



GAUTENG
LEGISLATURE

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Compact Agreement

between:

Gauteng Provincial Legislature - Petitions Standing Committee,

Department of.....

and the Leader of Government Business

Whereas the Gauteng Provincial Legislature, Provincial Department and the Leader of Government Business hereinafter referred to in the singular as a “Party”, and jointly as the “Parties” recognize that, the provincial legislatures are established in terms of Chapter 6 of the Constitution of the Republic of South Africa, 1996 (thereafter referred to as the Constitution). Section 17 provides that “everyone has the right, peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions”

AND WHEREAS The Gauteng Provincial Legislature also has the responsibility to facilitate the involvement of the public in the legislative and other processes of the Legislature and its committees in line with Section 118 of the Constitution.

AND WHEREAS, the Petitions Standing Committee must, in terms of section 6 of the Petitions Act 5 of 2002, receive every petition submitted in terms of that Act; and subject to section 4(3), (4) and (5), consider every petition properly submitted in terms of that Act; and also record the oral submission or evidence of a petitioner given in terms of section 7(a).

AND WHEREAS if a petition has been referred to a member of the Executive Council or a municipal council in terms of section 7(e) of the Petitions Act, direct the person or body to whom the petition was referred to consider that petition, make a decision or recommendation in respect of that petition or otherwise dispose of the request or

complaint raised in that petition; and require the person or body to whom that petition was referred to furnish the Committee within four weeks of that referral in writing with a detailed report on the steps taken by that person or body to address the complaint, request, recommendation or instruction by the Committee, as the case may be, and the reasons for those particular steps.

NOW THEREFORE, the Parties agree as follows:

1. PARTIES

The Parties to this Agreement are:

- 1.1 Department of _____, provincial department of the Government herein represented by _____
_____ in his/ her capacity as the MEC/HOD, being duly authorised thereto.

And

- 1.2 Leader of Government Business herein represented by Mr Andrek Panyaza Lesufi being duly authorised thereto.

And

- 1.3 The Gauteng Provincial Legislature (“GPL”) established in terms of Chapter 6 of the Constitution of the Republic of South Africa (1996) duly represented by Hon Lentheng Mekgwe in her capacity as Speaker and Adv Boitumelo Ezra Letsoalo in his capacity as the Chairperson of the Petitions Standing Committee being duly authorised thereto.

3. Roles and Responsibilities

The Petitions Standing Committee (PSC) has:

1. Collated all historical petitions that have been referred to your Department and has printed them and affixed a register of these petitions. The Department is

hereby given two (2) months to attend to these historical petitions and furnish the Committee with a comprehensive report by the **30th of September 2022**.

The Department ofis expected to:

1. Timeously attend to these referred petitions, ensure management of these petitions, and undertake the necessary verification with the petitioners and in two months furnish the PSC with a comprehensive report.
2. Moreover, the Department is expected to adhere to the *Petitions Management* Section of the Standardised Oversight, Accountability and Reporting for Gauteng Province (SOAR-GP) reporting template, and report on these referred petitions to their respective GPL Portfolio Committees.

The Leader of Government Business is expected to:

1. Ensure that the Gauteng Provincial Government (GPG) Departments accurately report on these bulk referred petitions in the *Petitions Management* Section of the Standardised Oversight, Accountability and Reporting for Gauteng Province (SOAR-GP) reporting template.
2. Ensure that GPG Departments are responsive and on track with furnishing the PSC with comprehensive reports by the **30th of September 2022**.

4. DURATION

- 4.1 This Agreement shall commence on the date of signature by the parties signing it, last in time and remain in force until the **30th of September 2022**.

5. NON-RESPONSIVENESS

- 5.1 In the event of the department failing to perform its role and responsibilities in keeping with the provisions of paragraphs 3 and 4 respectively, the PSC shall cause for the Leader of Government Business to undertake necessary steps as may be deemed necessary to ensure responsiveness.

5.2 In the event the department fails to respond beyond the two months period and after the remedial steps taken by the Leader of Government Business, the Petitions Standing Committee shall proceed to evoke the necessary provisions of the Petitions Act no. 5 of 2002 read with the Gauteng Provincial Legislature Standing Rules.

6. GOOD FAITH AND REASONABLENESS

6.1 In their dealing with each other for purposes of this Agreement, the Parties

– 6.1.1 Undertake to act in good faith and reasonably; and

6.1.1.1 Warrant that they shall not do anything or will refrain from doing anything that might prejudice or detract from the functions of each other. 6.2 This Agreement does not in any way limit the respective statutory powers and functions of the Parties.

7. CONFIDENTIALITY

7.1 Confidential information shared under this Agreement shall be treated as confidential and always remain the property of the disclosing Party.

7.2 All information must be stored and distributed in a manner that does not compromise confidentiality of either party in accordance with the Protection of Personal Information Act 4 of 2013 (POPI Act).

Hon. Lentheng Mekgwe
Speaker, GPL

Adv. Boitumelo Ezra Letsoalo
Chairperson: Standing Committee on Petitions, GPL

MEC/HOD for.....: (insert their name)

Leader of Government Business: Mr Andrek Panyaza Lesufi