

**NFP Debate to KwaZulu-Natal Commission Amendment**  
**Bill, 2015**

Madam Speaker,

Honorable Members,

All guests,

The Bill before us today is of great importance because it empowers the provincial government, to appoint commissions of enquiry. As members of the legislature, it is our role to exercise oversight not only over the executive but also over other entities which are critical in creating a better quality of life in our province.

A commission of enquiry is one way of achieving this. Commissions are established on an ad hoc basis to inquire into matters of public interest. Their purpose is to ascertain factual circumstances and to make recommendations. When there are obstacles to this, we need to step in and act.

Amongst some of the problems with the current Act is that it is silent on the appointment of commissions of assistants to the commission from the private sector. This poses a huge obstacle as commissions of such nature require technical experience and expertise which may be absent in the public sector. This would mean that the conclusions of a commission would not be of the best quality.

The challenges experienced in the case of *Umlambo Trading versus Manase and Associates and Others* revealed that a member of the executive cannot fully exercise their role in getting institutions under their political leadership investigated. And so this Bill, will therefore make it clear that an investigation does not need a formal commission to be appointed by the Premier in order to be valid or to have legal powers.

As the NFP we further support Clause 4 which will make it a requirement that the commission must be fully costed before it is appointed. Honorable Members this is crucial because we want to avoid a situation where a commission will operate endlessly and carelessly because there are no financial regulations and implications in place.

We are concerned about Clause 5 which will give the Premier power to extend the term of a commission. Although we understand that at times there will be unforeseen delays and circumstances, we do not want to cultivate a culture where it is the norm to exceed time frames or to work at snail's pace because this will have dire financial implications for the province. So this power would need to be exercised with caution and only in exceptional circumstances.

Madam Speaker, the NFP will support this Bill.

**Presented by:** Hon SJ Mdakane