposes.

The high point for the NCOP in this area was the introduction of a new public lecture series targeting the tertiary sector. This was initiated to provide space for sharing information and knowledge with communities in this sector and to foster future collaboration. The view

was that this was a group that the NCOP had limited direct interaction with through the other programmes. The NCOP's public lectures were launched in February 2013 at the University of the Western Cape. The second in the series was hosted in 2014 by the University of Fort Hare with thousands of participants in attendance. The University of Venda has requested to be allowed to host it in 2015.

As part of marking its 15th anniversary, in 2012 the NCOP focused on matters affecting children. This culminated in the hosting of a seminar on the rights of children. The seminar, which was organised in partnership with Unicef, was unique in that it was informed by the direct voices of children from the provinces. These were collected in workshops organised by the provincial legislatures. In 2014, a roundtable on the empowerment of women, children and the elderly was held. This roundtable showed that the NCOP in the fifth Parliament will need to continue to pay particular attention to the interests of vulnerable groups to promote the implementation of laws and programmes aimed at them and to gather the necessary intelligence to promote the quality of their lives. Some of these outputs may have to find expression in the programmes of the various sectoral parliaments.

## CO-OPERATIVE GOVERNMENT

During the term, the NCOP rationalised the portfolios of its two House Chairpersons to provide for the creation of portfolios on co-operative government and intergovernmental relations. This assisted in raising the level of discourse on the promotion of the constitutional principles of co-operative government and intergovernmental relations.

The outcome was the improvement in the working relations between the NCOP and the South African Local Government Association (Salga), as well as a more dynamic relationship between the NCOP and the provincial legislatures where a number of views have been shared on



*Deputy  
Chairperson of  
the NCOP Ms  
Thandi Memela  
runs a seminar  
for children.*

how this development could be taken forward. The new local government-specific annual engagement session, in the form of the Local Government Week, was introduced in 2012 and continued with great success in 2013. It serves as a very important platform for sharing lessons and looking at solutions to challenges faced by local government.

## INTERNATIONAL RELATIONS

In the 4th Parliament, the NCOP established, created, maintained and strengthened bilateral relations with most bicameral and unicameral Parliaments in the globe and in the continent. This was done mainly through multilateral engagements, incoming and outgoing visits, committee visits, visits by the Whippery, study exchange visits and joint parliamentary visits.

The House also continued to form part of the work of Parliament in the area of international relations, with its leadership and permanent delegates participating in several multilateral engagements. The representation of Parliament at the Pan-African Parliament and Parliament's

hosting of the 59th Conference of the Commonwealth Parliamentary Association were some of the key activities in advancing parliamentary diplomacy.

## CONCLUSION

In general, the NCOP in the 4th Parliament enhanced the quality of its legislative, oversight, public participation and other activities, building on its cumulative learning and experiences over the years.

However, as an institution that is at the centre of South Africa's intergovernmental system, the NCOP still faces some of the challenges presented by the three-sphere system. One is to facilitate a process whereby government can best deliver services to the people and be a leading force for development and change in society. This points to the need for more active engagement from provinces and local government on a range of issues, and to the dynamic role provinces and municipalities can play in providing economic infrastructure and opportunities to entrepreneurs and the unemployed youth for development purposes.

## LEGISLATION PASSED BY THE 4TH PARLIAMENT

During the 4th Parliament a total of 166 bills were passed. The list of these is attached as Annexure F.

*Greeting a Palestinian delegation, from left former Deputy Speaker in the National Assembly Ms NomaIndiya Mfeketo is presented with a scarf. Far right, National Assembly House Chairperson Ms Fatima Hajaig.*





## OFFICE ON INSTITUTIONS SUPPORTING DEMOCRACY (OISD)

The Office on Institutions Supporting Democracy (OISD) was created in terms of a resolution adopted on 21 November 2008 to strengthen oversight and accountability as it relates to Chapter 9 Institutions and other statutory bodies, and to co-ordinate all activities between those Institutions and the NA. The office is located in the Speaker's office.

The office came into effect from August 2010 and its first Head was appointed with effect from 1 December 2010. It serves as an enhancement mechanism for the oversight and legislative capacity of the NA in so far as these relate to the work and wellbeing of the Institutions Supporting Democracy (ISDs).

During the term of the 4th Parliament, the OISD provided strategic support and advice to the Speaker and Deputy Speaker on matters relating to ISDs, and technical and legal support to portfolio committees overseeing ISDs. The Office monitored the terms of office of members of the 11 ISDs closely and helped fill vacancies. It also provided assistance and support to ISDs on challenging issues facing them.

Amidst ongoing work, the following stand out:

- Roundtable discussions between Presiding Officers and ISDs, held in 2010 and 2013;
- A workshop with ISDs on the Report of the Ad Hoc Committee on the Review of Chapter Nine and Associated Institutions;
- The establishment of the Forum of Chairpersons of Committees overseeing ISDs;
- Production of the brochure *Guide to the Work and Functions of the Institutions Supporting Democracy*;
- An International Study on the Mandate and Reporting and Accounting Obligations of the South African Human Rights Commission and the Public Protector, commissioned

by the Portfolio Committee on Justice & Constitutional Development;

- Working closely with members of parliamentary committees on appointments, special reports and other case-specific matters;
- New appointments successfully facilitated for properly resourced institutions in terms of human capital and performance.

It was agreed at the 2013 Roundtable Meeting between the Presiding Officers of Parliament and Heads of the ISDs that the 5th Parliament will require the following:

- The existing interaction platforms listed below remain in use, be respected and strengthened:
  - The Forum for Institutions Supporting Democracy;
  - Internal parliamentary platforms, such as the Forum of Chairpersons overseeing ISDs and the Forum of Chairpersons of Committees;
  - The Speakers' Forum, to open up more avenues for ISDs at provincial level;
  - Committees of the National Assembly as allocated to ISDs;
  - The OISD.
- Protocols of communication between ISDs and Parliament should be developed.
- The Speaker and/or Deputy Speaker could be invited to attend specific meetings of the Forum for Institutions Supporting Democracy, if need be with the Leader of Government Business, so that ISDs would have an opportunity to articulate their concerns in his presence.
- Complex issues emanating from the Ad Hoc Committee Report on the Review of Chapter 9 and Associated Institutions which could not be agreed upon are to be deferred to the Fifth Parliament.

*On the departure of Auditor General Mr Terence Nombembe with the head of the OISD Ms Nonkosi Cetshwayo.*



## WORK OF THE EXECUTIVE COMMITTEE AND PARLIAMENTARY OVERSIGHT AUTHORITY

### CONSIDERATION OF QUARTERLY REPORTS

Section 52 of the Financial Management of Parliament Act (FMPA) provides that within 30 days from the end of each quarter, the Secretary must report to the Executive Authority on Parliament's performance in implementing the Annual Performance Plan in that quarter. Accordingly, the Secretary has, during the 4th Parliament, tabled all quarterly reports to the Executive Authority and to the POA. The 4th quarter report will be integrated into the annual report of 2013/14.

The reports reflect on the implementation of the strategic objectives of Parliament as provided in the Strategic Plan and the programmes reflected in the Estimates of National Expenditure, Vote 2. The set targets as per the strategic plan adopted by the two houses in 2010 have been met.

### CONSIDERATION OF ANNUAL REPORTS

Section 55 of the FMPA provides that for each financial year the Secretary must prepare an annual report which must be based on the Annual Performance Plan of the institution. The annual report must include financial statements as submitted to the Auditor-General, the AG's report on those financial statements, the Audit Committee's reports and other specific items.

During the 4th Parliament, the Secretary has accordingly submitted these reports to the Executive Authority and the POA. These were published in the ATC document in the name of the Speaker and the Chairperson.

### IMPROVEMENT OF FINANCIAL MANAGEMENT ENVIRONMENT OF PARLIAMENT

This project was initiated in August 2010 to address various audit and service provider reports to improve the financial management processes of Parliament. The recurrence of both internal and external audit findings therefore required specific attention. The project was undertaken to assist Parliament in changing its accounting and performance standards in line with the FMPA and to ensure that Parliament retained its track record of unqualified audit opinions.

Key enhancements brought about by the project included the development of a more tightly governed supply chain management system, heightened awareness of the requirements of the FMPA, lowering of the risk of unauthorised, irregular and fruitless and wasteful expenditure and the safeguarding and tracking of Parliament's assets

### LANGUAGE OF BILLS

This matter was referred by the POA to the Joint Whips' Forum (JWF) on 29 August 2012. The JWF received a presentation on the matter on 5 June 2013 by the Constitutional and Legal Services Office. At that meeting the Forum was advised that the Use of Languages Act of 2012 did not regulate how Parliament as an institution should formulate bills but rather outlined how departments should interact with the public in terms of language use. It was indicated that Parliament as an institution has the authority to regulate its own processes. Currently legislation is processed in two languages which are the official text and the translation text. In this regard, Parliament is

*At Parliament's farewell to Madiba, the Speaker of the National Assembly Mr Max Sisulu and the Chairperson of the NATIONAL Council of Provinces Mr Mninwa Mahlangu.*

meeting the minimum requirements by using two of the official languages. The Forum was informed that nothing prevented Parliament from promoting other languages through its rules. Parliament had a constitutional obligation to promote public participation and needed to accommodate all official languages.

In its report to the POA, the JWF recommended that consideration be given to making all Bills available in all official languages electronically. On 28 February 2014, the POA requested the Secretary to look into the matter of the translation of Bills into the 11 official languages, taking into account capacity within Parliament and related costs.

## **PARLIAMENTARY DEMOCRACY OFFICES**

In November 2011, the POA referred this item to the JWF. This followed a visit by the Presiding Officers to the Parliamentary Democracy Offices (PDOs). The objective for the Presiding Officers visit was to provide a step towards a comprehensive political assessment and directive for the work of the PDOs.

It was noted that there was a need to re-look at the way the offices worked to ensure that they did not duplicate the work of Members, but capacitated and empowered communities. Whips were urged to visit the PDOs and provide inputs into the redefinition of the work of these offices.

In a meeting held on 28 February 2014, the JWF resolved to invite the Secretary to Parliament to brief it on the functioning and business plans of the PDOs. During this briefing the forum would look into possible strategies that can be applied to address challenges facing the PDOs with a view to rolling out the project to other provinces.

The visit to the PDOs is the only item referred to the JWF that could not be finalised before the end of the 4th Parliament. The 4th Parliament

expressed a concern that this matter could not be concluded during its term and trusts that the 5th Parliament will be able to take up the evaluation of these offices as well as clarify their roles and relations with respect to the constituency offices. There is a need to redefine the role of the PDOs with respect to public participation. The 5th Parliament could also give consideration to how these offices, based in the provinces of North West, Northern Cape and Limpopo, can best be funded.

## **REVIEW OF MEMBERS' FACILITIES HANDBOOK: TRAVEL**

The review of Members' Travel Facilities Policy arose as a result of policy gaps which had been identified, as well as internal requests for information related to the usage of facilities by Members. The review covers matters related to air journeys and journeys by motor vehicle, travel by dependents, and the definition of a Member's dependent. The amendments to the policy, as agreed by the last meeting of the POA, were published in the ATC reports of 6 May 2013.

## **REVIEW OF MEMBERS' FACILITIES HANDBOOK: PURCHASE OF TABLETS AND DATA**

The POA was presented with a report of the Quarterly Consultative Forum proposing that an amendment to the Handbook be made to enable Members to purchase electronic tablet devices and data per month.

The POA agreed that section 13 of the Handbook be amended to include for an allowance for monthly subscriptions for data and tablet device contracts. All allocations detailed in 13(1) were to be increased by R500 per month on recording of the contract with the Secretary to Parliament. The POA report on the amendment to the Handbook was published in ATC No 88 of 2013 on 18 July 2013.

## **POST RETIREMENT TRAVEL BENEFITS FOR MEMBERS OF PARLIAMENT**

The Task Team on Policy for Members' Travel Facilities established to look at the Member's Travel Facilities Handbook was requested at the POA meeting of 23 October 2012 to also compile a report on post-retirement travel benefits for Members and to formally submit their proposals to the Presiding Officers. A process to undertake an actuarial assessment in this regard was agreed to by the Executive Committee on 20 November 2012. The actuarial assessment was undertaken to determine the long-term financial implications of the proposal in respect of post-retirement travel benefits for Members. A further request from the Presiding Officers was to extend the actuarial valuation to members of the executive and report on an equitable middle ground for implementation.

Several meetings were held by the Executive Committee to explore various scenarios constructed by the actuaries prior to the matter being tabled for consideration by the POA on 13 November 2013. Various scenarios were put to the POA for consideration and approval. The Executive Authority undertook, on behalf of Parliament, to discuss the above matter with the Minister of Finance and the Leader of Government Business.

Scenario 4 was adopted which provided for the following benefits: (a) after serving one term a Member will qualify for eight single journeys in economy class, (b) after serving two terms a Member will qualify for 16 single journeys in economy class, and (c) after serving three terms a Member will qualify for 24 single journeys in business class.

The following conditions for eligibility were agreed to: (a) no limit should be given to the amount of tickets used by the spouse of a former Member, (b) benefit duration will be limited to 10 years, (c) after serving three terms, Members will qualify for business class tickets, (d) service should include service at Legislature, and (e) all

## **INSTALLATION OF ATMS ON PRECINCT**

tickets must be non-flexible to manage costs. This matter came about as part of a process to enhance members' services. Extensive discussions on the matter had taken place at the Quarterly Consultative Forum which later referred it to the POA for approval. A possible site for the ATMs was behind the Visitors' Centre in Plein Street. On 19 June, the POA gave an in principle approval to the installation of ATMs pending a security assessment which was to be undertaken by the Head of Security Management within Parliament. The Security Assessment Report recommended against the installation of ATMs due to the security risks they would expose Parliament to. On 11 September 2013, the POA accepted the recommendation of the report. The report was forwarded to the Quarterly Consultative Forum and the matter was closed.

## **SEXUAL HARASSMENT POLICY FOR MEMBERS OF PARLIAMENT**

The policy demonstrated the commitment of the Executive Authority to creating and maintaining an environment where all Members of Parliament and persons who work for Parliament or participate in the programmes and activities of Parliament can work and participate in an atmosphere that is free of sexual harassment, exploitation and/or intimidation.

The Sexual Harassment Policy applicable to Members of Parliament was agreed to by the POA on 2 March 2011 and became effective immediately.

## **SPACE UTILISATION PROJECT**

The need to extend the parliamentary precinct arose with the inception of the Democratic Parliament in 1994. The current buildings were designed for a different dispensation and are



inadequate for the current needs of Parliament. Various options have been considered over the years since 1994.

Parliament, in its approved Strategic Plan of the Third Parliament, identified the provision of space and accommodation as one of the major areas to improve the institutional effectiveness and efficiency. Accordingly, the Presiding Officers commissioned the Space Utilisation Project to address, amongst others, the design and construction of buildings and office accommodation.

The Space Utilisation Project included the following, which were paid for by Parliament:

- The construction of the Speaker's suite – Done;
- Refurbishment of the Members' restaurant in the New Wing – Done;
- The refurbishment of the Deputy Speaker's suite, which was previously the Speaker's office – Done;
- The refurbishment of the Presidential suite in the New Wing – Done;
- The refurbishment of the office of the Leader of Government Business in the New Wing – Done;
- Refurbishment of Africa House for The Joint Standing Committee on Intelligence (JSCI) and Protocol – Done.

The aspects of the project listed below were not commenced due to funding challenges at the Department of Public Works (DPW). A few buildings and a petrol station were demolished in preparation for the construction of these:

- A 1500-seat multi-purpose chamber to be used for joint sittings, with divisible walls so it could also be used for committee meetings;
- The multi-purpose facility would have a 300-seat Executive Gallery for dignitaries, a 600-seat Public Gallery and break-away lounges;
- An office tower building for MPs;
- A visitors' centre with receiving lounges for official visitors of Parliament and Heads of States;

- 2.5 levels of 750 underground parking bays, linking Plein Street with the existing basement parking.

Discussions and meetings have been held with the DPW with the view to agree on what aspects of this major project must be revived to the benefit of Parliament, subject to budget availability.

A further aspect of this project that has remained outstanding is the refurbishment of the offices of the Presiding Officers in the NCOP. As talks resume with the DPW on the Space Utilisation Project, it is imperative that this matter is addressed with the urgency it deserves. This will greatly improve the working environment of the Presiding Officers in the NCOP.

### **PARLIAMENTARY SPORT AND RECREATION COUNCIL**

The matter was referred to the JWF for further deliberation on 30 May 2012. On 14 August 2013, Dr Zukile Luyenge (Chairperson of the Sport Council) presented to the JWF requesting that consideration be given to confirming the constitution of the Sports and Recreation Council, identification of the relevant body where the Council would report and allocation of dedicated administrative support.

The Forum expressed a view that Parliament's core business was not to establish societies or councils that will require resources in the form of funds and support staff. It was then concluded that the POA should consider doing away with the Parliamentary Sports and Recreation Council. In this regard the Forum was of the view that sporting activities were well placed within the Wellness Programme of the Human Resources Division.

In a report dated 28 February 2014 to the POA, the JWF recommended that consideration be given to disestablishing the Parliamentary Sport and Recreation Council. This recommendation was agreed to by the POA. In a memorandum

dated 6 March 2014, the Secretary informed the Chairperson of the Sport and Recreation Council as well as the Human Resource Executive about the decision of the POA.

### **PARLIAMENTARY INTERFAITH COUNCIL**

This item was referred to the JWF by the POA for processing. The Parliamentary Interfaith Council was established in terms of House Resolutions adopted on 10 March 2010 in the NA and 26 August 2010 in the NCOP. During its deliberations the JWF was of the view that establishing councils that require resourcing in the form of funds and support staff was not the core business of Parliament.

After extensive discussions on the matter the JWF recommended that the POA consider disestablishing the Parliamentary Interfaith Council. This decision followed extensive discussions which had taken place amongst parties in the JWF. The Council has since been disestablished by resolutions of the Houses.

### **PROPOSED INTEGRATED SUSTAINABILITY STRATEGY OF PARLIAMENT**

The initiative to create an Integrated Sustainability Strategy and Framework for Parliament was launched in 2011. Legislatures in their oversight role were increasingly being called upon to ensure sustainable, economically prosperous and environmentally conscious policies. The adoption of a sustainability strategy would guide Members in their law-making and oversight activities, guide the development of new policies and establish measures that assist in tracking the progress of Parliament in achieving its integrated sustainability targets. At the time, consultations had taken place with the Executive

Committee, chairpersons of Parliamentary committees and the Audit Committee.

Had the POA approved the adoption of the sustainability strategy, an extensive process of training and embedding in the institution, followed by the compilation of baseline and target setting (Parliament's current carbon footprint), short- and long-term sustainability management activities would have been undertaken.

The proposed Integrated Sustainability Strategy for Parliament was considered by the POA on 30 May 2012. At this meeting it was agreed that political parties would be given an opportunity to engage with the documents before they were discussed again by the POA. The Office of the Secretary would, at the request of political parties, make available the necessary staff to facilitate presentations to caucuses of political parties on this matter.

### **REPORT OF THE TASK TEAM ON MEMBERS' TAXATION**

The objective of this exercise which emanated from the Quarterly Consultative Forum was to reduce the current high tax burden on Members of Parliament. The POA was required to consider the job description for MPs which would be submitted to the South African Revenue Services (SARS). Once this had been submitted to the SARS, MPs would be able to claim against the Public Office Bearers Allowance for work carried out outside of Parliament.

On 13 November 2013 the POA approved the job description and mandated the Task Team to engage the SARS. The Task Team subsequently wrote to the SARS Commissioner submitting the report as agreed to by the POA. The Commissioner replied noting that given that this was a policy matter, a meeting needed to be arranged between the National Treasury, the Commissioner and the Task Team.



## LEGACY ISSUES – OUTSTANDING PARLIAMENTARY BUSINESS

### BILLS BEFORE THE NATIONAL ASSEMBLY

There are three (3) section 76 bills that have been amended and returned to the NA for concurrence. The bills had lapsed at the conclusion of the 4th Parliament, and may require revival at the beginning of the 5th Parliament from the stage that they reached at the end of the 4th Parliament to complete the legislative processes. The Bills are:

- the Rental Housing Bill;
- the Financial Management Amendment Bill;
- the Women Empowerment Bill.

A mediated bill, the National Environmental Management: Integrated Coastal Management Amendment Bill (B 8F – 2013) was considered by the NCOP on 27 March 2014, but was not considered by the NA. Both Houses should consider the mediated bill in terms of the Joint Rules of Parliament. The report of the mediation committee will determine whether this bill will require revival and consideration by the NA in the 5th Parliament to complete the bill's legislative process.

The Budget (Appropriation Bill) was tabled on 26 February 2014. While the Division of Revenue Bill and the Fiscal Framework were completed by Parliament, the Appropriation Bill, which contains the budget votes, lapsed by the end of the term. The Bill will need to be revived at the beginning of the 5th Parliament to enable Parliament to pass the budget.

### BILLS BEFORE THE NATIONAL COUNCIL OF PROVINCES

The Traditional Courts Bill was before the NCOP by the time the Council adjourned. The Bill has lapsed and may be revived by the 5th Parliament.

### ATTENDANCE POLICY FOR MEMBERS OF PARLIAMENT

The Policy for Attendance of Members of Parliament has been adopted by the JRC and the NA. The NCOP must still pass it. The NA has referred the Policy to the Rules Committees for drafting of relevant rules, where applicable. Sanctions for non attendance at committee meetings and plenary sittings can only come into effect once the relevant rule changes are made. In the NA chamber the biometric facility will be available at the commencement of the 5th Parliament (a decision will need to be taken if this will be utilised). The IT solution for tracking of attendance in committee rooms must still be finalised.

### CODE OF CONDUCT FOR MEMBERS

The Joint Committee on Ethics and Members' Interests tabled a Code of Ethical Conduct and Disclosure of Members' Interests for Assembly and Permanent Council Members on 17 March 2014. The report was adopted by the NCOP on 26 March 2014, but was not considered by the NA. The report may require revival and consideration by the NA in order for it to be duly considered in terms of the Joint Rules of Parliament.

### BROADER REVIEW OF NATIONAL ASSEMBLY RULES

The broader review of NA rules is still to be finalised by the Rules Committee. The rule book has been reviewed by the Task Team set up by the Subcommittee of the Review of Rules for that purpose. The text of the rules has been sent to political parties for input. The matter was before the Subcommittee on the review of the NA Rules when the NA adjourned.

*At Taking Parliament to the People in Carolina, Mpumalanga Mr Mninwa Mahlangu engages with a local citizen.*

## **COMMITTEE TO CONSIDER PRESIDENT'S RESPONSE TO PUBLIC PROTECTOR'S REPORT INTO SECURITY UPGRADES AT THE PRESIDENT'S RESIDENCE**

The Public Protector published a report into the security upgrades at the President's residence on 19 March 2014. The President's responses and a copy of the Report were subsequently tabled in Parliament. The Speaker established a committee to look into the President's initial submissions in response to the report. This committee reported on 28 April that it did not have sufficient time to complete its mandate and recommended that the matter be referred to the 5th Parliament for consideration.

## **LEGACY ISSUES FOR THE JOINT RULES COMMITTEE OF THE 5TH PARLIAMENT**

The following matters were identified by the Joint Rules Committee (JRC) as legacy issues for consideration by that committee in the 5th Parliament:

i. Membership of the Joint Standing Committee on Defence

In the 4th Parliament the Joint Standing Committee on Defence's membership had 37 members, making it unwieldy

and difficult to manage. A proposal was put before the JRC to amend the Joint Rules of Parliament to allow the JRC to determine the size (ie total membership) of that committee at the start of each Parliament. It however appears that the matter necessitates a constitutional amendment and this is a matter that the 5th Parliament will need to attend to.

ii. Mandate of the Joint Standing Committee on Defence

On 18 October 2012, the Joint Standing Committee on Defence published a report in the ATC that contained various recommendations relating to membership, the mandate of the committee and issues of confidentiality, among other things. The matter was referred to the JRC and it remains outstanding.

iii. Mandate of the Constitutional Review Committee

On 21 June 2013, the Constitutional Review Committee published a report in the ATC containing a number of recommendations on its powers and functions. The recommendations are far-reaching and should be considered in detail. The matter will need to be revived in the 5th Parliament for consideration.

iv. Interim Joint Committee on Scrutiny of Delegated Legislation

Consideration should be given to whether a permanent mechanism for the scrutiny of delegated legislation ought to be created or whether the 5th Parliament will continue with an interim joint committee. If it is decided to continue with an interim mechanism, there are draft operational guidelines proposed by the current committee that should be considered.

v. Oversight mechanism on Financial Administration of Parliament Act

The NA passed the Financial Administration of Parliament Amendment Bill. After going through the legislative process in the NCOP, the Bill was returned to the NA with amendments where it lapsed. Once enacted, the JRC will have to establish the oversight mechanism provided for in section 4 of the Act and the necessary rules should be drafted by the 5th Parliament.

vi. Money Bills Amendment Procedure and Related Matters Act

Following a decision in the JRC, the Standing Committee on Finance was instructed by resolution to initiate an amendment procedure for the Money Bills Amendment Procedure and Related Matters Act. The last

progress report was given in September 2012. An amended bill has not yet been presented by the Standing Committee on Finance, so the matter will have to be taken up and finalised in the 5th Parliament.

vii. Role of Parliament in treaty-making processes

The Portfolio Committee on International Relations and Cooperation, on 9 September 2013 published an extensive report in the ATC on the role of Parliament in treaty-making processes. The matters raised and recommendations made affect both Houses and require discussion by the JRC of the 5th Parliament.

viii. Parliament's international relations policy and the Parliamentary Group on International Relations

Consideration could be given in the 5th Parliament to updating the international relations policy, while simultaneously focusing on the functioning of the Parliamentary Group on International Relations (PGIR) and its substructures. (See annexure C)

ix. Public Participation Model

It was agreed that this matter would be handed to the 5th Parliament as a legacy matter for further processing and finalisation.



## LEGACY ISSUES FOR ADMINISTRATION

### STRENGTHENING PARLIAMENT'S ADMINISTRATION

Re-engineering of the administration for an effective administration/institution (annexure of the signed off macro structure) as of the meeting of 15 April, and noting that the Parliament administration has now been redefined, constituting two branches, the Support Services Branch and the Core Business Branch, these are for operational effectiveness, noting that all of Parliament administration is core in its role to provide Members of Parliament with the necessary tools to function effectively and deliver on their mandate.

To date senior officials have been appointed, including some positions awaiting official administration processes.

The following areas will be handed over to the 5th Parliament:

### PARLIAMENT'S LEGISLATIVE DRAFTING CAPACITY

Section 44(4) of the Constitution provides that "when exercising its legislative authority, Parliament is bound only by the Constitution, and must act in accordance with, and within the limits of, the Constitution". Because we are a

constitutional state, all laws must pass the test of constitutionality. In this regard we must ensure that at all times, the laws we make are in keeping with the letter and spirit of the Constitution.

The Report of the Independent Panel Assessment of Parliament (2008) had noted in this regard that Parliament did not have sufficient capacity in respect of drafting and amending legislation. To this end, a number of corrective measures have been instituted to ensure the capacitation of legal services to ensure that our laws are at all times in keeping with the letter and spirit of the Constitution.

### IMPROVEMENT OF COMMITTEE SECTION

The Secretary to Parliament initiated an intervention to address the concerns expressed at different forums over a number of years regarding poor functioning of committees. House Chairpersons for Committees in the two Houses were requested by the Presiding Officers to identify areas of intervention and to submit regular reports to the Presiding Officers in relation, particularly, to political improvements to committee functioning. The intention was that, while the normal restructuring and other administrative issues were being addressed, this intervention to improve the functioning of committees would receive priority.

*At the swearing in of Members of the 2009 Parliament.*



## WORK OF THE LEGISLATIVE SECTOR SUPPORT (LSS)

### COOPERATION AND COLLABORATION BETWEEN PARLIAMENT AND PROVINCIAL LEGISLATURES

The period under review has been characterised by further commitment to cooperative governance as per the Memorandum of Understanding, which was signed by all Speakers of Parliament and Provincial Legislatures in March 2010. Also enjoying special attention is the continued collaboration of all SA Legislatures and continuous improvement in operations of joint structures reflecting the commitment of SA Legislatures to work even closer together in the interest of strengthening the South African Legislative Sector (SALS) and Legislatures, in accordance with the mandate of cooperative governance.

Over the past five years, the Speakers' Forum and the Secretaries' Association of the Legislatures of South Africa (SALSA) forums held quarterly meetings or special workshops where strategic and implementation matters were considered and resolved. The interaction between the various sector structures has improved greatly and has resulted in greater progress towards implementation of sector programmes.

A prime example of SA Legislatures' cooperation was realised in the full sector support and assistance provided and participation when the Mpumalanga Provincial Legislature and Gauteng Provincial Legislature hosted the CPA Africa Region Conference in 2010 and 2012 respectively as well as during the SALSA AGM and Development Seminar for officials, which was held in October 2012, in the Eastern Cape. Also, Parliament, with the cooperation and assistance of the entire sector, successfully hosted the international Commonwealth Parliamentary Conference in Sandton, Gauteng in September 2013.

*At a workshop of the South African Legislative Sector.*

### REVIEW OF STRATEGIC DIRECTION OF SECTOR, GOVERNANCE & OPERATION OF SECTOR

During the 4th Parliament there were periodic reviews of sector policy and the strategic framework.

In this context, the continuation of the existing sector mechanism, the Legislative Sector Support (LSS) also came under review. LSS is a mechanism that provides project management, coordination, administrative, content and technical support to sector structures and projects. LSS is also responsible for the management of sector programme implementation, sector funding and donor agreements, institutional memory and ensures continuity of Speakers' Forum programmes, whilst ensuring greater and effective stakeholder facilitation & management.

Lastly, there was regular and intense consideration of issues related to sector leadership, decision-making, recognition and accountability.

### RAISING THE PROFILE OF THE LEGISLATIVE SECTOR

There have been further strides and continued efforts towards elevating the status of the Legislative Sector to assert its role as an independent pillar of state and achieve a greater balance and more equality in relation to the executive and judiciary arms of government.

### FINANCIAL RESOURCES OF SECTOR COORDINATION & OPERATIONS

Prevailing political conditions have necessitated the consideration of various options to ensure the

further sustainability of the sector programme. In this regard, much work was done to highlight the following:

- Discussions to investigate and explore an optimum funding model of sector operations were elevated.
- Efforts to explore the possibility of continuation of receipt of donor aid – mainly for the purposes of innovation, development and capacity building.

## **POLITICAL BUY-IN AND INSTITUTIONALISATION**

A key focus area is the need for integration and institutionalisation of sector initiatives within individual Legislatures. Similarly the need for the national Parliament to give leadership in integrating the work of the Legislature into the strategic thrust of the sector as well as drive this critical area for the development of the Legislature in its totality.

This will be better achieved through the institutionalisation of sector cooperation and collaboration premised on the constitutional mandate of cooperative governance.

## **CAPACITY BUILDING OF LEGISLATORS AND LEGISLATURE STAFF**

Special highlights of the comprehensive sector Capacity Building Programme included the following achievements:

- The highly successful Sector Capacity Building Programme for Members resulted in 225 Members of Parliament and Provincial Legislatures receiving the Advanced Certificate in Leadership and Governance at a graduation ceremony at Wits University, in April 2013.
- Continued development of sector level induction material and accreditation matters.
- The development of a comprehensive capacity building programme for Members of the Legislative Sector.
- Efforts to standardise capacity building initiatives for staff across the Legislative Sector

- Professional development & inter-legislature committee engagements.
- Targeted and specific training interventions to assist committees to function effectively.
- Preparatory work to lay the foundation for the establishment of a Parliamentary Institute, responsible for overall professional development, in the longer term.

## **CREATING SIMILAR MODES OF OPERATION ON COMMON FOCUS AREAS**

A special emphasis was placed on continuing the focus on setting minimum norms and standards and providing guidelines in areas of common focus and implementation. This work was achieved through the alignment and implementation of adopted sector policy frameworks at institutional (Legislature) level. These frameworks included the Sector Oversight Model which was launched in March 2013.

Also, the finalisation of other frameworks in the areas of public participation, monitoring & evaluation, knowledge management and communications continued to receive priority attention. In tandem, the sector continues to identify further areas of need for the purposes of additional framework development.

## **CONSIDERATION OF RELATIONSHIPS, COORDINATION AND ENGAGEMENT WITH KEY LOCAL STAKEHOLDERS AND INTERNATIONAL LEGISLATIVE BODIES**

A key focus in facilitating the development of the SALS is the expansion of work with current strategic partners, such as the European Union, and the pursuit of new partnerships.

A highlight of SALS work in the period under review has been the consolidation of existing international relationships through the Commonwealth Parliament Association (CPA), the CPA Africa Region,

the Southern Africa Development Community-Parliamentary Forum and the Inter-Parliamentary Union (IPU) and the expansion thereof.

New avenues of collaboration have been explored with organisations such as the Southern Africa Development Community Organisation of Public Accounts Committees (SADCOPAC), the Society of Clerks at the Table (SOCATT) Africa Region and individual parliaments and international organisations in advancing the work of the Legislative Sector continentally and globally and building the capacity of our human resources. To this end, the SALS Presiding Officers' workshop held in November 2012 focused solely on partnerships with local and international institutions with the aim of building a stronger legislative sector.

The SALS is moving towards improvement in coordination and feedback on international engagements with a view to sharing knowledge and enhancing the work of Legislatures through this avenue. To this end, further funds were made available to facilitate expanded and enhanced international engagement by the SALS, thereby bringing the total assistance to the SALS programme to €20 million. This financial assistance has made it possible for the SALS to support the goals of enhanced public participation, oversight, international participation and engagement, especially assisting provincial legislatures with limited resources.

During the period under review, the increased number and quality of sector dialogue engagements has strengthened the SALS relationship with civil society and laid the basis for engagement on further collaboration.

A key highlight of the SALS annual calendar since 2010 is the institution and successful hosting of the annual International Consultative Seminar. Most recently, the 2013 International Consultative Seminar was a significant highlight and provided a platform for key discussions in the area of economic development. This particular seminar was graced by the presence of the President of the European Parliament, who also

addressed the seminar. His visit to South Africa was preceded by a visit of the Presiding Officers of the Parliament of the Republic of South Africa to the European Parliament in April 2012.

Subsequently, moves are afoot to expedite the following:

- Development of a mechanism (possibly legislation) that will enhance the engagement of organised local government at the provincial level.
- Efforts to strengthen the monitoring and oversight role of the NCOP and the provincial legislatures to ensure accountability by provincial government to citizens and local authorities.
- Sharing of sector learning with the international legislative community, specifically within Africa.
- Continued moves to streamline the coordination of international engagement by SA Legislatures and facilitate sharing of learning.
- Continuation of facilitating platforms for dialogue between the sector, the public and civil society through platforms such as the annual International Consultative Seminar, SALS Development Seminar, etc.
- Hosting of international conferences and events.
- Participation in and provision of technical assistance to international legislative organisations.
- Collaboration with the Association of Public Accounts Committees (APAC), SADCOPAC, the Auditor-General of South Africa, etc.

## **AREAS FOR FURTHER RESEARCH, INVESTIGATION AND CONSIDERATION OF ACTION**

The sector has achieved great strides in building the body of knowledge of the sector through creation and sharing of work via focused research and the development of policy frameworks. To this end, work on the inaugural Journal of the SA Legislative Sector has been concluded and the journal will be published and widely distributed

in 2014. This journal will become an annual institution of the SALS.

The SALS continued to investigate the concept of shared services in common focus areas to achieve economies of scale and support smaller institutions.

There has been greater consideration of elements that can be centrally managed, guided and decided within the sector at political and administrative level, such as the determination of themes for sectoral parliaments, a common approach to hosting of commemorative days, database development, management of sector information and provision of quality research services to Parliament and Legislature committees.

### **ALIGNMENT, IMPLEMENTATION BY LEGISLATURES AND MONITORING & EVALUATION OF FRAMEWORKS IMPLEMENTATION.**

Significant achievements were recorded in the finalisation and adoption of the policy frameworks:

- Oversight model;
- Public Participation & Petitions framework;
- Monitoring & Evaluation framework;
- Gender mainstreaming framework;
- Human Resource Development framework;
- Performance Management framework.

Significant progress and milestones were recorded in the development process of the following framework, which are due to be finalised in the 2014/2015 financial year:

- Knowledge Management framework;
- Communications framework.

### **STEPS TOWARDS AN ENABLING ENVIRONMENT FOR SOUND FINANCIAL MANAGEMENT**

Three priority areas were identified in order to achieve sound financial management in all SA Legislatures. Those are:

- Implementation of the FMPA, regulations and related requirements;
- The development and enhancement of the Treasury role of Speakers;
- Audit improvement plan for the SALS.

The amendment of the national financial management legislation (Financial Management of Parliament Act, 2009) by Parliament to incorporate all Provincial Legislatures is a critical milestone in asserting the doctrine of separation of powers and independence of the Legislative Sector.

The Legislative Sector excelled in the area of external audit in the 2011/12 financial year as reported by the independent Office of the Auditor General of South Africa. Two of the ten Legislatures achieved clean audits with no findings, whilst six achieved unqualified audits with few findings and only two received qualified audit outcomes.

These audit outcomes indicate a healthy financial environment and practice in the SALS. The SALS has formed a good working relationship with the Auditor General of SA in attempting to ensure improvement in the financial environment of government.

### **CONTINUATION AND EXPANSION OF EFFORTS TO INFORM AND SHARE WORK OF THE LEGISLATIVE SECTOR**

In March 2012, the website of the SALS was launched and remains a significant milestone towards cementing the SALS collaboration, raising awareness of and sharing knowledge of the sector, thereby continually strengthening the sector cooperation. The website can be accessed at [www.sals.gov.za](http://www.sals.gov.za).

Finally, more efforts have been made to step up information and communication activities, including the publication and distribution of a monthly electronic newsletter, Info Alert, to all Members and officials in the sector.



*All rise. The President of South Africa Mr Jacob Zuma addresses a joint sitting of Parliament.*

## ANNEXURE A: TABLE ON IMPLEMENTED POLICY IMPERATIVES

Policy Imperative	Implementation (Stages: not started, in planning, in implementation, implemented)
<b>1. Strengthen Oversight and Accountability</b>	
1.1 Development of rules on oversight	Review of Rules – in implementation
1.2 Assessment of impact of legislation	Institutional Project – in planning
1.3 Delegated legislation	Scrutiny mechanism – implemented
1.4 Money Bill Amendment Procedure implementation	Committees, process and Parliamentary Budget Office – implemented
1.5 Development of knowledge management systems	Knowledge Institute project – in planning
1.6 Development of monitoring and tracking system	Monitoring & Evaluation ICT system for oversight – in planning
1.7 Implement oversight model	Implemented
1.8 Integrated approach to oversight	Oversight co-ordination mechanism – not started

<b>2. Increase public involvement and participation</b>	
2.1 Consideration of resolutions of previous sector Parliaments	Changes in programmes – in implementation
2.2 Public awareness on role of Parliament	Public awareness survey – in planning
2.3 Role and function of constituency offices	Mechanism to improve effectiveness – project – in planning
2.4 Development of Public Participation Model	Project – in implementation
2.5 Development of public feedback mechanism	Not started
2.6 Optimal use of technology and systems	Re-alignment of public participation strategies, platforms and technologies – My app project – in implementation
2.7 Public education programmes	Development of learning modules – implemented
2.8 Development of capacity to monitor and implement African Peer Review Mechanism recommendations	Not started
2.9 Icon project	Implemented

<b>3. Increase co-operative government</b>	
3.1 System to deal with Audit of Statutes	Not started
3.2 Co-operative government in deciding resource allocation	FMPA and amendment – in implementation
3.3 Improved legislative sector co-operation	LSS – Implemented

<b>4. Increase international participation and co-operation</b>	
4.1 Strengthening of SADC-PF and establishment of regional assembly	New IR Capacity – in implementation
4.2 Implementation of Pan African Parliament (PAP) protocols	New IR Capacity – in implementation
4.3 Role of Parliament in conflict resolution	New IR Capacity – in implementation
4.4 Role and position in global governance	New IR Capacity – in implementation
4.5 Development of participation systems	New IR Capacity – in implementation
4.6 Debating and adoption of international conference reports and resolutions	New IR Capacity – in implementation
4.7 Capacity, policy analysis and structures	New IR Capacity – in implementation
4.8 Monitoring of implementation of treaties	New IR Capacity – in implementation
4.9 Hosting of 59th Commonwealth Conference	Implemented

<b>5. Building an efficient and effective institution</b>	
5.1 Restructuring of Administration	Institutional project – implemented
5.2 Improve governance and strategic management	Institutional project – in implementation
5.3 Improve organisational culture	Institutional project – in implementation
5.4 Establishment of 5th Parliament	Institutional project – in implementation
5.5 NA Chamber upgrade	Implemented
5.6 Enhance library services	Institutional project – in implementation
5.7 Development of Members' attendance policy and system	Institutional project – in implementation
5.8 ICT infrastructure upgrade (phase 3)	Institutional project – in implementation
5.9 Implementation of new transcription system	Implemented
5.10 Upgrade of broadcasting infrastructure	Institutional project – in implementation
5.11 Implementation of the FMPA	Implemented
5.12 NCOP Chamber upgrade	Implemented



## ANNEXURE B: OUTSTANDING POLICY IMPERATIVES

Parliament adopted the Policy Imperatives in November 2009. The following matters remain:

### 1. Matters emanating from the 3rd Parliament:

Certain legislation/processes, required by the Constitution, must still be passed by Parliament. These include:

- Legislation in terms of section 47(2) and 106(2) – dealing with the limits on eligibility of a person to become a member of the National Assembly or Provincial Legislature;
- Scope and procedure for adopting Charters of Rights, as contemplated in section 234.

### 2. Impacts for South Africa – the 30-year vision

There is a need for a strategic shift in thinking and approach regarding the position, role and functions of Parliament in our constitutional democracy, whilst moving away from an output-based approach to an outcome-based approach. Such a shift will assist Parliament in realising its outcome and the impact of this on accelerating transformation in our society.

Accordingly Parliament must still:

- identify a select set of indicators by which it will measure long-term impact, and provide a baseline measurement;
- determine the present baseline for outcome indicators for Parliament.

### 3. Strengthen the oversight function

Matters outstanding include:

- Consideration of how the National Development Plan, in conjunction with outcome-based performance agreements for Ministers, would shape the oversight work of the 5th Parliament;
- Appropriate means to acknowledge exceptional performance in service delivery;
- Developing protocols for assessing the performance of organs of state;
- Assessment of the impact of legislation passed in the last 20 years;
- Establishing a mechanism for setting oversight priorities and focus areas, aligned to Executive priorities, expected outcomes and programme of action;
- Guidelines for select and portfolio committees to conduct joint planning for the work of oversight;
- Establishment of an institutional knowledge management strategy;
- Implementation of monitoring and evaluation systems;
- Improve quality of oversight reports from committees with a view to adopting reports.

### 4. Increase public involvement and participation

Matters outstanding include:

- Finalisation and adoption of the Public Participation Model;
- Public Participation Standards providing the

courts with a clear framework in assessing cases involving the public participation responsibilities of Parliament;

- A survey providing baseline information on the public's understanding of Parliament, their access to information, and access to participate in the processes of Parliament;
- Public involvement and participation strategy;
- Mechanism to increase the effectiveness of constituency offices in order to enhance representative and participatory democracy;
- Establish a feedback mechanism on public participation;
- Parliament to oversee multilingual compliance of executive departments and organs of state.

### 5. Strengthen co-operative government and improved co-operation

Matters outstanding include:

- Integration of a state-wide programme of deepening democracy through integrated education programmes across legislative, executive and judicial spheres;
- Comprehensive system to deal with Audit of Statutes;
- Creation of uniformity in legislation where

processes involve co-operation;

- Develop concept of governance chapters to the national budget (ENE), based on constitutional functions, where individual Votes will be included eg, Presidency, Parliament, Executive, Judiciary, ISDs, etc.

### 6. Increase representation and participation in international sphere

Matters outstanding include:

- Development of mechanisms and improved capacity to support the role of Parliament in ratification of international treaties;
- Strengthening of role of SADC-PF to transform into a regional Parliament (as part of RECs);
- Implementation of PAP protocols and participation systems;
- Establishment of a mechanism to assist in conflict resolution;
- Policy framework setting out Parliament's (within South Africa's) fit and role in future global governance;
- Mechanism for Parliament's involvement prior to adoption of international agreements;
- System to monitor implementation of international agreements.

## OUTSTANDING INITIATIVES AND PROJECTS

### 1. The following institutional initiatives and projects are in progress, but have not yet been completed:

- a. Parliament's video broadcast upgrade;
- b. ICT integrated support to members;
- c. Members' time and attendance system.

### 2. The following institutional initiatives and projects have not yet commenced:

- a. Enhancing performance information within

- a. Parliament with an integrated ICT backbone;
- b. Integrating and strengthening process and endorsement of policies, both administration and other related policies, within the operational purview of Parliament;
- c. Bed down the administration divisions with clear workflows and appropriately placed with the respect to employment levels, including clear job descriptions and consistent nomenclature.

## ANNEXURE C: SUMMARY OF INTERNATIONAL RELATIONS LEGACY POINTS

This reports aims to provide key legacy points emanating from the 4th Parliament needing consideration by the 5th Parliament.

### 1. PGIR Review of Policy Perspectives and Guidelines on International Relations:

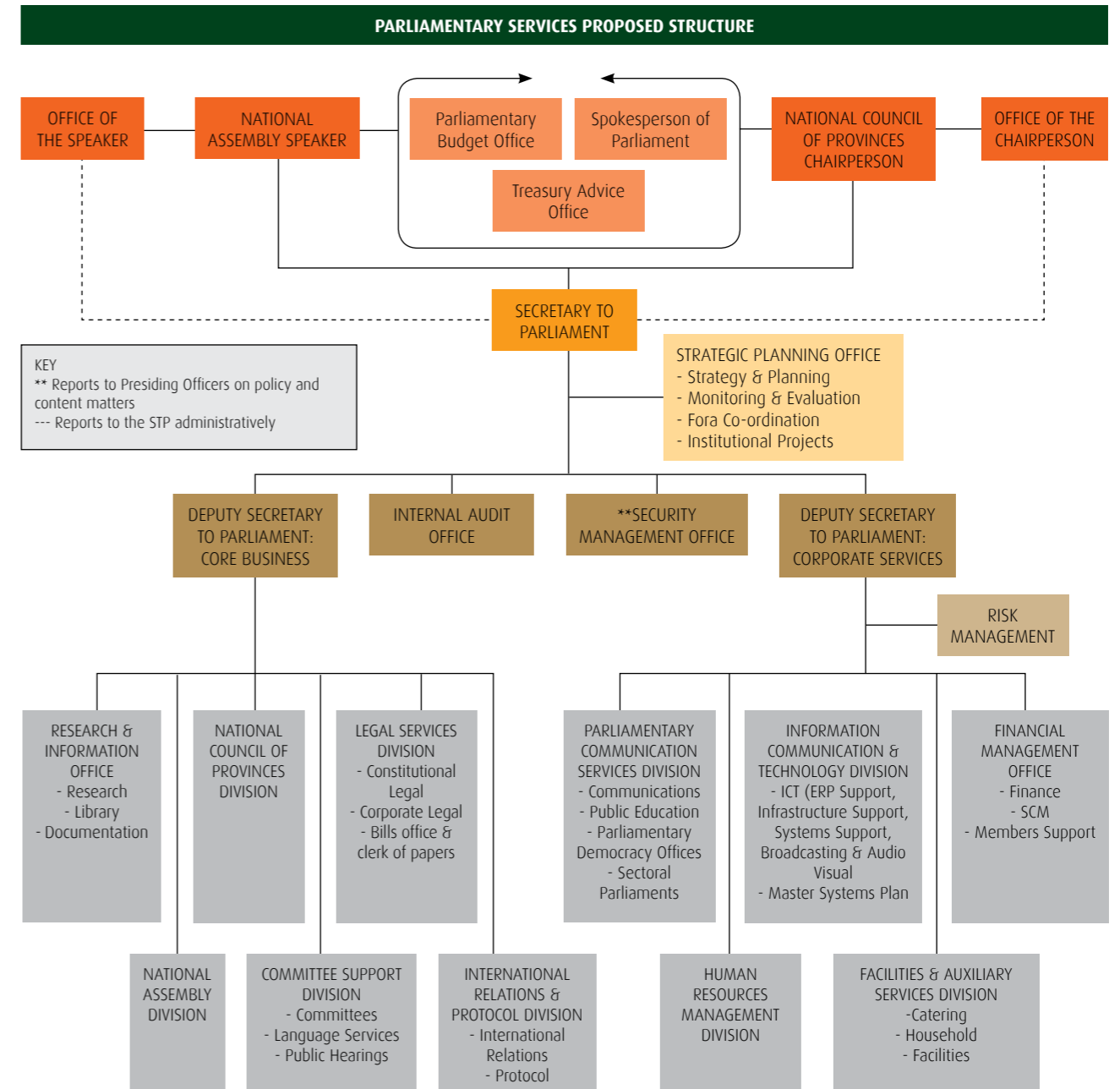
- The review should take into account all envisaged policy interventions summarised as follows
- Strengthening of the existing guidelines establishing Focus Groups of the PGIR;
- Reviewing and strengthening of the existing guidelines on strategic partnerships, networks and friendship groups;
- Development of international travel policy/guidelines for Members of Parliament.

### 2. Functionality of the PGIR:

- Ensure that the PGIR discusses the agenda of Inter-Parliamentary Organisations with a view to take positions for consideration and adoption by the Houses;
- Parliament to convene a workshop for all South African National and Provincial sub-branches of the CPA to discuss the country's position on the transformation agenda of the CPA;

- Contribute towards the formation of the BRICS-PF and IBSA-PF;
- The adoption of a motion to express support for the transformation of the of SADG-PF into a regional parliament;
- Contribute towards the transformation agenda of PAP;
- Ensure training of parliamentarians in election observation, and public and economic diplomacy;
- Prioritise the capacitation of the International Relations and Protocol Division (IRPD) for optimal functionality;
- Develop a mechanism to monitor decisions and resolutions taken during bilateral and multilateral engagements;
- Develop a mechanism to manage and monitor International agreements and treaties;
- The PGIR to evaluate South Africa's progress on the Millennium Development Goals with a view to reflect on a post-2015 development agenda for consideration and adoption by the House;
- Parliament to ratify the African Maritime Transport Charter.

## ANNEXURE D: AGREED TO FUNCTIONAL STRUCTURE OF PARLIAMENT ADMINISTRATION



## ANNEXURE E: SUMMARY OF RESOLUTIONS FROM THE POA AND EXCO

Exco resolution	Date of resolution & meeting	Comment	Status
Institutional Restructuring	Exco 25 May 2010	<ul style="list-style-type: none"> <li>The decision flowed from matters raised in the report of the Independent Panel Assessment of Parliament.</li> <li>Structure approved by the Presiding Officers in May 2013.</li> <li>Implementation in phases.</li> <li>Process of verifying and validating existing divisional structures undertaken by HR in January 2014.</li> <li>Envisaged completion date is 31 March 2014.</li> </ul>	In progress
Strengthening of Committee Section	Exco 25 May 2010 Exco 23 November 2010 2011 Budget vote debates 2012 Budget vote debates	<ul style="list-style-type: none"> <li>The matter was also raised in the report of the Independent Panel Assessment of Parliament.</li> <li>In May 2012 an intervention team headed by Mr Mansura was appointed to assist the Committee Section.</li> <li>On 1 June 2013 the Section Manager for Committees was appointed.</li> <li>On 6 August 2013 the team presented a status report to the Executive Committee.</li> <li>Improvements have been observed and reported on. Work continues in this regard.</li> </ul>	In progress
Strengthening Legal Services	2012 Budget vote debate Exco 21 February 2012	<ul style="list-style-type: none"> <li>The matter flowed from matters raised in the report of the Independent Panel Assessment of Parliament and various budget vote debates.</li> <li>24 September 2013 – memo to the Presiding officers proposing the review of legal and research services.</li> <li>Proposal approved.</li> <li>Technical Assistance Unit, National Treasury to assist with post reengineering.</li> </ul>	In progress

Exco resolution	Date of resolution & meeting	Comment	Status
Space Utilisation Project	Exco 13 October 2009 Exco 23 November 2010 Exco 15 October 2013	<ul style="list-style-type: none"> <li>This process dates back to the first Democratic Parliament.</li> <li>The overall costing was in the region of R5billion.</li> <li>Parliament had set aside funding for a feasibility study.</li> <li>The challenge was in the funding for the rest of the project in the context of economic challenges and the need for government to prioritise.</li> <li>In the meeting of the Exco held on 15 October 2013 it was reported that discussions had taken place with the DPW to look into reinstating the project.</li> </ul>	Talks resumed with DPW. In progress
Treasury Advice Office	Exco 5 June 2013 Exco 28 January 2014	<ul style="list-style-type: none"> <li>The matter dates back to 2012.</li> <li>On 28 January 2014 Exco approved the scope and budget of the Treasury Advice Office.</li> <li>Exco also approved that a process to appoint the Head of the office should proceed.</li> <li>Interactions are underway with the HR Division to implement the above decision.</li> <li>Head of the TAO appointed by the Accounting Officer with effect from 1 March 2014.</li> <li>HR Division undertaking OD work to create posts and grading of positions.</li> <li>Office space for 10 staff members being prioritised by Household Services.</li> </ul> <p><b>PRIORITIES</b></p> <ol style="list-style-type: none"> <li>Finalise the SCM Regulations for Parliament and Provincial Legislatures;</li> <li>Initiation of the Regulations on Funding of Political Parties represented in Parliament;</li> <li>A joint technical workshop between Nation Treasury, Parliament and Provincial Legislatures to take place early in May 2014; and</li> <li>Approval of GRAP transitional arrangements for Provincial Legislatures</li> </ol>	Implemented
Review of Members Travel Facilities Policy	POA 8 September and POA 16 November 2010 Exco 15 February 2011 Exco 20 November 2012 POA 8 March 2013.	<ul style="list-style-type: none"> <li>In a POA meeting of 16 November 2010 the matter was referred to the Quarterly Consultative Forum for further processing.</li> <li>The review arose from a resolution of the POA on 8 September 2010 as well as internal requests for information related to the usage of facilities by members.</li> <li>The review was finalised in the POA on 8 March 2013</li> </ul>	Implemented

Exco resolution	Date of resolution & meeting	Comment	Status
FMPA Amendments	Exco 19 July 2011	<ul style="list-style-type: none"> <li>The matter was referred to the Standing Committee on Finance on 9 May 2013.</li> <li>The Executive Committee through the Secretary made inputs to the Committee proposing amendments to section 4 of the FMPA which refers to the Oversight Mechanism.</li> <li>The Standing Committee on Finance finalised the matter and published its report in the ATC of 6 February 2014.</li> <li>Section 4 (Oversight Mechanism) has been amended not to exclude the Presiding Officers in the Oversight Mechanism.</li> <li>The NCOP has concluded its processes and reported the draft Bills with amendments. The matter is now before the NA.</li> </ul>	Amendment Bill lapsed on 6 May.
Publishing of attendance records	POA 19 June 2013	<ul style="list-style-type: none"> <li>POA decision was that Parliament would publish its own records.</li> <li>Records were verified with parties and in some cases have been loaded onto the system ready to go live.</li> </ul>	Completed
SADC-PF Secondment	Exco 6 August 2013	<ul style="list-style-type: none"> <li>Through an open process a candidate has been identified outside of Parliament. This candidate commenced work on 1 March 2014.</li> </ul>	Completed
Post-retirement Travel Benefits of Members	Exco 26 August 2013 POA 13 November 2013	<ul style="list-style-type: none"> <li>The matter served in several Exco agendas. On 13 November 2013 Reports 2 on the Actuarial Assessment was presented to the POA.</li> <li>Scenario 4 with amendments to the conditions of eligibility was adopted.</li> <li>The report compiled by Members' Facilities will be used by the Executive Authority when engaging the Finance Minister and the Leader of Government Business.</li> </ul>	In progress
State of security on precinct	Exco 5 November 2013	<ul style="list-style-type: none"> <li>This matter came about as a result of the interaction between the Exco and newly appointed senior managers held on 5 November 2013.</li> <li>The Validation Report tabled by HR is also an outcome of this interaction.</li> <li>The security report has been compiled and will be circulated to all members of the Executive Committee.</li> </ul>	Completed
Celebrating 20 Years of a Democratic Parliament	Exco 12 June 2013	<ul style="list-style-type: none"> <li>The Executive Committee was first briefed on this matter on 12 June 2013.</li> <li>On 6 August 2013 the Exco agreed on the establishment of a Political Steering Committee to drive the process.</li> <li>Meeting of the Political Steering Committee took place on 11 March 2014.</li> <li>Unveiling of the bust took place 28 April 2014.</li> </ul>	In progress

## ANNEXURE F: BILLS PASSED IN THE 4TH PARLIAMENT

	Act No	Bills passed in 2009 – First session of the 4th Parliament
1	16	Appropriation Bill [B 5 – 2009 (s77)](Setswana)
2	17	Taxation Laws A/B [B 10 – 2009 (s77)](Afrikaans)
3	18	Taxation Laws Second A/B [B 11 – 2009 (s75)](Afrikaans)
4	19	Local Government: Municipal Property Rates A/B [B 12 – 2009 (s75)] (isiZulu)
5	20	Repeal of the Black Administration Act and Amendment of Certain Laws Amendment Bill [B 15 – 2009 (s75)] (Afrikaans)
6	21	Adjustments Appropriation Bill (B 13 – 2009 (s77)) (seSotho)
7	22	National House of Traditional Leaders Bill [B 56D – 2008 (s76)] (isiXhosa)
8	23	Traditional Leadership and Governance Framework Amendment Bill [B 57D – 2008 (s76)] (isiZulu)

		Bills passed in 2010 – Second session of the 4th Parliament
9	1	Division of Revenue Bill [B 4 – 2010 (s76)] (Afrikaans) (assented to 31 March 2010)
10	2	Safety at Sports and Recreational Events Bill [B 7B – 2009 (s75)] (isiZulu) (assented to 27 May 2010)
11	3	Appropriation Bill [B 3 – 2010 (s77)] (Sepedi) (assented to 15 June 2010)
12	4	South African Reserve Bank Amendment Bill [B 10 – 2010 (s75)] (Afrikaans) (assented to 8 Sept 2010)
13	5	Social Assistance Amendment Bill [B 5B – 2010 (s76)](Afrikaans) (assented to 15 Sept 2010)
14	6	Criminal Law (Forensic Procedures) Amendment Bill [B 2B – 2009 (s75)] (Afrikaans) (assented to 1 Oct 2010)
15	7	Taxation Laws Amendment Bill [B 28 – 2010 (s77)] (Afrikaans) (assented to 31 Oct 2010)
16	8	Voluntary Disclosure Programme and Taxation Laws Second Amendment Bill [B 28 – 2010 (s75)] (Afrikaans) (assented to 31 Oct 2010)
17	9	South African Postbank Bill [B 14B – 2009 (s75)] (Afrikaans/isiZulu/Setwana) (assented to 1 Dec 2010)
18	10	Transport Laws Repeal Bill [B 19B – 2010 (s75)] (isiZulu) (assented to 30 Nov 2010)
19	11	Sectional Titles Amendment Bill [B 14B – 2010 (s75)] (Afrikaans) (assented to 3 Dec 2010)
20	12	Deeds Registries Amendment Bill [B 13B – 2010 (s75)] (Afrikaans) (assented to 30 Nov 2010)
21	13	Black Authorities Act Repeal Bill [B 9 – 2010 (s78)] (Afrikaans) (assented to 1 Dec 2010)
22	14	Local Government: Municipal Electoral Amendment Bill [B 27B – 2010 (s75)] (Tshivenda) (assented to 29 Nov 2010 / GG reprinted)

23	15	Division of Revenue Amendment Bill [B 35 – 2010 (s76)] (Afrikaans) (assented to 26 Nov 2010)
24	16	Geoscience Amendment Bill [B 12B – 2010 (s75)] (Afrikaans) (assented to 1 Dec 2010)
25	17	South African Citizenship Amendment Bill [B 17D – 2010 (s75)] (Afrikaans) (assented to 3 Dec 2010)
26	18	Births and Deaths Registration Amendment Bill [B 18D – 2010 (s75)] (Afrikaans) (assented to 3 Dec 2010)
27	19	Magistrates' Courts Bill [B 23B – 2010 (s75)] (Afrikaans) (assented to 3 Dec 2010)
28	20	Repeal of the Black Administration Act and Amendment of Certain Laws Amendment Bill [B 37 – 2010 (s75)](Afrikaans) (assented to 1 Dec 2010)
29	21	Regulation of Interception of Communications and Provision of Communication-related Information Amendment Bill [B 38 – 2010 (s75)] (Afrikaans) (assented to 1 Dec 2010)
30	22	Defence Amendment Bill [B 11B – 2010 (s75)] (isiZulu) (assented to 7 Dec 2010)
31	23	Adjustments Appropriation Amendment Bill [B 34 - 2010 (s77)] (Sepedi) (assented to 1 Dec 2010)
32	24	Skills Development Levies Amendment Bill [B 25 – 2010 (s75)] (Siswati/Tshivenda/) (assented to 3 Dec 2010)
33	25	Higher Education and Training Laws Amendment Bill [B 26B – 2010 (s76)] (Tshivenda/Siswati/Afrikaans) (assented to 3 Dec 2010)
34	26	Higher Education Laws Amendment Bill [B 24B – 2010 (s75)] (isiZulu) (assented to 3 Dec 2010)

#### **Bills passed in 2011 – Third Session of the 4th Parliament**

35	1	Independent Police Investigative Directorate Bill [B 15F – 2010 (s76(1))] (isiZulu) (assented to 12 May 2011; GG 34298)
36	2	Civilian Secretariat for Police Service Bill [B 16F – 2010 (s76(1))] (isiZulu) (assented to 12 May 2011; GG 34299)
37	3	Companies Amendment Bill [B 40B – 2010 (s75)] (Afrikaans) (assented to 19 April 2011; GG 34243)
38	4	Rural Development and Land Reform General Amendment Bill [B 33 – 2010 (s75)] (Afrikaans) (assented to 12 May 2011; GG 34300)
39	5	Correctional Matters Amendment Bill [B 41B – 2010 (s75)] (Afrikaans) (assented to 24 May 2011; GG 34315)
40	6	Division of Revenue Bill [B 4 – 2011 (Reprint) (s76)] (Xitsonga) (assented to 27 April; GG 34258)
41	7	Local Government: Municipal Systems Amendment Bill [B 22B – 2010 (s75)] (Afrikaans) (assented to 2 July; GG 34433)
42	8	Sectional Titles Schemes Management Bill [B 20B – 2010 (s76)] (isiZulu) (assented to 11 June; GG 34367)
43	9	Community Schemes Ombud Service Bill [B 21B – 2010 (s76)] (isiZulu) (assented to 11 June; GG 34368)
44	10	Merchant Shipping (Safe Containers Convention) Bill [B 31B – 2010 (s75)] (Tshivenda) (assented to 13 July; GG 34460)
45	11	Appropriation Bill [B 3 – 2011 (s77)] (Sesotho) (assented to 13 July; GG 34460)
46	12	Refugees Amendment Bill [B 30D – 2010 (s75)] (Afrikaans) (assented to 21 August; GG 34560)

47	13	Immigration Amendment Bill [B 32D – 2010 (s75)] (Siswati) (assented to 21 August; GG 34561)
48	14	State Liability Amendment Bill [B 2B – 2011 (s75)] (Afrikaans) (assented to 21 August; GG 34545)
49	15	Basic Education Laws Amendment Bill [B 36D – 2010 (s76) (Reprint)] (Afrikaans) (assented to 15 Sept; GG 34620)
50	16	Science and Technology Laws Amendment Bill [B 5B – 2011 (s75)] (Afrikaans/isiZulu) (assented to 2 December; GG 34817)
51	17	Protection from Harassment Bill [B 1B – 2010 (s75)] (Afrikaans) (assented to 2 December; GG 34818)
52	18	Military Veterans Bill [B 1B – 2011 (s75)] (Xitsonga) (assented to 2 December; GG 34819)
53	19	Government Employees Pension Law Amendment Bill [B 15 – 2011 (s75)] (Siswati) (assented to 12 December; GG 34864)
54	20	Division of Revenue Amendment Bill [B 17 – 2011 (s76)] (Xitsonga) (assented to 5 December; GG 34833)
55	21	Higher Education Laws Amendment Bill [B 14B – 2011 (s75)] (Afrikaans) (assented to 12 December; GG 34865)
56	22	South African Post Office SOC Ltd Bill [B 2D – 2010 (s75)] (Afrikaans) (assented to 14 December; GG 34879)
57	23	Adjustments Appropriation Bill [B 18 – 2011 (s77)] (Sesotho) (assented to 12 December; GG 34866)
58	24	Taxation Laws Amendment Bill [B 19 – 2011 (s77)] (Afrikaans) (assented to 28 December; GG 34927)
59	25	Taxation Second Amendment Bill [B 20 – 2011 (s75)] (Afrikaans) (assented to 12 December; GG 34867)
60	26	Skills Development Amendment Bill [B 16B – 2011 (Reprint) (s75)] (Tshivenda) (assented to 27 March 2012; GG 35191)
61	27	Intellectual Property Laws Amendment Bill [B 8B – 2010 (s75)] (Afrikaans) (sent for assent)
62	28	Tax Administration Bill [B 11B – 2011 (s75)] (Afrikaans) (assented to 2 July 2012; GG 35491)

#### **Bills passed in 2012 – Fourth Session of the 4th Parliament**

63	1	Additional Adjustments Appropriation Bill (2011/2012 Financial Year) [B 6 – 2012 (s77)] (Sepedi) (assented to 24 March 2012; GG 35184)
64	2	Finance Bill [B 5 – 2012 (s77)] (Xitsonga) (assented to 27 March 2012; GG 35185)
65	3	Further Education and Training Colleges Amendment Bill [B 13D – 2011 (s76(1))] (Sepedi) (assented to 25 April 2012; GG 35308)
66	4	Military Ombud Bill [B 9D – 2011 (s75)] (isiNdebele) (assented to 25 April 2012; GG 35309)
67	5	Division of Revenue Bill [B 4 – 2012 (s76)] (Sesotho) (assented to 15 May 2012; GG 35361)
68	6	Criminal Law (Sexual Offences and Related Matters Amendment Act Amendment Bill [B 19 – 2012 (s75)] (Afrikaans) (assented to 23 June 2012; GG 35473)
69	7	Appropriation Bill [B 3 – 2012 (s77)] (Setswana) (assented to 11 July 2012; GG 35512)
70	8	Implementation of the Geneva Conventions Bill [B 10B – 2011 (s75)] (isiXhosa) (assented to 11 July 2012; GG 35513)
71	9	Criminal Procedure Amendment Bill [B 39B – 2010 (s75)] (Afrikaans) (GG 35714)

72	10	South African Police Service Amendment Bill [B 7B – 2012 (s75)] (Afrikaans) (assented to 13 September 2012; GG 35663)
73	11	Judicial Matters Amendment Bill [B 11B – 2012 (s75)] (Afrikaans) (assented to 1 October 2012; GG 35741)
74	12	Use of Official Languages Bill [B 23B – 2011 (s75)] (Tshivenda) (assented to 1 October 2012; GG 35742)
75	13	Rate and Monetary Amounts and Amendment of Revenue Laws Bill [B 10 – 2012 (s77)] (Afrikaans) (assented to 5 October 2012; GG 35775)
76	14	Sheriffs Amendment Bill [B 2B – 2012 (s75)] (Afrikaans) (assented to 6 December 2012; GG 35987)
77	15	Road Accident Fund (Transitional Provisions) Bill [B 22B – 2012 (s75)] (Afrikaans) (assented to 6 December 2012; GG 35979)
78	16	Veterinary and Para-Veterinary Professions Amendment Bill [B 25B – 2012 (s75)] (Afrikaans) (assented to 6 December 2012; GG 35980)
79	17	Adjustments Appropriation Bill [B 32 – 2012 (s77)] (Setswana) (assented to 10 December 2012; GG 35993)
80	18	Division of Revenue Amendment Bill [B 33 – 2012 (s76)] (Sesotho) (assented to 6 December 2012; GG 35994)
81	19	Financial Markets Bill [B 12B – 2012 (s75)] (Siswati) (assented to 30 January 2013; GG 36121)
82	20	Repeal of the Black Administration Act and Amendment of Certain Laws Amendment Bill [B 40 – 2012 (s75)] (Afrikaans) (assented to 12 December 2012; GG 36021)
83	21	Tax Administration Laws Amendment Bill [B 35B – 2012 (s75)] (Afrikaans) (assented to 12 December 2012; GG 36036)
84	22	Taxation Laws Amendment Bill [B 34 – 2012 (s77)] (Afrikaans) (assented to 30 January 2013; GG 36122)
85	23	Higher Education and Training Laws Amendment Bill [B 23B – 2012 (s75)] (Afrikaans) (assented to 12 December 2012; GG 36022)
86	24	Credit Rating Services Bill [B 8B – 2012 (s75)] (Tshivenda) (assented to 9 January 2013; GG 36071)

**Bills passed in 2013 – Fifth Session of the 4th Parliament**

87	1	Further Education and Training Colleges Amendment Bill [B 24B – 2012 (s76)] (Sepedi) (assented to 18 March 2013; GG 36271)
88	2	Division of Revenue Bill [B 2 – 2013 (s76)] (Sesotho) (assented to 7 June 2013; GG 36555)
89	3	Transport Laws and Related Matters Amendment Bill [B 30D – 2012 (s75)] (Afrikaans) (assented to 21 Sept 2013; GG 36878)
90	4	Protection of Personal Information Bill [B 9D – 2009 (s75)] (Afrikaans) (assented to 27 November 2013; GG 37067)
91	5	South African Maritime and Aeronautical Search and Rescue Amendment Bill [B 28 – 2012 (s75)](Afrikaans) (assented to 25 Jun 2013; GG 36610)
92	6	Co-operatives Amendment Bill [B 17B – 2012 (s75)] (Xitsonga) (assented to 2 August 2013; GG 36729)
93	7	Prevention and Combating of Trafficking in Persons Bill [B 7B – 2010 (s75)] (Siswati) (assented to 28 July 2013; GG 36715)

94	8	Criminal Procedure Amendment Bill [B 26B – 2012 (s75)] (Afrikaans) (assented to 7 July 2013; GG 36691)
95	9	Appropriation Bill [B 1 – 2013 (s77)] (Sepedi) (assented to 7 July 2013; GG 36692)
96	10	Superior Courts Bill [B 7B – 2011 (s75)] (Afrikaans) (assented to 12 August 2013; GG 36743)
97	11	General Intelligence Laws Amendment Bill [B 25B – 2011 (s75)] (Afrikaans) (assented to 19 July 2013; GG 36695)
98	12	National Health Amendment Bill [B 24F – 2011 (s76)] (Setswana) (assented to 24 July 2013; GG 36702)
99	13	Prevention and Combating of Torture of Persons Bill [B 21B – 2012 (s75) (Reprint)] (Sepedi) ) (assented to 24 July 2013; GG 36716)
100	14	National Environmental Laws First Amendment Bill [B 13D – 2012 (s76)] (Setswana) (assented to 24 July 2013; GG 36703) (assented to as National Environmental Laws Amendment Act)
101	15	Dangerous Weapons Bill [B 37 – 2012 (s75)] (isiZulu) (assented to 24 July 2013; GG 36704)
102	16	Spatial Planning and Land Use Management Bill [B 14B – 2012 (s76)] (Afrikaans) (assented to 2 August 2013; GG 36730)
103	17	Commission on Gender Equality Amendment Bill [B 36 – 2012 (s75)] (Afrikaans) (assented to 27 November 2013; GG 37068)
104	18	Electoral Amendment Bill [B 22B – 2013 (s75)] (Afrikaans) (assented to 27 November 2013; GG 37069)
105	19	Geomatics Profession Bill [B 4B – 2013 (s75)] (Afrikaans) (assented to 9 December 2013; GG 37142)
106	20	Basic Conditions of Employment Bill [B 15B – 2012 (s75)] (Afrikaans) (assented to 4 December 2013; GG 37139)
107	21	Africa Institute of South Africa Act Repeal Bill [B 6B – 2013 (s75)] (isiZulu) (assented to 9 December 2013; GG 37143)
108	22	Banks Amendment Bill [B 43B – 2012 (s75) (Reprint)] (Afrikaans) (assented to 9 December 2013; GG 37144)
109	23	Rates and Monetary Amounts and Amendment of Revenue Laws Bill [B 12 – 2013] (National Assembly – sec 77) (Afrikaans) (assented to 28 November 2013; GG 37104)
110	24	Merchant Shipping (International Oil Pollution Compensation Fund) Bill [B 19B – 2013 (s75)] (Afrikaans) (assented to 9 December 2013; GG 37145)
111	25	Merchant Shipping (Civil Liability Convention) Bill [B 20B – 2013 (s75)] (Afrikaans) (assented to 9 December 2013; GG 37146)
112	26	Employment Tax Incentive Bill [B 46 – 2013] (National Assembly – sec 77) (Xitsonga) (assented to 17 December 2013; GG 37185)
113	27	Adjustments Appropriation Bill [B 37 – 2013] (National Assembly – sec 77) (Sepedi) (assented to 9 December 2013; GG 37147)
114	28	Intellectual Property Laws Amendment Bill [B 8B – 2010] (National Assembly – sec 76) (Afrikaans) (assented to 9 December 2013; GG 37148)
115	29	Division of Revenue Amendment Bill [B 38 – 2013] (National Assembly – sec 76) (Sesotho) (assented to 29 November 2013; GG 37105)
116	30	National Environment Laws Second Amendment Bill [B 13B – 2013 (s76)] (Afrikaans) (assented to 14 December 2013; GG 37170)

117	31	Taxation Laws Amendment Bill [B 39 – 2013] (National Assembly – sec 77) (Afrikaans) (assented to 11 December 2013; GG 37158)
118	32	Lotteries Amendment Bill [B 21B – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 14 December 2013; GG 37171)
119	33	Sectional Titles Amendment Bill [B 11B – 2013] (National Assembly – sec 76) (Afrikaans) (assented to 14 December 2013; GG 37172)
120	34	Deeds Registries Amendment Bill [B 10B – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 14 December 2013; GG 37173)
121	35	Merchant Shipping (International Oil Pollution Compensation Fund) Administration Bill [B 42 – 2013] (National Assembly – sec 75) (assented to 14 December 2013; GG 37174)
122	36	Merchant Shipping (International Oil Pollution Compensation Fund) Contributions Bill [B 41 – 2013] (National Assembly – sec 77) (assented to 21 December 2013; GG 37219)
123	37	Criminal Law (Forensic Procedures) Amendment Bill [B 9D – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 23 January 2014; GG 37268)
124	38	South African Post Office SOC Ltd Amendment Bill [B 24B – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 23 January 2014; GG 37269)
125	39	Tax Administration Laws Amendment Bill [B 40 – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 14 January 2014; GG 37236)
126	40	South African Human Rights Commission Bill [B 5B – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 20 January 2014; GG 37253)
127	41	Protection of State Information Bill [B 6D – 2010 (s75)] (National Assembly – sec 75) (isiXhosa)
128	42	Judicial Matters Amendment Bill [B 7D – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 20 January 2014; GG 37254)
129	43	Judicial Matters Second Amendment Bill [B 51 – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 20 January 2014; GG 37255)
130	44	South African Post Bank Limited Amendment Bill [B 25 – 2013] (National Assembly – sec 75) (Setswana/isiXhosa/Afrikaans) (assented to 23 January 2014; GG 37270)
131	45	Financial Services Laws General Amendment Bill [B 29B – 2012] (National Assembly – sec 75) (Afrikaans) (assented to 14 January 2014; GG 37237)
132	46	Broad-Based Black Economic Empowerment Amendment Bill [B 42D – 2012] (National Assembly – sec 76) (Setswana) (assented to 23 January 2014; GG 37271)
133	47	Employment Equity Amendment Bill [B 31B – 2012] (National Assembly – sec 75) (Xitsonga) (assented to 14 January 2014; GG 37238)
134	48	South African Weather Service Amendment Bill [B 23B – 2013] (National Assembly – sec 75) (Afrikaans) (assented to 14 January 2014; GG 37239)

**Bills passed in 2014 – Sixth Session of the 4th Parliament**

135	1	Electronic Communications Amendment Bill [B 17B – 2013 (s75)] (Afrikaans) (assented to 3 April 2014; GG 37536)
136	2	Independent Communications Authority of South Africa Amendment Bill [B 18D – 2013 (s76)] (Afrikaans) (assented to 3 April 2014; GG 37537)
137	3	Tourism Bill [B 44D – 2012 (Reprint) (s76)] (Sepedi) (assented to 3 April 2014; GG 37538)
138	4	Employment Services Bill [B 38D – 2012 (s75)] (Siswati) (assented to 3 April 2014; GG 37539)

139	5	Marine Living Resources Amendment Bill [B 30B – 2013 (s76)] (Afrikaans) (sent for assent; GG)
140	6	Labour Relations Amendment Bill [B 16D – 2012 (s75)] (Afrikaans) (sent for assent; GG)
141	7	Science and Technology Laws Amendment Bill [B 36B – 2013 (s75)] (Afrikaans/isiZulu) (sent for assent; GG)
142	8	South African Language Practitioners' Council Bill [B 14D – 2013 (s75)] (Sepedi) (sent for assent; GG)
143	9	Legal Metrology Bill [B 34B – 2013 (s76)] (Tshivenda) (sent for assent; GG)
144	10	Division of Revenue Bill [B 5 – 2014 (s76)] (Tsonga) (sent for assent; GG)
145	11	Public Administration Management Bill [B 55B – 2013 (s76)] (isiXhosa) (sent for assent; GG)
146	12	Mental Health Care Amendment Bill [B 39B – 2012 (s76)] (isiXhosa) (sent for assent; GG)
147	13	State Attorney Amendment Bill [B 52B – 2013 (s76)] (Afrikaans) (sent for assent; GG)
148	14	Judicial Matters Third Amendment Bill [B 53 – 2013 (s76)] (Setswana) (to be sent for assent; GG)
149	15	Restitution of Land Rights Amendment Bill [B 35B – 2013 (s76)] (Afr) (to be sent for assent; GG)
150	16	Special Economic Zones Bill [B 3D – 2013 (s76)] (isiZulu) (to be sent for assent; GG)
151	17	Property Valuation Bill [B 54B – 2013 (s75)] (Afrikaans) (to be sent for assent; GG)
152	18	Private Security Industry Regulation Amendment Bill [B 27D – 2013 (s75)] (Afrikaans) (to be sent for assent; GG)
153	19	National Credit Amendment Bill [B 47B – 2013 (s76)] (isiZulu) (to be sent for assent; GG)
154	20	National Environmental Management: Air Quality Amendment Bill [B 27D – 2013 (s76)] (isiZulu) (to be sent for assent; GG)
155	21	National Environmental Management: Protected Areas Amendment Bill [B 28B – 2013 (s75)] (isiXhosa) (to be sent for assent; GG)
156	22	Determination of Remuneration of Office-Bearers of Independent Constitutional Institutions Laws Amendment Bill [B 31B – 2013 (s75)] (Afrikaans) (to be sent for assent; GG)
157	23	Legal Practice Bill [B 20D – 2012 (s76)] (isiXhosa) (to be sent for assent; GG)
158	24	National Water Amendment Bill [B 3 – 2014 (s75)] (to be sent for assent; GG)
159	25	Customs Duty Bill [B 43 – 2013 (s77)] (Afrikaans) (to be sent for assent; GG)
160	26	Customs and Excise Amendment Bill [B 44B – 2013 (s75)] (Afrikaans) (to be sent for assent; GG)
161	27	Customs Control Bill [B 45B – 2013 (s75)] (Afrikaans) (to be sent for assent; GG)
162	28	Infrastructure Development Bill [B 49B – 2013 (s76)] (Afrikaans) (to be sent for assent; GG)
163	29	Mineral and Petroleum Resources Development Amendment Bill [B 15B – 2013 (s76)] (Sepedi) (to be sent for assent; GG)
164	30	National Environmental Management Laws Third Amendment Bill [B 26B – 2013 (s76)] (Setswana/Afrikaans) (to be sent for assent; GG)
165	31	National Environmental Management: Waste Amendment Bill [B 32B – 2013 (s76)] (Setswana) (to be sent for assent; GG)
166	32	Local Government: Municipal Property Rates Amendment Bill [B 33B – 2013 (s75)] (isiZulu) (to be sent for assent; GG)

END

