
NORTHERN CAPE PROVINCIAL LEGISLATURE

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OFFICE OF THE DEPUTY SPEAKER

Date: 2006 -08- 23

Our Ref: L 17/08/2006B
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**TO: CHAIRPERSON OF THE NCOP
HON. MJ MAHLANGU****FINAL MANDATE: SECOND 2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES BILL [B 16- 2006]**

The Chairperson of the Portfolio Committee on Sport, Arts & Culture, Hon NJ Galela tabled the Committee report, on the SECOND 2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES BILL **[B 16- 2006]**.

PROCESS FOLLOWED

The SECOND 2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES BILL **[B 16- 2006]** was referred to the Portfolio Committee on Sport, Arts & Culture, on 23 June 2006.

The joint meeting received a briefing on the Bill from the Northern Cape's Permanent Delegate to the NCOP, Hon MA Sulliman on 06 July 2006.

The joint meeting invited the Department of Education and Sport, Arts & Culture to brief and present to the Committee the views and position of the Provincial Executive Council on the Bill.

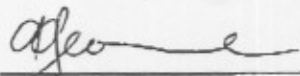
The joint meeting resolved at its meeting held on 06 July 2006, to hold public hearings on the referred Bill in the area of Garies to solicit the views of the affected beneficiary communities and stakeholders with regard to the SECOND 2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES BILL.

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A public hearing was held in Garies on 21 July 2006. The public hearing was facilitated wherein both written and oral submissions were called for and the public extensively engaged with the Committee on their views.

No written or oral submissions were received.

The house duly adopted the resolution and the Province's permanent delegates to the NCOP are now mandated to participate in negotiations and support the Bill.



Hon. C Seoposengwe (Ms)
SPEAKER



FREE STATE-VRYSTAAT-FREESTATA

Committee Services

FREE STATE LEGISLATURE

Our reference:
Ons versprekings:
Tshupo ya rona:

**PORTFOLIO COMMITTEE ON EDUCATION, SPORT, ARTS, CULTURE, SCIENCE
AND TECHNOLOGY****Report on conferral of authority to vote on 2ND 2010 FIFA WORLD CUP SOUTH
AFRICA SPECIAL MEASURES BILL****1. Report on interprovincial negotiation**

The Committee received a report on the interprovincial negotiation meeting held on 21 August 2006, NCOP.

2. Consideration

The Committee considered the report, amendments agreed to, and the amended Bill.

3. Recommendations

The Committee recommends that:

- (a) Authority be conferred to the Free State delegation to vote for the adoption of the Bill as amended by the NCOP Select Committee.

MB. SESELE

Chairperson

Committee on Education, Sport, Arts, Culture, Science and Technology

Free State Legislature

23 August 2006

Mrs E Rockman

Secretary to the Free State Legislature

gc education & Recreation
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**SPORT, RECREATION, ARTS AND CULTURE
COMMITTEE**

FINAL VOTING MANDATE

On the

**SECOND 2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES BILL [B16B-2006]
(Section 76 Bill)**

22 August 2006

1. INTRODUCTION

The Chairperson of the Sport, Recreation, Arts and Culture Committee, Mr P Malefane tables the Committee's Final Voting Mandate on the Second 2010 FIFA World Cup South Africa Special Measures Bill [B16B - 2006] as follows -

2. PROCESS FOLLOWED

The speaker informally referred the Second 2010 FIFA World Cup South Africa Special Measures Bill [B16-2006] a section 76 bill, to the Sports, Recreation, Arts and Culture Committee on 22 June 2006 for information in terms of Standing Rule 231(1)(a).

On Friday, 7 July 2006, the Committee received a briefing from the Gauteng Permanent Delegate to the NCOP, Ms Maggie Madlala-Magubane on the Bill as introduced, [B16-2006].

The Committee was advised by the Chairperson of Committees on 18 August 2006, that the National Assembly Portfolio Committee on Sports had redrafted and presented a B-version of the bill which was subsequently passed by the NA and transmitted to the NCOP for concurrence and consequently referred by the NCOP Chairperson to Speakers of Provincial Legislatures for formal consideration and preparation of mandates.

On 18 August 2006, the Committee convened to receive presentations from the provincial department of Sports, Recreation, Arts & Culture on the implications of the bill on the province in terms of Standing Rule 235(4)(a). The Committee in their deliberations noted the redrafted parts of the bill as follows -

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1. Section 3 in the original bill that dealt with the suspension of restrictions regarding marketing, distribution and consumption of liquor in respect of 2010 FIFA World Cup South Africa has been entirely deleted in the B-version and replaced with new insertions in the original section 4 being on –
 - a. Sec 3 (1)(a) on page 3 line 38 of B-version
 - b. Sec 4(2) in the original bill on page 4 line 19 has been deleted and (c) in the new sec 3 inserted on page 3 line 52
 - c. new insertion on sec 3(3), page 4 line 1 of B version
 - d. new sec 3(4) inserted, page 4 line 14 of B version
2. on sec 5 , page 4 line 48 of the B-version, reference to sec 22C in Act 101 of 1965 is made, whereas in the original bill on page 5, line 4, its captured as sec 22A.
3. the text on section 5(c)(iv), page 4 line 50 of the B-version, is different from the text in the original bill, page 5 line 6.
4. Under Regulations, on page 5 line 31 in the original bill, Minister of Agriculture and Land Affairs has been changed to Minister of Health in the B-version on page 5 line 16.
5. on page 5 line 37(c) in the original bill has been moved to (b) in the B-version, page 5 line 18
6. sec 7(b) of the original bill has been deleted on page 5 line 34.

3. **PRINCIPLE AND DETAIL OF THE BILL**

The Bill seeks to facilitate the hosting and staging of the 2010 FIFA World Cup South Africa in accordance with the Organizing Association Agreement between FIFA and SAFA and the guarantees issued by the South African Government to FIFA

The Committee supports the principle and detail of the bill.

4. **OVERVIEW OF PUBLIC HEARINGS**

The Committee acknowledges the joint consultative processes that were undertaken at the National level and the joint public hearings conducted, however, considering the Constitutional imperative imposed on provincial legislatures in section 118 of the Constitution, the failure to facilitate public involvement in the provincial committee legislative process due to the fast-tracking of the bill by Parliament, amounts to neglect of that Constitutional obligation and has deprived stakeholders and the citizens of Gauteng an opportunity to be actively involved through participation and ensuring that their views are expressed and taken account of by the legislature through the committee process.

5. **FINANCIAL IMPLICATIONS OF THE BILL**

The Bill bears no financial implications for the Province.

6. **SOCIAL IMPACT ASSESSMENT**

The Bill have no negative social impact to the community of Gauteng in terms of its' implementation.

7. FINAL VOTING POSITION ADOPTED BY THE COMMITTEE

In terms of Section 65 of the Constitution, the portfolio Committee on Sports, Recreation, Arts & Culture recommends that the House confer authority on the Gauteng Provincial Delegates to vote in favour of Second 2010 FIFA World Cup South Africa Special Measures Bill [B16B – 2006] Section 76.