

REPUBLIC OF SOUTH AFRICA

**PARLIAMENTARY VILLAGES
BOARD OF CONTROL BILL**

(As introduced in the National Assembly)

(MINISTER OF PUBLIC WORKS)

[B 103—98]

REPUBLIEK VAN SUID-AFRIKA

**WETSONTWERP OP DIE
BEHEERRAAD VIR
PARLEMENTÊRE DORPE**

(Soos ingedien in die Nasionale Vergadering)

(MINISTER VAN OPENBARE WERKE)

[W 103—98]

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BILL

To provide for the establishment, functions and funds of the Parliamentary Villages Board of Control; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Definitions

1. In this Act, unless the context indicates otherwise—
 - (i) “Board” means the Parliamentary Villages Board of Control, established by section 2; (iii) 5
 - (ii) “Minister” means the Minister of Public Works; (i)
 - (iii) “parliamentary villages” means Acacia Park, Laboria Park, Pelican Park and any other place of accommodation for parliamentarians and sessional officials declared as such by the Minister. (ii) 10

Parliamentary Villages Board of Control

2. (1) There is hereby established a juristic person, to be known as the Parliamentary Villages Board of Control.
 - (2) (a) The Minister shall appoint as members of the Board—
 - (i) the Director-General of Public Works, who shall be the chairperson of the Board; 15
 - (ii) not fewer than three and not more than six persons who are usually in Cape Town in connection with a session of Parliament; and
 - (iii) the chairperson of the residents committee of every place of accommodation contemplated in the definition of “parliamentary villages”. 20
 - (b) The persons contemplated in paragraph (a)(ii) shall be representative of all parliamentary villages.
 - (3) A member contemplated in subsection (2)(a)(ii) shall hold office during the Minister’s pleasure on such terms and conditions as the Minister may determine.
 - (4) No member of the Board shall be entitled to any remuneration in respect of any services rendered by him or her in connection with any function of the Board, but the Minister may, with the concurrence of the Minister of Finance, compensate a member for any expense or loss incurred in connection with such service. 25

Functions of Board

3. (1) The Board shall—
 - (a) provide transport from and to the parliamentary villages for residents who are in Cape Town in connection with a session of Parliament; and
 - (b) perform such duties as the Minister may determine.
- (2) The Board may provide residents of parliamentary villages with anything that may be sold—
 - (i) by a general dealer, which includes groceries, toiletries, cold drinks, tobacco and tobacco products; 30

- (ii) under a licence for the sale or supply of meals or perishable foodstuffs contemplated in item 1 of Schedule 1 to the Business Act, 1991 (Act No. 71 of 1991) ;
- (iii) under a club liquor licence contemplated in section 20(a)(v) of the Liquor Act, 1989 (Act No. 27 of 1989); and 5
- (iv) under a liquor store licence contemplated in section 20(b)(iii) of the Liquor Act, 1989 (Act No. 27 of 1989).

(3) The Board shall observe any tariff fixed by the Minister with the concurrence of the Minister of Finance and the Minister of Transport in respect of any service referred to in subsection (1)(a), and shall be subject to such directions as the Minister may issue after consultation with the Board. 10

Funds of Board

4. (1) The funds of the Board shall consist of—
- (a) money appropriated by Parliament;
 - (b) money received under section 3; and 15
 - (c) any other money payable to and received by the Board.

(2) The Board shall keep in the form approved by the Treasury with the concurrence of the Auditor-General, a full and correct account of all money received and expended by the Board, which shall annually be audited by the Auditor-General.

- (3) The financial year of the Board shall end on 30 June of each year. 20

(4) Any surplus in the funds of the Board at the end of any financial year shall be utilised by the Board in such manner as the Board may determine with the concurrence of the Minister and the Minister of Finance.

Exemption from taxes

5. No licence money, tax, duty or fee shall be payable by the Board in terms of any law in respect of its operations under this Act. 25

Saving

6. The Acacia Park Board of Control referred to in section 28 of the Finance and Financial Adjustments Acts Consolidation Act, 1977 (Act No. 11 of 1977), shall cease to exist on the day immediately preceding the date of the first meeting of the Board, and all rights, obligations, assets and liabilities acquired or incurred by the Acacia Park Board of Control shall vest in the Board. 30

Law repealed

7. Section 28 of the Finance and Financial Adjustments Acts Consolidation Act, 1977 (Act No. 11 of 1977), is hereby repealed. 35

Short title

8. This Act is called the Parliamentary Villages Board of Control Act, 1998.

MEMORANDUM ON THE OBJECTS OF THE PARLIAMENTARY VILLAGES BOARD OF CONTROL BILL, 1998

1. Section 28 of the Finance and Financial Adjustments Acts Consolidation Act, 1977 (Act No. 11 of 1977) ("the Act"), provides for the establishment, nature and functions of the Acacia Park Board of Control. Acacia Park, however, is not the only place of accommodation for parliamentarians and sessional officials. Furthermore, section 28 does not adequately address the question of the funding of parliamentary villages. It is therefore proposed that a Bill be introduced to repeal section 28 and to provide for the establishment, functions and funds of the Parliamentary Villages Board of Control.

2. The main objects of the Bill are the following:

Clause 2

Clause 2 seeks to establish the Parliamentary Villages Board of Control. The Board will be in control of Acacia Park, Pelican Park, Laboria Park and any other place of accommodation for parliamentarians and sessional officials declared as such by the Minister of Public Works.

Clause 3

Clause 3 seeks to set out the functions of the Board.

Clause 4

Clause 4 proposes that the funds of the Board consist of money received in terms of the Bill, money otherwise payable to the Board and money appropriated by Parliament.

Clause 5

Clause 5 seeks to exempt the Board from taxes.

Clause 6

Clause 6 seeks *inter alia* to ensure a smooth transition of all rights, obligations, assets and liabilities from the Acacia Park Board of Control to the new Board.

Parliamentary procedure

3. The State Law Advisers and the Department of Public Works are of the opinion that this Bill must be dealt with in accordance with section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.