

Parliamentary NewsWatch

Keeping Business Informed.

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Medium Term Budget Policy Statement

Finance Minister Pravin Gordhan will deliver his Medium Term Budget Policy Statement at Parliament on Tuesday, 25 October 2011, at 2pm.

Often referred to as the "mini-budget" the MTBPS is the Finance Ministry's mid-term review of the national budget. The MTBPS can be expected to provide an early indication of policy interventions to expect in the 2012 Budget Speech.

Public hearings on the MTBPS have been scheduled for 1 and 2 November 2011.

See page 3 for BUSA's opinion on this year's MTBPS.

Intellectual Property Laws A/Bill

Parliament's Trade and Industry Portfolio Committee has approved the Intellectual Property Laws Amendment Bill [B8-2010]. The National Assembly is scheduled to vote on the Bill on 27 October 2011.

The Bill seeks to provide legal protection to different forms of traditional intellectual property and geographical indications.

Email bpo@busa.org.za for a copy of the Bill as approved by the Portfolio Committee.

Skills Development Amendment Bill

The Skills Development Amendment Bill [B16-2011] has been tabled in Parliament. The Portfolio Committee on Higher Education is calling for comments on the Bill - their advertisement can be found at www.parliament.gov.za

Public hearings are scheduled for 8 and 9 November and the deadline for written comments is 3 November.

BUSA has previously engaged with the Bill at NEDLAC. Email bpo@busa.org.za for a copy of the Bill as tabled in Parliament.

Protection of **PERSONAL** *i*nformation

After a six month hiatus, the Technical Working Committee dealing with the Protection of Personal Information Bill has resumed deliberations on the Bill.



The Technical Working Committee (TWC) of the Justice Portfolio has resumed its deliberations on the Protection of Personal Information Bill. The Committee last met to consider the Bill on 1 March 2011. The fifth and latest working draft of the Bill is expected to be released by State Law Advisors shortly.

Since September 2011, the TWC has met twice - on 19 September and 10 October. Timeframes for the implementation of the Bill were not discussed at either meeting.

Meeting of 19 September

At the meeting on 19 September, State Law Advisors presented four annexures detailing proposed legislative options for:

- The Supervision, Monitoring and Enforcement of Processing of Personal Information
- The Structure of an Information Regulator
- Monetary penalties and administrative fines
- Amendments to the Promotion of Access to Information Act (PAIA): Powers Functions and Duties of the Regulator in terms of PAIA

The fifth working draft of the Bill is expected to include the various proposals contained in the annexures.

Meeting of 10 October

At the 10 October meeting, TWC members reviewed submissions made by the Financial Services Board, Financial Intelligence Centre and Special Investigations Unit, all of whom petitioned for special exemptions to be included in the Bill for their agencies. The TWC did not accede to any of the requests for exemptions.

Way forward

The Committee has yet to decide on a date for its next meeting. At its 19 September meeting, the TWC reiterated its intention of finalising the Bill by the end of 2011 - an unlikely event given the late stage in the parliamentary calendar and the large number of outstanding issues in the Bill. ■

[Email bpo@busa.org.za](mailto:bpo@busa.org.za) for more detailed reports of the abovementioned meetings

What to expect in the Medium Term Budget Policy Statement



BUSA believes that **business confidence** should be a key focus of Minister Gordhan's Medium Term Budget Policy Statement.

An extract from a statement released by Business Unity South Africa on 13 October 2011:

Given the uncertain global economic outlook the forthcoming Medium Term Budget Policy Statement by the Minister of Finance on 25 October must reinforce what SA can do to cushion and adapt to the negative impact of actual and potential developments in the world economy.

With world growth forecasts being regularly revised downward - and although emerging markets are expected to do better - the SA economy has also experienced a loss of momentum.

Our resources and strategic focus must therefore remain concentrated on strengthening the domestic economy and reducing the costs of doing business in SA.

The MTBPS comes at a difficult time this year when markets remain nervous over government budgets worldwide. The key factor for business confidence is credibility.

There need to be credible forecasts in the MTBPS for the economic outlook, as well as a continued clear path to fiscal health. BUSA believes that debt to GDP needs to stabilise under 45% of GDP during this MTBPS period and then decline in the second half of the decade.

This should ideally not be at the expense of capital spending but rather as a result of better control over current expenditure, including the State's wage bill. Fiscal policy should be growth-enhancing, with emphasis on enterprise and job creation, and state spending must be made more effective. SA's excellent reputation to date for fiscal discipline will stand the country in good stead in this challenging period.

On monetary policy, it implies that interest rates will need to stay low for longer, probably well into 2012, and a further cut in the repo rate may become necessary soon. If SA inflation is seen as mostly target-bound and driven by exogenous factors, and taken together with slow global growth, interest rate trends elsewhere, as well as SA's sub-optimal growth and employment performance, there could be a case for another interest rate cut in November. Other appropriate policy interventions may have to be considered depending on global and internal developments in the near future. ■

"Our resources and strategic focus must therefore remain concentrated on strengthening the domestic economy and reducing the costs of doing business in SA"
- BUSA

ClimateChange

Parliament steps into the climate change debate in the run up to **COP17**.

Climate Change Response White Paper

Parliament is calling for comment on the National Climate Change Response White Paper. The White Paper was released on 13 October 2011 and is a revised version of the Green Paper published earlier this year. The White Paper incorporates public comments made during parliamentary hearings on the Green Paper in March 2011.

The deadline for written comments is 25 October 2011; public hearings are scheduled for the period from 1 to 25 November. Comments may be emailed to tmadubela@parliament.gov.za. Email bpo@busa.org.za for a copy of the White Paper.

BUSA has welcomed the release of the White Paper as a trigger for the development of a comprehensive action plan to develop and implement nationally appropriate mitigation actions and mechanisms to support their implementation. Although there are some areas in the document which are of concern to Business, BUSA believes that the focus should now be on action. ■

[Read BUSA's full comments on the White Paper at www.busa.org.za](http://www.busa.org.za) under <press releases>

National Consultative Seminar on Climate Change

BUSA will participate in a National Consultative Seminar on Climate Change hosted by Parliament in Cape Town on 28 and 29 October 2011.

With South Africa hosting COP 17 in December, Parliament, as SA's legislative arm, is hoping to assist the Executive by creating a space for public engagement on the form and content of negotiations in order to reach a national consensus on a global agreement. Parliament is also hoping that the Seminar will be the first of an ongoing dialogue on consensus building to future COPs. Leaders from government, business, labour and civil society both nationally and regionally will attend the National Consultative Seminar. ■

