



Ves-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
Palamente yePhondo leNtshona Koloni

Negotiating Mandate of the Western Cape Provincial Parliament

Report of the Standing Committee on Governance on the *Mandating Procedures of Provinces Bill [B8-2007]* (NCOP) dated 21 August 2007, as follows:

The Standing Committee on Governance having considered the subject of the *Mandating Procedures of Provinces Bill [B8-2007]* (NCOP) referred to the Provincial Parliament in terms of the rules of the National Council of Provinces (NCOP), begs to report that it confers on the Western Cape's delegation in the NCOP the authority to support the Bill with the following amendments:

Chapter 1

Under "Definitions" to insert a new definition.

"**Alternate delegate**" means a substitute delegate".

To amend the definition of "final mandate" in line 8 by deleting the "an" before "NCOP Plenary" and replacing same with "a"

Chapter 2

Clause 3 (b) after the phrase "votes in favour of" insert a "," and delete the comma after the phrase "from voting on"

Insert a new sub-clause (c) "contain a conferral of authority on a provincial delegation to vote"

Clause 4

Clause 4 to read as follows"



- 4.1 "A vote on behalf of the Provincial legislature must be cast by:-
- (a) Premier of a province;
 - (b) a delegate of a provincial delegation designated by the Premier; or
 - (c) an alternate delegate.
- 4.2 A Premier of a province, who designates a member of the province's NCOP delegation to head the delegation under section 60(3) of the Constitution, must certify such designation in accordance with subsection (3).
- 4.3 The certificate of designation as the head of a province's NCOP delegation must –
- (a) be forwarded to the NCOP Chairperson, in writing, which may include electronically transmitted print;
 - (b) indicate the period and purpose for which the member is designated to head the delegation; and
 - (c) follow the format prescribed in Schedule B."

Clause 8

In line 21 delete "to vote".

In clause 8 insert a new sub-clause 8(3) to read:

"(3) If a provincial legislature is not sitting, the provincial legislature may convene a special sitting to confer authority on its delegation to cast a vote in the NCOP Plenary."

Schedule Format for mandate

To insert after Schedule: "A".

On schedule A insert before the "Name of Bill":

"The provincial legislature confers authority on its delegation to vote on"

To insert Schedule B which reads as follows:

SCHEDULE B

**FORMAT FOR THE CERTIFICATION OF DESIGNATION AS HEAD OF A
DELEGATION**

OFFICIAL LETTERHEAD OF THE PREMIER

To: The Chairperson of the NCOP or a person designated by the Chairperson of the
NCOP

Name of province:

Name of designated member:

Period of designation:

Purpose of designation:


Name of alternate:

Signature of Premier:

Date:

Amendments to Explanatory Memorandum

The Committee proposed that the Explanatory Memorandum should be amended
accordingly.


MR PC MCKENZIE
CHAIRPERSON
21 AUGUST 2007