



Northern Cape
Provincial Legislature

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS, PETITIONS & PUBLIC PARTICIPATION

SECOND QUARTER
2022/23

PETITIONS REPORT

The Standing Committee on Constitutional Affairs, Petitions and Public Participation, having considered all petitions submitted by the Petitions Office, reports as follows:

1. INTRODUCTION

In accordance with the Northern Cape Petitions Act (Act no 8 of 2009) the Standing Committee on Constitutional Affairs, Petitions and Public Participation (hereafter referred to as 'The Committee') must consider and decide on every petition which the House has referred to it. In terms of section 3(4) of the Northern Cape Petitions Act (Act 8 of 2009) the committee may, refuse to consider a petition which do not comply with requirements for a petition, and in writing inform the petitioner of that fact as well as give reasons for its decision.

The Committee must report quarterly to the Legislature on the petitions submitted to it during that period, and all its activities in respect thereof, including the responsiveness, efficiency and timeousness within which petitions were dealt with, and the efficiency of the petitions process and procedures.

2. PROCESS FOLLOWED

The petitions that were dealt with during this report period were received by the Legislature between 2019 and 2022. The Petitions were perused together with the responses provided by the departments, municipalities, and other stakeholders.

3. CLOSED/FINALISED PETITIONS

The following Petitions were considered by the committee and closed on 22 September 2022:

3.1 Ms M Mkenku (Ref:12.7.4.220) Frances Baard

- Petition was received on 22 July 2022.
- **Summary of petition:**
 - The Petitioners is having a dispute regarding neighbour who encroached on her plot.

The petitioner requests the intervention from the committee for the municipality to stop rates billing and cancel rates debts incurred and allocate her alternate plot with the same erf size.

- **Committee Resolution**

- The committee is happy that the two parties have found each other
- The committee welcome the commitment from the Sol Plaatje municipality to allocate an alternate plot to petitioner within two weeks.
- The municipality must immediately stop billing Ms Mkenku for the rates of the disputed plot.
- The municipality must provide the committee with a written commitment within three days after tabling of this report. Thereafter provide the committee with a full report within three weeks, on the implementation of the commitment made.
- Committee resolved that this petition shall remain open until a full report is received from municipality on how this matter has been resolved.

3.2 Community of Victoria West (Ref 12.7.4.217) Pixley ka Seme

- Petition was received on 06 April 2022.
- **Summary of petition:**
 - The Petitioners are raising serious issues concerning the terrible state of health - care provision, insufficient ambulances, and lack of health – care professionals, medical support staff and other related officials.
- **Committee resolution**
 - The department of health must within two weeks have stakeholders' engagement meeting with the community of Victoria West through ward council, on how challenges of ambulances and shortage of health personnel will be addressed.
 - The department must within three weeks furnish the committee with the detailed report outlining the outcome of this meeting.
 - Committee resolved that this petition will remain open until a full report is received from department of Health

3.3 Mr Steenkamp (Ref 12.7.4.218) ZF Mcgawu

- Petition was received during 06 April 2022.
- **Summary of petition:**
 - The Petitioners complain about failure of the Dawid Kruiper Local Municipality to build

them RDP Houses. He has been waiting for 20 years for the municipality to build him a house.

- They register a complaint that they are continuously and always marginalised by the Local Municipality on issues concerning service delivery.

- **Committee resolution**

- The committee note that the elderly people will be given a first preference during the next allocation.
- The committee note that ward 15 where Mr Steenkamp reside, is fully serviced with electricity, water and sanitation.
- This petition will be elevated to the department of COGHSTA to ensure that elderly people get first preference when allocation is made.
- Committee resolved that this petition will remain open to allow the department to COGHSTA to submit a report within two months on how elderly people will be prioritized on the waiting list

3.4. Mr Wapad (Ref:12.7.4.221) John Taolo Gaetsewe

- Petition was received on 22 July 2022.

- **Summary of petition:**

- The Petitioner the SEFA and Department of Small Business failed to give them support as small business. It withheld a certain amount of funding due to them, without any justification, in so doing, it violated their contractual obligation and as such the company is now facing liquidation.

- **Committee resolutions**

- The committee note that this matter is the national competency. Therefore, the department of economic development must ensure that there is IGR system in place between department of economic development & tourism and SEFA.
- The department of economic development & tourism must further explore other avenues to assist Mr Wapad. The department must provide a list of all financing agencies operating in the province that are reporting directly to the national department/s within two weeks.
- Committee resolved that the petition be remain open while waiting for the report from department of economic development.

3.5. Batlhaping ba ga Sehunelo (Ref:12.7.4.219) John Taolo Gaetsewe

- Petition was received on 22 July 2022.
- **Summary of petition:**
 - The petitioner is having a dispute with the department of COGHSTA regarding the traditional council of Ba ga Sehunelo
 - The petitioner also alleged that the department of COGHSTA is denying them services, cancelled their contract with Vodacom and froze their annual grants without any justification.
- **Committee resolution**
 - The committee resolved that this matter must within two weeks be referred to the Office of The Premier and the MEC of COGHSTA to adjudicate on it.
 - The Office of the Premier must facilitate a meeting between Mr Visser, Premier and the MEC of COGHSTA in the next quarter. The Office of the Premier must furnish the committee with a report on how this matter is resolved.
 - The petition shall remain open until the requested report is submitted by the Office of the Premier.

4. OBSERVATIONS

The Committee observed the following:

- 4.1 The department of health failed to respond on the petition referred to it by the standing committee on constitutional affairs, petitions & public participation. There is also lack of effective customer care by the department.
- 4.2 The Sol Plaatje municipality failed to respond timeously to the petitions referred to it.

5. RECOMMENDATIONS

The Committee recommends:

- 5.1. That department of health must at all times respond timeously to the petition referred to it in line with Northern Cape Petitions Act, 2009. The department must within a month provide the committee with consequence management plan regarding the officials implicated.
- 5.2. The Sol Plaatje municipality must ensure that there is a consequence management to the implicated officials who caused a delay in responding to the petitions.

6. REPORTS

The following reports must be submitted within a specific timeframe after tabling of this report.

- 6.1. The department of health must provide a detailed report within two weeks on the number of ambulances purchased last financial year, this current financial year and the envisaged number of ambulances to be purchased next financial year.
- 6.2. The department of health must within three weeks provide a detailed report on stakeholder engagement meeting with Victoria West community.
- 6.3. The Sol Plaatje municipality must with three weeks provide the details of the alternate site allocated to Ms Mkenku
- 6.4. The Office of the Premier must provide a report on how the matter of Ba ga Sehunelo is resolved
- 6.5. The department of economic development & tourism must provide a list of all financing agencies operating in the province that are reporting directly to the national department/s within two weeks.

7. CONCLUSION

The committee table this report for consideration and adoption.

Signed electronically

HON L DICHABA
CHAIRPERSON

DATE: 22 September 2022