



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

## MINUTES OF PROCEEDINGS

### STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM

Monday, 18 March 2024 (08:00), Virtual via MS Teams

#### ATTENDANCE

##### Members:

##### **Democratic Alliance**

Murray, C (Chairperson)  
Sileku, I  
Van der Westhuizen, A

##### **AI JAMA-AH**

Brinkhuis, K

##### **Absent:**

Nkondlo, N (ANC)

##### The following persons were in attendance:

##### **Department of Small Business Development**

Ms E Koekemoer, Director  
Ms Q Delwa, Deputy Director-General  
Mr L Mzizana, Parliamentary Liaison Officer

##### **Western Cape Provincial Parliament**

Ms Z Adams, Procedural Officer  
Ms M Mrubata, Committee Assistant

## **1. Welcome and attendance**

The Chairperson opened the meeting and welcomed the Departmental officials, Members of Provincial Parliament present and members of the public. The Chairperson explained the rules of engagement in virtual meetings and noted that there were no apologies.

## **2. Deliberations on the Department's responses to submissions on the National Small Enterprise Amendment Bill [B 16B - 2023]**

The Department of Small Business Development (DSBD) briefed the Committee on their responses to the submissions the Committee received on the National Small Enterprise Amendment Bill (the Bill).

The Members asked questions based on the content presented.

Before the Committee dismissed the DSBD officials, the Chairperson indicated that she was concerned about the incident that took place minutes before the meeting began. The DSBD official who was supposed to brief the Committee indicated that she would not be briefing the Committee due to a concern raised that she was overstepping in terms of reporting lines. She had taken this advice from her managers. After a discussion with the Minister's office, the official and two supporting staff entered the meeting.

The Chairperson indicated that the Committee's role was also to deliberate on the responses that the DSBD had made to the submissions. There was no blurring of lines, and the Committee was not stepping on anyone's toes. The DSBD's role was to speak to the responses that they gave the Committee, on a Bill that the DSBD had put forward. The separation of powers was clear, and this was noted for this future; however, the DSBD should note their role too.

Ms Delwa responded that the understanding in terms of the delineation of roles was clear. There was confusion about the DSBD's role due to comments from the Select Committee who indicated that the DSBD had gone over its mandate in relation to this legislative process. The Department was reminded that this was a parliamentary process and that they should provide information, only. Ms Delwa apologised to the Committee, indicating that the situation could have been handled better.

Adv Maasdorp indicated that such "confusion" should not be happening 30 years into democracy. He reminded the DSBD that the Legislature was a legitimate constitutionally mandated platform to make laws, and the Legislature was obliged, constitutionally, to pursue every opportunity and platform to ensure that submissions made were responded to by a sponsoring executive organ. He was fascinated by the "almost aversion" to addressing the Committee this morning, indicating that he was baffled by the arrogance and misplaced chauvinism. However, he was pleased that Ms Delwa chose to have a mature demeanour in her response to the Chairperson, as opposed to the demeanour that was displayed earlier to the Procedural Officer. He wanted to emphasise that the Committee would pursue any and every platform to obtain input from officials who were charged with providing that input to the Committee.

### **3. Deliberations on the negotiating mandate for the National Small Enterprise Amendment Bill [B 16B-2023]**

The Chairperson indicated that the Members were encouraged to express their thoughts and views on the National Small Enterprise Amendment Bill.

Members Murray, Van der Westhuizen and Sileku proposed possible amendments and noted several concerns that were included in the negotiating mandate.

Members Murray, Van der Westhuizen and Sileku indicated that they conferred on the NCOP delegation the authority to support the Bill, subject to the consideration of the concerns, and the implementation of the proposed amendments, outlined in the negotiating mandate.

### **4. Closure of meeting**

The Committee expressed its gratitude towards the members of the public for their submissions on the Bills, their participation in the public participation process, and the time and effort put into this piece of legislation. The Chairperson also thanked the Members and support staff for their efforts through the legislative process so far.

The meeting adjourned at 11h00.

A handwritten signature in black ink, appearing to read 'CAT MURRAY', is written over a horizontal dotted line.

**MS CAT MURRAY, MPP**

**CHAIRPERSON: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM**

**Date: 6 May 2024**