No.176 - 2022: Fourth Session, Sixth Legislature

**GAUTENG PROVINCIAL LEGISLATURE**

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**ANNOUNCEMENTS,**

**TABLINGS AND**

**COMMITTEE REPORTS**

**========================**

Friday, 20 May 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 Fourth Quarterly Performance Report for the 2021/2022 financial year, as follows:**

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**STANDING COMMITTEE ON THE SCRUTINY OF**

**SUBORDINATE LEGISLATION (CSSL)**

**ADOPTED 4TH QUARTERLY PERFORMANCE REPORT**

**FOR THE 2021/22 FINANCIAL YEAR**

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**19 May 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 4th Quarterly Performance Report for 2021/2022 FY as follows:

**1. INTRODUCTION**

The aim of the report is to evaluate the CSSL’s 4th 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: -

**On the 10th of February 2022**, the Committee convene a meeting to consider and adopt the following matters: -

1. The 1st Term Committee Programme
2. The 3rd quarter Committee Performance Report
3. The 2nd quarter Performance Committee Report

**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 11th of March 2022**, the Committee convened a meeting to consider the following matter: -

* Gauteng Provincial Road Traffic Amendment Regulations 2022

The proposed amendments to the Regulations were in relation to Schedule 2 of the Gauteng Provincial Road Traffic Amendment Regulations, 2022 for the motor vehicle registration and licence fees.

The Gauteng Departments of Roads and Transport made a presentation on the purpose of the Regulations. The Committee further received a legal opinion and socio-economic analysis on the Regulations and after satisfying itself on the legality and the socio-economic ramifications, the Committee adopted the Report on the Gauteng Provincial Road Traffic Amendment Regulations, 2022.

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 adopted the Report on the Road Traffic Amendment Regulations 2022 in terms of Section 4 (9) (b) of the Gauteng Scrutiny of Subordinate Legislation Act 5 of 2008 as amended.

**2.1.2 On the 16th of March 2022**, the Committee convened a meeting to consider the following Regulations: -

* Gauteng Gambling Regulations, 2022.

The proposed amendments were in relation to Gauteng Gambling Regulations. The amendments are in respect of the Casino fees, Bingo licenses, certificate of suitability, casino employee registration, key employee registration, amendment of license book maker’s license, book maker’s manager registration, totalizer license, special totalizer license, manufacture license, supplier license, amusement machine license, race meeting license, special license to hold race meeting and transfers of licenses.

The Committee noted that the increased was by an average of 6% and was consistent with 2020/21FY amendment. The income which will be generated by these proposed amendments will certainly contribute to the fiscus of the Province and thus improving much needed service delivery needs for the people of Gauteng.

The Gauteng Departments of Economic Development made a presentation on the purpose of the Regulations. The Committee further received a legal opinion and socio-economic analysis on the Regulations and after satisfying itself on the legality and the socio-economic ramifications, the Committee adopted the Report on the Gauteng Gambling Regulations, 2022.

**2.2 Oversight and Scrutiny**

2.2.1 In the quarter under review, the Committee convened 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 and Proceedings advised on procedures to be undertaken.

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

**2.3 Stakeholder Engagement**

In the quarter under review, Stakeholder engagement sessions were conducted with the Randfontein and Krugersdorp licencing centres by the Committee.

**2.4 Training and Development**

In the quarter under review, the Committee conducted Workshop/ Training on Constitutional Law for Members and Staff. The training was well attended by Members and supported by Staff.

**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 Report(s) on the amendments to the following Regulations: -

1. Gauteng Provincial Road Traffic Amendment Regulations, 2022
2. Gauteng Gambling Regulations, 2022

***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.

***Stakeholder Engagement,*** the Committee had engagements session with the licencing centres in the quarter under review.

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.

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**. CONCLUSION**

The plans which were set out in the 4th quarter of the 2021/2022 financial year, with regards to the implementation of the Committee’s strategic objectives have been achieved.

**5. ACKNOWLEDGEMENT**

Special thanks are due to the following Honourable Members: M. H. Cirota; K. C. Mazwi; T. E. Magagula; D.P. Malema, SM Mogale- Letsie; A. A. Ndlovana and R Mnisi.

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

**6. ADOPTION**

After due deliberations, the Committee adopted the 4th 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.