

Cabinet Approves Bills

02 March 2017

Cabinet at its fortnightly meeting has approved ten Bills, including the National Public Health Institutes of South Africa (NAPHISA) Bill, for tabling in Parliament.

The Bill provides for the establishment of the NAPHISA, its functions, powers and duties.

“NAPHISA aims to provide integrated and coordinated disease and injury surveillance, research, monitoring and evaluation of services and intervention directed towards the major public health problems affecting persons in South Africa,” said Minister in the Presidency responsible for Planning, Monitoring and Evaluation, Jeff Radebe, on Thursday.

He said this will increase the capacity to monitor communicable, non-communicable diseases and injuries, which will aid in the early detection, prevention, and response to these conditions. “This will ultimately contribute to the control of diseases and reduction of morbidity and mortality.”

NAPHISA will be a national resource that serves public health interest and is intended to provide for a system of health protection that focuses on access, equity, efficiency and quality.

National Health Laboratory Service Amendment Bill

Cabinet also approved the National Health Laboratory Service Amendment Bill to be tabled in Parliament. This amends the National Health Laboratory Service Act, 2000 (Act No 37 of 2000).

The proposed amendments seek to improve the governance, accountability, and financial sustainability of the National Health Laboratory Service.

The Minister said this will enable the national service to provide diagnostic health laboratory services more cost effectively and with greater efficiency, so as to increase the quality of clinical care provided to patients through timely and judicious clinical management.

Older Persons Amendment Bill

The Older Persons Amendment Bill, 2016, was approved and will be published for public comment. The Bill amends the Older Persons Act 13 of 2006.

The amendments make specific reference to protection and compliance measures which will contribute in providing a safe and protective environment for older persons.

“The Bills aim to strengthen the monitoring and evaluation measures on services to older persons by putting in place effective enforcement measures for non-compliance which includes the imposition of penalties,” the Minister said.

This will ensure that older persons have access to quality services such as social, health, community based, and residential care.

Fund Raising Amendment Bill

Cabinet further approved the publication of the Fund Raising Amendment Bill, 2016, for public comment. Cabinet approved for the repeal of the existing funds and the consolidation of their assets and liabilities to one Fund.

The Bill amends the Fund Raising Act, 1978, which is outdated.

“The Bill streamlines responses to disasters and allows for the deployment of risk mitigation and developmental strategies through the consolidation of the existing funds including their respective assets and liabilities into one National Social Development and Relief Fund,” the Minister said.

He said the fund raising capabilities of the Act will be restored and the fund will not only be able to react when social relief is needed, but will act to mitigate risks and develop communities.

National Environmental Management Laws Amendment Bill

Cabinet also approved the submission of the National Environmental Management Laws Amendment Bill, 2016, to Parliament.

This amends the National Environmental Act, 1998 (Act No. 107 of 1998) as well as a number of Specific Environmental Management Acts.

“This will strengthen the integrated environmental management, one environmental management system, compliance and enforcement measures; biodiversity and conservation; air quality management; waste management and integrated coastal management,” the Minister said.

Draft Regulation of Agricultural Land Holdings Bill

The Draft Regulation of Agricultural Land Holdings Bill, 2017, which was approved, will be published for public comment.

Minister Radebe said land reform is necessary to unlock the potential for a dynamic, growing and employment-creating agricultural sector.

Amongst others, the Bill gives effect to the establishment of the Land Commission which will ensure a transparent and more conducive regulatory environment for the generation and utilisation of policy-relevant information on ownership and usage of agricultural land.

“This will improve the state's ability to monitor and evaluate its compliance with the constitutional directive to ensure land tenure and related reforms, with the intent of taking measures to redress the results of past racial discrimination.

“This contributes to the National Development Plan’s vision for rural revitalisation, inclusive economic growth and poverty reduction which also rests on creating more equitable access to land and tenure security for all South Africans,” the Minister said.

Property Practitioners Bill

The publication of the Property Practitioners Bill, 2016, was approved in the Government Gazette for public comment. The Bill repeals the current Estate Agency Affairs Act, 1976 (Act No. 112 of 1976).

“The Bill responds to the changing market conditions and dynamics, and strives to create an enabling environment to enhance economic activity within the real estate market,” the Minister said.

It also addresses the need to enhance compliance and enforcement, as well as to ensure transformation in the sector and to regulate the conduct and behaviour of property practitioners.

Home Loan and Mortgage Disclosure Amendment Bill

The Home Loan and Mortgage Disclosure Amendment Bill, 2016, was also approved to be published for public comment. The Bill amends the Home Loan and Mortgage Disclosure Act, 2000 (Act No. 63 of 2000).

The Bill addresses human settlements challenges identified in the National Development Plan. This includes: dysfunctional settlement patterns across the country; challenges facing towns and cities; weak spatial planning and governance capabilities.

The Bill seeks to provide for housing finance which is in line with section 26 of the Constitution, which stipulates that “everyone has a right to adequate housing”.

It further empowers the Office of Disclosure to receive and investigate complaints regarding home loans.

The Minister said this will encourage compliance by financial institutions and will contribute to improved lending patterns and trends of financial institutions regarding home loans.

Traditional Leadership and Governance Framework Amendment Bill

The publication of the Traditional Leadership and Governance Framework Amendment Bill, 2016, was further approved in the Government Gazette for public comment. This amends the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003).

The amendments deal with the challenges being experienced with the constitution and reconstitution of traditional leadership structures and, where applicable, the disestablishment of certain structures.

The aim is to ensure proper reconstitution of tribal authorities as traditional councils; establishment of kingship and queenship councils; and disestablishment of community authorities.

International Arbitration Bill

The International Arbitration Bill was approved to be introduced into Parliament.

The aim of the Bill is to improve access to justice services and to ensure the realisation of the National Development Plan target of expanding trade and investment and positioning South Africa in the world.

The Bill incorporates the Model Law on International Commercial Arbitration, as adopted by the United Nations Commission on International Trade Law.

“This can be used by business to resolve their international commercial disputes and in terms of which parties can obtain arbitral awards that are legally enforceable,” the Minister said.

Such a move, he said, could contribute to increased economic growth and investment as well as ensure that South Africa is an attractive venue for parties around the world to resolve their commercial disputes. – **SAnews.gov.za**

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