



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
IPalamente yePhondo leNtshona Koloni

MINUTES OF PROCEEDINGS

STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM

Wednesday, 1 September 2021 (08:00)
Virtual Meeting via MS Teams

ATTENDANCE

Members:

Democratic Alliance

Baartman, D (Chairperson)
Maseko, M
Van der Westhuizen, A

African National Congress

Nkondlo, N

Apology

Makamba-Botya, N (EFF)

Additional Member

Brinkhuis, G (Al-Jama-ah)

The following persons were in attendance:

Ministry: Finance and Economic Opportunities

Mr D Maynier, Minister

Gloucester Accounting Services

Mr S Vorster, Director

Provincial Treasury

Mr D Savage, Head of Department
Ms J Gantana, Deputy Director-General
Mr I Smith, Chief Director
Ms N Ebrahim, Director
Mr R Havermann, Deputy Director-General
Mr M Booysen, Acting Chief Director
Dr N Nleya, Director
Ms A Smith, Chief Financial Officer
Mr T Marinus, Deputy Director
Ms A Mazomba, Director
Mr A Hardien, Chief Director
Ms C Horton, Deputy Director
Mr D Cronje, Acting Director
Ms S Davids, Deputy Director
Mr S Kenyon, Chief Director
Ms W Sadan, Office Manager
Mr F Salie, Director

Western Cape Provincial Parliament:

Ms Z Adams, Procedural Officer
Ms L Cloete, Senior Procedural Officer
Ms M Motsapi, Committee Assistant

1. Welcome, Attendance and other

The Chairperson welcomed the Minister, the officials from Provincial Treasury, Members and member of the public to the meeting, and noted the apology from Member N Makamba-Botya (EFF).

The Chairperson informed the Committee that the Provincial Treasury requested that the second agenda item, the briefing on the “value for money” aspect of procurement, be postponed until they have more information on the subject matter. The Head of Provincial Treasury, Mr D Savage, indicated that certain aspects of this briefing request would be addressed in the presentation.

The Committee agreed to the postponement of the briefing on the “value for money” aspect of public procurement.

The Chairperson informed the Committee and Members of the public that the presentation on the candidates nominated to fill the vacancy on the Western Cape Gambling and Racing Board (the Board) would be open to public as the presentation did not contain any personal information about the candidates. The Chairperson also noted that all four candidates had signed a consent form that allowed the Western Cape Provincial Parliament (WCPP) to process their personal information during the evaluation process. This was a new requirement from WCPP, in order to be compliant with the Protection of Personal Information Act, 2013, which came into effect on 1 July 2021.

The Chairperson also indicated that the probity outcomes of the candidates who were nominated to be appointed to the Board would also be presented to the Committee, however, this report

contained personal details about the candidates. The Chairperson indicated that Members should resolve whether this section of the meeting should be closed to the public, given the sensitive and personal information contained in the report. The Members agreed that this part of the meeting should be closed.

The Chairperson noted the Rules of Engagement for virtual meetings and proceeded with the agenda items below.

2. Briefing by the Provincial Treasury on the Annual Public Procurement Disclosure Report

The Chairperson allowed the Minister to make opening remarks. Mr Savage, Ms Gantana and Ms Ebrahim and Mr Smith briefed the Committee on the subject at hand.

The Committee proceeded with the discussion on the information that was presented.

3. Briefing by the Provincial Treasury on the Conditional Grants Review

Mr Savage, Dr Nleya and Ms Davids briefed the Committee on the subject at hand.

The Committee proceeded with the discussion on the information that was presented.

4. Briefing by the Provincial Treasury on the process to fill the vacancy on the Western Cape Gambling and Racing Board

Dr Nleya and Ms Horton briefed the Committee on the subject at hand, breaking down the qualifications of the candidates that were nominated for possible appointment to the Western Cape Gambling and Racing Board (the Board), and expertise required on the current Board. The Provincial Treasury recommended that the Committee evaluate the candidates and rank them in order of preference.

The Committee discussed the information presented by the Provincial Treasury.

The Committee discussed the Provincial Treasury's request to submit the names of candidates to the Minister in order of preference. However, the Committee indicated that the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996) (the Act), and the Western Cape Gambling and Racing Regulations (the Regulations), did not require that the Committee rank candidates in order of preference. The Committee decided that it would not rank candidates, instead, the Committee would submit their score sheets to the Minister along with the Report on the nominations to fill the vacancy on the Board.

The Chairperson indicated that the Committee should decide if it would like to interview the candidates or if the evaluation would be a paper-based activity since the Act and the Regulations do not prescribe how the Committee should evaluate candidates.

Member Van der Westhuizen indicated that all four candidates were highly qualified and experienced, and proposed that the Committee send all four names to the Minister for consideration.

The Committee held an in-depth discussion about the advantages and disadvantages of holding or not holding interviews. The Provincial Treasury advised that there were factors that emerged from interviews that would not be visible from a paper-based evaluation. Additionally, the interviews would assist the Minister in understanding why certain candidates were preferred.

The Committee agreed that it would hold interviews of candidates on Wednesday, 8 September 2021, and that the Committee would also include its scoresheets as annexures when submitting the report to the Minister.

The Committee requested that the Provincial Treasury furnish the Members with a Question and Answer Guide ahead of the interviews.

The Chairperson indicated that the interviews would be held online via MS Teams, and if these sessions were livestreamed, it could give an unfair advantage to candidates who would have access to the interview questions posed to the first candidate. The Committee agreed that the interviews would be closed to the public.

The Committee also agreed that they would need one hour in the morning, prior to the interviews, to discuss and finalise the interview questions, and that each interview session would be 30 minutes, followed by a ten minute discussion interval.

The Committee proceeded to the briefing on the probity outcomes of candidates.

5. Briefing by Gloucester Accounting Services on the Probity Outcomes of Candidates

Mr Vorster briefed the Committee on the probity outcomes of the candidates. The Committee held a brief discussion on the report.

6. Resolutions/Actions

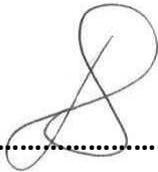
6.1 The Committee RESOLVED the following:

- 6.1.1 Members may send additional follow-up questions relating to the Annual Public Procurement Disclosure Report to the Procedural Officer, which would be forwarded to the Provincial Treasury for response;
- 6.1.2 To hold interviews of candidates, who were nominated for possible appointment to the Western Cape Gambling and Racing Board, on 8 September 2021;
- 6.1.3 To send the Members' score sheets to the Minister along with the Report on the Nominations of Candidates for Appointment to the Western Cape Gambling and Racing Board;
- 6.1.4 Each interview would be 30 minutes in length, followed by a ten minute discussion period, and the Committee would meet for an hour prior to the interviews to discuss and finalise the interview questions; and
- 6.1.5 To invite the National Treasury to brief the Committee on the new instruction notes that seem to be a challenge in terms of procurement harmonisation between the National Treasury and Provincial Treasury.

6.2 The Committee REQUESTED that the Provincial Treasury provides the Committee with the following information:

- 6.2.1 A Question and Answer Guide for the interviews of candidates nominated to be appointed to the Western Cape Gambling and Racing Board;
- 6.2.2 The Provincial Treasury's comments on the Draft Public Procurement Bill;
- 6.2.3 The Supply Chain Management Policy of the Provincial Departments and Entities; and
- 6.2.4 A copy of the Supply Chain Strategy, which Provincial Treasury indicated that they are in possession of;
- 6.2.5 A copy of the Accounting Officer Blue print; and
- 6.2.6 A report on the Procurement Planning Toolkits given to provincial departments and local government.

The meeting adjourned at 13:36.



.....
ADV. D BAARTMAN, MPP

CHAIRPERSON: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM

DATE: 8 September 2021