

REPUBLIC OF SOUTH AFRICA

**PARLIAMENTARY VILLAGES
MANAGEMENT BOARD BILL**

(As amended by the Portfolio Committee on Public Works (National Assembly))

(MINISTER OF PUBLIC WORKS)

[B 103B—98]

REPUBLIEK VAN SUID-AFRIKA

**WETSONTWERP OP DIE
BESTUURSRAAD VIR
PARLEMENTÊRE DORPE**

(Soos gewysig deur die Portefeuljekomitee oor Openbare Werke (Nasionale Vergadering))

(MINISTER VAN OPENBARE WERKE)

[W 103B—98]

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BILL

To provide for the establishment, functions and funds of the Parliamentary Villages Management Board; 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 Management Board, 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 Management Board

2. (1) There is hereby established a juristic person, to be known as the Parliamentary Villages Management Board.
 - (2) The Minister shall appoint as members of the Board—
 - (a) the Director-General of Public Works, who shall be the chairperson of the Board; 15
 - (b) three residents, of whom two shall be parliamentarians and one shall be a sessional official, from every place of accommodation contemplated in the definition of “parliamentary villages”, elected annually by the residents committee of the place in question; and 20
 - (c) the chairperson of the residents committee of every place of accommodation contemplated in the definition of “parliamentary villages”.
 - (3) (a) The first meeting of the Board shall be held at a time and place to be determined by the chairperson, and subsequent meetings shall be held at such times and places as the chairperson with the approval of the Board may determine. 25
 - (b) The Board shall meet at least once every three months.
 - (4) The members of the Board shall at the first meeting of every newly constituted Board elect a vice-chairperson from their number.
 - (5) The Board shall frame rules governing its quorum, the procedure at meetings and, generally, the conduct of its functions, and may from time to time add to, alter or revoke any such rules. 30
 - (6) The Board may co-opt any person to serve on the Board in an advisory capacity, but such co-opted member shall not have any voting rights.
 - (7) 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. 35

Functions of Board

3. (1) The Board shall—

- (a) provide transport from and to the parliamentary villages for residents who are in Cape Town;
 - (b) 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 paragraph (a), and shall be subject to such directions as the Minister may issue after consultation with the Board; and 5
 - (c) perform such duties as the Minister may determine.
- (2) The Board may—
- (a) take the steps necessary to provide for all the needs of the residents of the parliamentary villages; 10
 - (b) liaise with the South African Police Service regarding entry into and safety in parliamentary villages and the investigation of crimes committed in parliamentary villages; and
 - (c) make recommendations with regard to any matter contemplated in paragraph (b) to the Minister for Safety and Security. 15

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
 - (c) any other money payable to and received by the Board. 20
- (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.
- (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. 25

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. 30

Saving

6. (1) 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. 35
- (2) Any activity carried on under section 28(2)(c) of the Finance and Financial Adjustments Acts Consolidation Act, 1977 (Act No. 11 of 1977), shall be continued until the Board has taken steps to provide for such an activity under this Act or has decided not to provide for such an activity. 40

Law repealed

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

Short title

8. This Act is called the Parliamentary Villages Management Board Act, 1998. 45

**MEMORANDUM ON THE OBJECTS OF THE PARLIAMENTARY
VILLAGES MANAGEMENT BOARD 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 Management Board.

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

Clause 2

Clause 2 seeks to establish the Parliamentary Villages Management Board. 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.