



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

## MINUTES OF PROCEEDINGS

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

Tuesday, 6 August 2019 (13:00), Committee Room 2, 4th floor, Cape Town

#### ATTENDANCE

##### Members:

##### **Democratic Alliance**

Baartman, D (Chairperson)  
America, D (Alternate)  
Van der Westhuizen, A

##### **African National Congress**

Nkondlo, N

##### **Economic Freedom Fighters**

Makamba-Botya, N

##### **Apologies**

Mitchell, D (DA)  
Lekker, P (ANC)(Alternate)

##### Officials and Members of the Public

##### **Provincial Treasury**

Dr N Nleyi, Director: Fiscal Policy  
Ms C Horton, Fiscal Policy  
Ms R Slinger, Chief Director: Public Policy Services

##### **Gloucester Accounting Services**

Mr S Vorster, Auditor

## **Parliamentary Monitoring Group**

Mr G Moore, Monitor

### **Apologies**

Minister D Maynier, Ministry of Finance and Economic Opportunities

Ms J Gantana, Acting Head of Department: Provincial Treasury

### **1. Welcome**

The Chairperson welcomed the Members and informed the Committee that apologies were received from the Minister, Member Mitchell, Member Lekker and Ms Gantana.

The Chairperson informed Members and the public that a portion of the Provincial Treasury's presentation, and the briefing on the Probity Report, contained the names of the candidates to be considered for the Western Cape Gambling and Racing Board (WCGRB), and other personal information regarding their residence and finances. The Chairperson indicated that the Committee should resolve as to whether this portion of the briefing should be considered in-camera (closed to the public), given the personal nature of the information to be considered.

The following Standing Rules were applied during this consideration:

- Standing Rule 72(1): "Meetings of committees are open to the public ... except where the relevant committee resolves otherwise and the exclusion of the public in the particular case is reasonable and justifiable within the meaning of section 28(2) of the provincial Constitution". Section 28(2) of the provincial Constitution states that "the public, including the media, may not be excluded from a sitting of a committee of the Provincial Parliament unless it is reasonable and justifiable to do so in an open and democratic society".
- Standing Rule 72(2): "The Chairperson of a committee may at any time close the meeting for a decision by the Committee whether a matter should be considered in camera".
- Standing Rule 72(3): Any person or group of persons, ordinarily comprising at least the public and the media, must withdraw from a committee meeting considered to be in camera, on being requested by the chairperson to do so in terms of a resolution of a committee.

After a brief discussion, the Committee agreed and RESOLVED that the meeting should be held in-camera during the period of the Provincial Treasury's briefing when the names of the candidates were stated, and when the probity reports were considered. The Committee would be opened again during the consideration of the draft committee Programme and the draft committee minutes.

### **2. Briefing by the Provincial Treasury on the process leading to the shortlisting of candidates to fill the vacancies on the Western Cape Gambling and Racing Board**

Ms Horton briefed the Committee on the subject at hand.

The Committee deliberated on the presentation. Once the Provincial Treasury reached the point in the presentation where the names of the candidates were mentioned, the Chairperson closed the meeting, as resolved by the Committee.

### **3. Briefing by the Gloucester Accounting Services on the outcomes of the Probity Assessments**

Mr Vorster gave the Members a brief breakdown of the outcome of the probity assessments and highlighted any information about candidates that seemed to be irregular.

The Committee deliberated on the information presented.

### **4. Resolutions/Actions**

4.1 Towards the conclusion of the presentations, the Provincial Treasury informed the Committee that the Western Cape Gambling and Racing Act (Act 4 of 1996) and the Western Cape Gambling and Racing Regulations (with effect from 7 June 1996) is not prescriptive of how the Committee should evaluate the candidates. The process could be a paper-based activity or the Committee could interview the candidates.

After a brief discussion, the Committee RESOLVED to interview the candidates on Friday, 23 August 2019.

4.2 The Committee FURTHER RESOLVED that the Provincial Treasury should provide the following information:

4.2.1 The complete files on all the candidates on 16 August 2019;

4.2.2 The contact details of all candidates;

4.2.3 A summary of all 48 candidates featured on the long list (to be included in the complete file); and

4.2.4 A Question and Answer guide for the interviews.

### **5. Consideration and Adoption of the Draft Committee Programme**

The Committee considered the draft Committee Programme. The Chairperson informed the Committee that Member Nkondlo had proposed an additional agenda item to be added to the draft programme.

Member Nkondlo explained that there was a legal dispute between the City of Cape Town (the City) and Quality Filtration Services PTY (Ltd), a company that has been contracted by the City to construct and operate the Water Desalination Plant in the V&A Waterfront during Day Zero days. Member Nkondlo proposed that the Committee consider adding this to the draft programme and to include the Standing Committee on Local Government, the Standing Committee on Agriculture, Environmental Affairs and Development Planning, all relevant departments and the City in the briefing.

The Chairperson proposed that the Committee RESOLVE that the Chairperson, in consultation with the Procedural Officer, invite the Standing Committee on Local Government and the Standing Committee on Agriculture, Environmental Affairs and Development Planning to a joint briefing where the Department of Economic Development and Tourism, Provincial Treasury and other relevant departments will brief the Committee on the drought plan for the Western Cape. Additionally, the Committee should also invite the City of Cape Town to brief the Committee on its recently adopted water plan.

Member van der Westhuizen proposed that the Chairperson's resolution be amended to say that the Chairperson should liaise with the appropriate chairpersons to determine which Committee this matter resides with.

The two proposals were posed to the Committee and were voted on. The Committee voted in favour of the Chairperson's original resolution that the Committee would invite the Standing Committee on Local Government and the Standing Committee on Agriculture, Environmental Affairs and Development Planning to a joint briefing where the Department of Economic Development and Tourism, Provincial Treasury and other relevant departments will brief the Committee on the drought plan for the Western Cape. Additionally, the Committee would also invite the City of Cape Town to brief the Committee on its recently adopted water plan.

#### **6. Consideration and Adoption of the Draft Committee Minutes**

The Committee considered and adopted the draft committee minutes of 4 June 2019.

The meeting adjourned at 16:00.



**ADV D BAARTMAN, MPP**

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

**DATE:**