

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
MANDATING PROCEDURES OF
PROVINCES BILL**

[B 8B—2007]

*(As agreed to by Portfolio Committee on Justice and
Constitutional Development
(National Assembly))*

[B 8C—2007]

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AMENDMENTS AGREED TO

MANDATING PROCEDURES OF PROVINCES BILL [B 8B—2007]

CLAUSE 1

1. On page 3, in line 8, after “or” to insert “any other question”.
2. On page 3, in line 9, after the first “of” to insert “the”.
3. On page 3, from line 11, to omit the definition of “**legislative mandate**” and to substitute:

“**legislative mandate**” means the conferral of authority by a provincial legislature on its provincial delegation to the NCOP to cast a vote on—

 - (a) a Bill referred to in section 74 or 76 of the Constitution; or
 - (b) any other question;
4. On page 3, in line 30, after “tabling” to insert “or any other question”.
5. On page 3, in line 35, to omit “and”.
6. On page 3, after line 35, to insert:

“**question**” means any question affecting a province and which requires a decision by the NCOP; and
7. On page 3, in line 37, after “Bill” to insert “or any other question”.

CHAPTER 2

1. On page 3, in line 42, to omit “**PROCEDURES**” and to substitute “**REQUIREMENTS**”.
2. On page 3, in line 43, to omit “**DESIGNATION OF HEAD OF DELEGATION**” and to substitute “**VOTING ON BEHALF OF PROVINCIAL LEGISLATURE**”.

CLAUSE 3

1. On page 3, in line 47, after “Bill” to insert “or any other question”.
2. On page 3, in line 49, after “Bill” to insert “or any other question”.
3. On page 3, in line 51, to omit “on” and to substitute “over”.
4. On page 3, in line 51, after “Bill” to insert “or any other question”.

CLAUSE 4

1. On page 4, in line 1, to omit “**Requirements in respect of designation as head of delegation**” and to substitute:

Voting on behalf of provincial legislature

2. On page 4, in line 2, after “delegation” to insert “to the NCOP”.

CLAUSE 5

1. Clause rejected.

CLAUSE 6

1. On page 4, in line 12, to omit “6” and to substitute “5”.
2. On page 4, in line 12, after “must” to insert:
in accordance with the format prescribed in Schedule 1
3. On page 4, in line 14, after “tabling” to insert “or any other question”.

CLAUSE 7

1. On page 4, in line 17, to omit “7” and to substitute “6”.
2. On page 4, in line 18, after “Bill” to insert “or any other question”.

NEW CLAUSE

1. That the following be a new Clause:

Legislative mandates requiring both negotiating and final mandates

7. Legislative (negotiating and final) mandates are required in respect of—

- (a) a Bill referred to in sections 74(1)(b), (2)(b), (3)(b) and (8) and 76 of the Constitution; or
- (b) any other question.

CLAUSE 8

1. On page 4, in line 21, after “confer” to insert “the”.
2. On page 4, in line 21, to omit “to vote”.
3. On page 4, in line 21, after the second “the” to insert “provincial”.
4. On page 4, in line 22, after the first “delegation” to insert “to the NCOP”.
5. On page 4, in line 26, to omit “from a provincial legislature”.

CLAUSE 9

1. On page 4, in line 32, to omit “2007” and to substitute “2008”.

SCHEDULE 1

1. On page 5, in line 3, to omit “**6**” and to substitute “**5**”.
2. On page 5, in line 9, after “Bill” to insert “/ question”.
3. On page 5, in line 11, after “Bill” to insert “/ question”.
4. On page 5, in line 17, after “any” to insert “/ question”.

SCHEDULE 2

1. On page 6, in line 11, after “Bill” to insert “/ question”.
2. On page 6, in line 13, after “Bill” to insert “/ question”.
3. On page 6, in line 17, after “Bill” to insert “/ question”.
4. On page 6, in line 22, after “Bill” to insert “/ question”.

CONTENTS OF ACT

1. On page 2, in line 9, to omit “**PROCEDURES**” and to substitute “**REQUIREMENTS**”.
2. On page 2, in line 9, after “**OF**” to insert “**FINAL**”.
3. On page 2, in line 10, to omit “**DESIGNATION OF HEAD OF DELEGATION**” and to substitute “**VOTING ON BEHALF OF PROVINCIAL LEGISLATURE**”.
4. On page 2, in line 11, after “of” to insert “final”.
5. On page 2, in line 12, to omit “Requirements in respect of designation of head of delegation” and to substitute:

Voting on behalf of provincial legislature
6. On page 2, in line 15, to omit:

5. Legislative mandates requiring both negotiating and final mandates
7. On page 2, in line 16, to omit “6” and to substitute “5”.
8. On page 2, in line 17, to omit “7” and to substitute “6”.
9. On page 2, after line 17, to insert:

7. Legislative mandates requiring both negotiating and final mandates
10. On page 2, after line 21, to add:

SCHEDULE 1
 FORMAT FOR NEGOTIATING MANDATE
 SCHEDULE 2
 FORMAT FOR FINAL MANDATE