

GAUTENG PROVINCIAL LEGISLATURE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

Monday, 21 March 2022

ANNOUNCEMENTS

none

TABLINGS

none

COMMITTEE REPORTS

1. The Chairperson of the Committee for the Scrutiny of Subordinate Legislation (CSSL), Hon. D K Adams, tabled the Committee's Third Quarterly Performance Report for the 2021/2022 financial year, as attached:



**STANDING COMMITTEE ON THE SCRUTINY OF
SUB-ORDINATE LEGISLATION (CSSL)**

**3RD QUARTERLY PERFORMANCE REPORT
FOR THE 2021/22 FINANCIAL YEAR**

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10 February 2022

The Chairperson of the Committee on the Scrutiny of Subordinate Legislation (hereinafter referred to as the "CSSL"), Honourable D.K. Adams tables the CSSL's 3rd Quarterly Performance Report for 2021/2022 FY as follows:

1. INTRODUCTION

The aim of the report is to evaluate the CSSL's 3rd quarter performance by comparing the Committee's performance against the quarterly targets.

The report is aligned to the Committee's strategic objectives namely, Law-making, Oversight and Scrutiny as well as Stakeholder Engagement. Moreover, the report identifies areas of weakness and provides recommendations where necessary to ensure redirection of focus in the pursuit to ultimately achieve the annual objectives and targets as set out in the CSSL's 2021/2022 Annual Performance Plan.

2. COMMITTEE ACTIVITIES

In accordance with the CSSL's strategic objectives, the Committee's activities unfolded as follows: -

2.1 Law - Making

In terms of the Standing Rules of the Legislature and the CSSL (Committee on the Scrutiny of Subordinate Legislation), Regulations are referred by the Executive to the CSSL for scrutiny and consideration.

2.1.1 On the 19th of November 2021, the Committee convened a meeting to consider the following matters: -

1. Revision of the Uniform Patient Fee Schedule Relating to Ambulances, 2021
2. Revision of the Uniform Patient Fee Schedule Relating to the Classification of and Fees Payable by Patients at Provincial Hospitals, 2021
3. Revision of the Uniform Patient Fee Schedule Relating to Hospital Mortuary, 2021.
4. Committee 2nd quarter performance Report 2021/22 FY.

The Gauteng Departments of Health made a presentation on the Revision of the Uniform Patient Fee Schedule relating to Ambulances, Mortuary and Classification of fees payable by patients at Provincial Hospitals, 2021 in terms of Sections 9 and 76 of the Hospital Ordinance No. 14 of 1958, which further received a legal opinion and socio-economic analysis, and the Committee was satisfied with the legality and the socio-economic ramifications.

During the deliberations with the Department, the Committee noted a worrying consistent trend by the Department to submit the regulations late for scrutiny. For example, in the previous year the Committee raised a concern that, the implementation date on the draft regulation was the 1st of April 2020 however, the Committee will only deal with the draft regulations on the 12th of June 2020.

This financial year of 2021, the same can be observed as the implementation date on the regulations was the 1st of October 2021, yet the Committee dealt with the regulations on the 19th of November 2021. The Department must refrain from doing the same thing that the Committee has been constantly warning against. These inconsistencies in implementation have a direct bearing on the revenue collection and on the provision of services to the citizens of the province.

The Committee resolved that, the Department be requested to rectify the implementation date and after assessing and satisfying itself, the Committee approved the Regulations relating to Revision of the Uniform Patient Fee Schedule relating to Ambulances, Mortuary and Classification of fees payable by patients at Provincial Hospitals, 2021 in terms of Section 4 (9) (b) of the Gauteng Scrutiny of Subordinate Legislation Act 5 of 2008 as amended.

2.2 Oversight and Scrutiny

2.2.1 In the quarter under review, the Committee had a joint meeting with the Economic Development Committee on the 09th of November 2021. The meeting received and considered the following matters: -

- Presentation of the project plan and adoption of the programme to consider the Township Economic Development Bill.
- Presentation of the Research analysis on the Township Economic Development Bill.
- Presentation of the Legal opinion on the Township Economic Development Bill.
- PPP to present plans on stakeholder mobilization for the Township Economic Development Bill.
- Communication presented the media plans on the Township Economic Development Bill.
- Proceedings advised on procedures to be undertaken.

The meeting resolved that a workshop be arranged for Members on the Bill to empower them on the clauses of the Bill.

2.3 Stakeholder Engagement

In the quarter under review, there was no stakeholder engagement conducted by the Committee, due to COVID 19 and lockdown regulations.

3. OVERALL PERFORMANCE OF THE COMMITTEE

The CSSL has managed to achieve its quarterly objectives (*namely*: Law making, Oversight & Scrutiny and Stakeholder Engagement, as set out in the Annual Performance Plan for 2020/2021 FY.

Law making: The Committee considered and adopted the amendments to the **Gauteng Health Uniform Patient Fee Schedule (UPFS) Regulations, 2021.**

Oversight and Scrutiny: The Committee considered and adopted the Report on the Post Legislative Scrutiny, which was conducted on the Gauteng Provincial Road Traffic Amendment Regulations 2020.

However, the Committee had non-achievement around ***Stakeholder Engagement***, as in the quarter under review, no stakeholder engagement was conducted by the Committee due to COVID 19 and lockdown regulations.

The activities of the CSSL were well supported and attended by all Members and support staff. Moreover, the Members of the Committee showed commitment and contributed positively to the deliberations of the Committee.

4. ADOPTION OF THE 2ND QUARTER COMMITTEE REPORT

The Committee's 3rd Quarter Performance Report was presented for consideration and adoption.

The Committee noted and adopted the 3rd Quarter report as tabled.

5. CONCLUSION

The plans which were set out in the 3rd Quarter of the 2021/2022 Financial Year, with regards to the implementation of the Committee's strategic objectives have been achieved.

6. ACKNOWLEDGEMENTS

Special thanks are due to the following Honourable Members: MH Citrota; MS Shackleton; KC Mazwi; TE Magagula; DP Malema and AA Ndlovana.

The Committee would further like to thank the following support staff for their dedication: Group Committee Coordinator, M Vaas; Committee Coordinator, C Senoko; Committee Administrator, L Lamola; Manager Proceedings, R Chiloane; Principal Table Assistant, K Kgosithebe; Manager NCOP/Legal, S Ncube; Committee Researcher, S Buthelezi; Senior Information Officer, N Ntlebi; Communications Officer, T Mashifane; Hansard Recorder, S Baloyi and Service Officer, P Ximba.

7. ADOPTION

After due deliberations, the Committee adopted the 3rd Quarterly Performance Report for 2021/2022 financial year.

In accordance with Rule 164, the Committee presents the Report to the House and recommends its adoption.