

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

TUESDAY, 27 NOVEMBER 2018

COMMITTEE REPORTS

1. Report of the Standing Committee on Premier and Constitutional Matters on Vote 1: Premier in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on the Premier and Constitutional Matters reports that it has concluded its deliberations on Vote 1: Premier in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, and that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

2. Report of Parliamentary Oversight Committee on Vote 2: Provincial Parliament in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Parliamentary Oversight Committee reports that it has concluded its deliberations on Vote 2: Provincial Parliament in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, and that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

3. Report of the Standing Committee on Finance on Vote 3: Provincial Treasury in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Finance, having deliberated on the subject of Vote 3: Provincial Treasury in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

4. Report of the Standing Committee on Community Safety on Vote 4: Community Safety in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Community Safety, having deliberated on the subject of Vote 4: Community Safety in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

5. Report of the Standing Committee on Education on Vote 5: Education in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Education, having deliberated on the subject of Vote 5: Education in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

6. Report of the Standing Committee on Community Development on Vote 6: Health in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Community Development, having deliberated on the subject of Vote 6: Health in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

7. Report of the Standing Committee on Community Development on Vote 7: Social Development in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Community Development, having deliberated on the subject of Vote 7: Social Development in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

8. Report of the Standing Committee on Human Settlements on Vote 8: Human Settlements in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Human Settlements, having deliberated on the subject of Vote 8: Human Settlements in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

9. Report of the Standing Committee on Environmental Affairs and Development Planning on Vote 9: Environmental Affairs and Development Planning in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Environmental Affairs and Development Planning, having deliberated on the subject of Vote 9: Environmental Affairs and Development Planning in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

10. Report of the Standing Committee on Transport and Public Works on Vote 10: Transport and Public Works in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Transport and Public Works, having deliberated on the subject of Vote 10: Transport and Public Works in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view that it has concluded its deliberations on the Vote.

11. Report of the Standing Committee on Economic Opportunities, Tourism and Agriculture on Vote 11: Agriculture in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Economic Opportunities, Tourism and Agriculture, having deliberated on the subject of Vote 11: Agriculture in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, report that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress reserves the right to express its view.

12. Report of the Standing Committee on Economic Opportunities, Tourism and Agriculture on Vote 12: Economic Development and Tourism in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Economic Opportunities, Tourism and, having deliberated on the subject of Vote 12: Economic Development and Tourism in the Schedule to the

Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress reserves the right to express its view.

13. Report of the Standing Committee on Cultural Affairs and Sport on Vote 13: Cultural Affairs and Sport in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Cultural Affairs and Sport, having deliberated on the subject of Vote 13: Cultural Affairs and Sport in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

Minority view

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

14. Report of the Standing Committee on Local Government on Vote 14: Local Government in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], dated 23 November 2018, as follows:

The Standing Committee on Local Government, having deliberated on the subject of Vote 14: Local Government, in the Schedule to the Western Cape Adjustments Appropriation Bill [B 6–2018], referred to the Committee in accordance with Standing Rule 187, reports that it supports the Vote referred to it.

In accordance with Standing Rule 86, the African National Congress expressed its minority view not to support the Vote.

15. (*Final mandate stage*) Report of the Standing Committee on Local Government on the Traditional and Khoi-San Leadership Bill [B 23D–2015] (S76) (NCOP), dated 23 November 2018, as follows:

The Standing Committee on Local Government, having considered the subject of the Traditional and Khoi-San Leadership Bill [B 23D–2015] (S76) (NCOP) referred to it in accordance with Standing Rule 220, recommends that the House confers on the Western Cape's delegation in the National Council of Provinces the authority not to support the Bill.

16. (*Negotiating mandate stage*) Report of the Standing Committee on Community Development on the National Public Health Institute of South Africa Bill [B 16B–2017] (NCOP), dated 20 November 2018, as follows:

The Standing Committee on Community Development, having considered the subject of the National Health Public Health Institute of South Africa Bill [B 16B–2017] (NCOP) referred to it in terms of Standing Rule 220, confers on the Western Cape’s delegation in the NCOP the authority to support the Bill with the following amendments:

1. Definitions

- 1.1 On page 3, clause 1, in line 6, the definition of “**public health**” is not usual. It left out “Art” which is material to the NAPHISA if it wishes to conduct advocacy and perform communication functions. Substitute this with: “the art and science of preventing disease, prolonging life and promoting health through the organised efforts of society” (Acheson, 1988; WHO).
- 1.2 On page 3, clause 1, in line 9, the definition of “**public health sector**”, throughout the Bill mention is made of functions using only public-sector institutions, for example clause 3.1(d) has “use public and occupational health information for monitoring and evaluation of policies and interventions”. In order to fulfil its mandate, NAPHISA needs to obtain data from the private sector as well. The cancer registry obtains information about cancer diagnoses from private laboratory services already, and this scope is important to include in its purview.

The Province recommends that “private health” be included in the scope of public and private health information.

- 1.3 On page 3, clause 1, in line 12, the definition of “**surveillance**” is limited to communicable diseases. The usual definition of public health surveillance should be substituted for this limited one: “Public health surveillance is the continuous, systematic collection, analysis and interpretation of health-related data needed for the planning, implementation, and evaluation of public health practice” (World Health Organization).

2. Establishment of National Public Health Institute of South Africa

On page 3, clause 2(1)(e), in line 25, the violence and injury division is identified as “Injury and Violence Prevention”. This is rather limited. To be consistent with other divisions, this should be changed to “Violence and Injuries”

3. Functions of NAPHISA

- 3.1 On page 3, clause 3(1)(e), in line 41, insert “provide support to provinces and local authorities in disease and injury surveillance and outbreak response”.

- 3.2 On page 5, to remove clause 3(3)(f) from section 3.3 under heading “The NAPHISA may”, and insert it in section 3(1) under heading “The NAPHISA must” as clause 3(1)(y) on page 4.

4. Composition of Board

- 4.1 On page 6, clause 5(c), provides that the Board of NAPHISA shall also consist of seven members, each with special knowledge in one of the following areas:

- (i) communicable diseases;
- (ii) non-communicable diseases;
- (iii) occupational health;
- (iv) cancer surveillance;
- (v) injury and violence prevention;
- (vi) environmental health; and
- (vii) field epidemiology

It is recommended that, for consistency, they either should all be surveillance, all prevention, or all surveillance and prevention.

- 4.2 A lack of representation of provinces on the Board is a concern. Health is a concurrent national and provincial competency and, therefore, provinces should be represented on the Board. The Province recommends that three representatives from the provincial health departments should form part of the Board on a rotational basis.

5 Transfer or secondment of certain persons to or from employ of NAPHISA

- 5.1 Clause 14 deals with movement of staff into and out of the NAPHISA. Firstly, it is likely that most of the movement into NAPHISA will take place when NAPHISA is established. However, the Bill is entirely silent on transitional arrangements. Secondly, the Bill is entirely silent on the possibility, likelihood or feasibility of joint appointees.

The Province suggests clarification on transitional arrangements and on joint appointments be added.

- 5.2 Clause 14 raises concern about the joint appointment and intellectual property needs to be considered in the implementation of the Bill. This is an issue that may be more complicated if staff have joint appointments with the universities, which is believed will only be good for the institute. University staff have their own set of IP and copyright issues. The Bill needs to accept some degree of compromise for staff with joint appointments.

- 6 On page 10, clause 19(4), in line 24, to insert “Finalised regulations must be considered by Parliament.”