

Tuesday, 7 May 2024]

No 61 - 2024] SIXTH SESSION, SIXTH PARLIAMENT

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

TUESDAY, 7 MAY 2024

TABLING

The Speaker:

Minister of Local Government, Environmental Affairs and Development Planning

Tabling of a report in terms of section 106(1A) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000):

The provincial investigation report relating to serious allegations at Matzikama Municipality

Copy attached.

COMMITTEE REPORTS

1. **[Final Mandate Stage] Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Public Procurement Bill [B 18D – 2023] (NCOP), dated 6 May 2024.**

The Western Cape Provincial Parliament confers on the Western Cape's delegation in the National Council of Provinces the Authority not to support the Bill.

In accordance with Standing Rule 90, Al Jama-ah expressed its minority view to support the Bill.

2. **Annual Committee Report of the Standing Committee on Finance, Economic Opportunities and Tourism for the 2023/24 financial year, dated 6 May 2024, as follows:**

Members

The Committee comprised of the following members:

Murray, C (DA)(Chairperson)
 Brinkhuis, K (Al Jama-ah)
 Nkondlo, N (ANC)
 Sileku, I (DA)
 Van der Westhuizen, A (DA)

Alternate Members

America, D (DA)
 Bans, A (ANC)
 Maseko, M (DA)
 Mvimbi, L (ANC)
 Philander, W (DA)

1. Introduction

The mandate of the Committee is to:

- 1.1 Maintain oversight over the executive members and the Departments concerning the way in which they perform their responsibilities, including the implementation of legislation and to hold them accountable; and
- 1.2 Consider and report on legislation, other matters and the annual reports referred to it by the Speaker.

In fulfillment of its mandate the Committee must:

- 1.2.1 Facilitate public participation and involvement in the legislative and other processes of the Committee.
- 1.2.2 Conduct its business in a fair, open and transparent manner.
- 1.2.3 Promote cooperative governance.
- 1.2.4 Report regularly to the House.

With reference to the 2023/24 Strategic Objectives of the WCPP linked to the Speakers' Priorities to the end of the 6th Term, the outcome of this report is linked to:

Priority 1: Building a credible WCPP; and
 Priority 3: Strengthening the core business.

2. Reporting Departments and Entities

- 2.1 Provincial Treasury
- 2.2 Western Cape Gambling and Racing Board (WCGRB)
- 2.3 Department of Economic Development and Tourism
- 2.4 Western Cape Destination Marketing, Investment and Trade Promotion Agency(WESGRO)
- 2.5 Saldanha Bay Industrial Development Zone Licencing Company SOC Ltd (SBIDZ)
- 2.6 Atlantis Special Economic Zone (ASEZ)

3. Overview of Committee's activities

Number of Committee Meetings	23
Number of Public Hearings	15
Number of International Study Tours	0
Number of Oversight Visits	2
Number of Provincial Bills considered	1

Number of NCOP Bills considered	5
Workshops/conferences attended	0

4. Oversight activities

The Standing Committee on Finance, Economic Opportunities and Tourism (the Committee) conducted its oversight responsibilities and produced a high level of output, holding a total of 24 meetings, two oversight visits and 15 public hearings during the 2023/24 financial year.

4.1 Legislation

During the 2023/24 financial year, the Committee deliberated on Vote 3: Provincial Treasury and Vote 12: Economic Development and Tourism in the Schedule to the Western Cape Adjustments Appropriation Bill [B 7-2023] in November 2023. The Committee also deliberated on Vote 3: Provincial Treasury and Vote 12: Economic Development and Tourism in the Schedule to the Western Cape Appropriation Bill [B 1-2024], on 14 March 2024. Both Votes were supported.

The Committee adopted the negotiating mandates on the Copyright Amendment Bill [B 13D–2017](NCOP)(S76) and the Performers’ Protection Amendment Bill [B 24D–2016](NCOP)(S76), in May 2023, and the final mandates in September 2023. The Bills were referred to the Committee in October 2022, but the public participation period extended into the 2023/24 financial year.

The Committee received the Upstream Petroleum Resources Development Bill [B 13D-2021](NCOP)(S76) in November 2023, and resolved to hold four public hearings on the Bill in Beaufort West, Mossel Bay, Cape Town and Vredenburg. The Committee processed the negotiating and final mandates in March 2024.

The Public Procurement Bill [B 18B-2023](NCOP)(S76) and the National Small Enterprise Amendment Bill [B 16B-2023](NCOP)(S76) was referred to the Committee in mid-December 2023. The Committee held three public hearings on the Public Procurement Bill in George, Saldanha Bay and Cape Town. The Committee held one hybrid public hearing on the National Small Enterprise Amendment Bill in Cape Town. The Committee processed the negotiating mandates for both Bills in March 2024. The final mandates for both Bills will be dealt with in April 2024.

In terms of provincial legislation, the Committee received the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023], which had to be processed. The Committee was briefed on the Bill on 1 September 2023, the public hearing on the Bill was held on 24 October 2023, and the Committee voted in favour of the Bill on 1 November 2023.

4.2 Committee Meetings

The Committee focused much of its activities on matters affecting the Western Cape. The 2023/24 financial year started with a briefing on the challenges and successes experienced over the last tourism season, and updates on the Remote Working Visas, the tourism visa backlogs, the implementation of the online declaration system, and the backlog in tourism operating licenses.

The Committee, noting the importance of the tourism sector for the province’s economy, met with provincial and national departments and entities in May 2023 on the results of the 2022/23 tourism season. The Committee met with the Department of Economic

Development and Tourism, Wesgro, the Department of Home Affairs, the South African Revenue Service, the Airports Company South Africa, and the Department of Transport's National Public Transport Regulator. The Committee met with these stakeholders again on 22 September 2023 to gauge their readiness for the 2023/24 tourism season, focusing on the tourism readiness plans, the expectations for the season, the readiness of the Cape Town International Airport, and measures to address the backlog in ICT-related challenges and tourism operating licenses, and the processing of visas.

During the year under review, the Committee engaged with the relevant role players within the African Growth and Opportunity Act (AGOA) preferential trade agreement, as the debate about the renewal or expiry of the AGOA in 2025 unfolded. The Committee met with the Western Cape Department of Economic Development and Tourism, Wesgro and the Western Cape Department of Agriculture on 9 June 2023 to gauge the impact that AGOA has had on the Western Cape. The Committee was informed that the AGOA was of great importance to the agricultural sector of the Western Cape, specifically, for the citrus producers and exporters, for job creation, and to the overall growth of the province's economy. The Committee also had robust engagements with the Minister of Trade, Industry and Competition regarding the need for more engagement on the AGOA, given its importance for the Western Cape's economy.

The Committee, also noting the importance of the Port of Cape Town (the Port) for the Western Cape's economy, met with Transnet and various relevant stakeholders thrice during the year under review to address the challenges and inefficiencies experienced at the Port. Besides Transnet, the Committee met with the Department of Economic Development and Tourism, the South African Association of Freight Forwarders, Exporters Western Cape, the South African Association of Ship Operators and Agents and the Mediterranean Shipping Company (PTY) LTD to discuss the challenges experienced by the entire port value chain, from transporters and exporters to major shipping lines. The Committee received several recommendations from the various stakeholders, which would be shared with the national Minister.

The Committee deliberated on the 2022/23 Annual Reports of the Department of Economic Development and Tourism and its entities; Wesgro, Freeport Saldanha Industrial Development Zone and the Atlantis Special Economic Zone. The Committee also deliberated on the 2022/23 Annual Reports of the Provincial Treasury and its Entity; the Western Cape Gambling and Racing Board. All the departments and entities were commended for their clean audit outcomes, and Wesgro was commended for improving its audit and receiving an unqualified audit outcome.

In January 2024, the Committee embarked on an interview process to elect board members to serve on the Western Cape Consumer Affairs Tribunal, in accordance with the Western Cape Consumer Affairs (Unfair Business Practices) Act, 2002 (Act 10 of 2002). The interview process was successful, and the recommendations of candidates was referred to the Minister.

In February 2024, the Committee interviewed candidates to fill the current and upcoming vacancies in the Western Cape Gambling and Racing Board (the Board). The Committee interviewed several candidates and considered and adopted the report on the recommendations of candidates to fill the vacancies on the Board. These recommendations were then referred to the Minister.

In respect of meetings on legislation during the 2023/24 financial year – the Committee met to express its views on the Copyright Amendment Bill, the Performers' Protection Amendment Bill, the Upstream Petroleum Resource Development Bill, the Public

Procurement Bill, the National Small Enterprise Amendment Bill, and the Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill.

4.3 Oversight Visits

The Committee conducted two oversight visits during the 2023/24 financial year.

The Committee engagement with Summer Citrus from South Africa and relevant industries in the citrus export value chain in August 2023 on the benefits and challenges they experienced in respect of the African Growth and Opportunities Act. The information gathered at this engagement was referred to the National Minister for his consideration.

The Committee, along with the Standing Committee on Mobility, also met with the founding stakeholders of the Cape Winelands Airport for the briefing on the development plans for the proposed airport. The briefing also focused on the impact the Airport would have on the surrounding communities and the economy in the Western Cape.

5. Legislation

In the 2023/24 financial year, the Committee dealt with the following legislation:

5.1 Provincial Bills

- 5.1.1 Vote 3: Provincial Treasury in the Schedule to the Western Cape Adjustments Appropriation Bill [B 7-2023]
- 5.1.2 Vote 12: Economic Development and Tourism in the Schedule to the Western Cape Adjustments Appropriation Bill [B 7-2023]
- 5.1.3 Vote 3: Provincial Treasury in the Schedule to the Western Cape Appropriation Bill [B 1-2024]
- 5.1.4 Vote 12: Economic Development and Tourism in the Schedule to the Western Cape Appropriation Bill [B 1-2024]
- 5.1.5 Western Cape Nineteenth Gambling and Racing Amendment Act Repeal Bill [B 3-2023]

5.2 NCOP Bills (Section 76)

- 5.2.1 Copyright Amendment Bill [B 13D-2017]
- 5.2.2 Performers' Protection Amendment Bill [B 24D-2016]
- 5.2.3 Upstream Petroleum Resources Development Bill [B 13D-2021]
- 5.2.4 National Small Enterprise Amendment Bill [B 16B-2023]
- 5.2.5 Public Procurement Bill [B 18B-2023]

6. Facilitation of Public Involvement and Participation

In line with its mandate to facilitate public participation as part of the legislative process, the Committee held public hearings on all the Bills, Annual Reports and Budget Appropriations. To give effect to this, the Committee advertised the Annual Report, the Western Cape Appropriation Bills and the NCOP (S76) and provincial bills in mainstream and community newspapers across the Western Cape, informing and inviting stakeholders to participate in the public participation processes. The Committee also made extensive use of paid social media advertising, radio promotion, PMG's call for comments service, and direct requests for comments to bolster public participation for all the Bills. Members of the public were also encouraged to use WhatsApp messages and voice notes to submit their comments on the Bills.

7. Financial particulars

The Committee's original budget was R180 000. The adjusted budget for the 2023/24 financial year was R412 747 and the Committee incurred actual expenditure of R537 998, resulting in an over-expenditure of R125 251.