

# NEDLAC CONNECT



# Welcome to 2023

We trust you had a restful festive season. This year provides new challenges but Nedlac remains poised to create platforms for discussions on a transformed, inclusive economy that creates sustainable employment; predictable and enabling regulatory frameworks; and importantly, affordable, reliable, and sustained energy to meet current and future needs.

In this month's edition of Nedlac Connect, we provide a summary of some key aspects of Nedlac's work.

## Among the issues focused on, this edition includes:

- A task team is looking at the causes and impact of the high cost of living on the poor.
- A spotlight is on our country's most precious resource – water. A dialogue session was held that focused on the National Water Resource Infrastructure Agency Bill considering consolidating entities into one and placing more power with them to enable the raising of finances for infrastructure projects.
- Changes to the function and workings of the South African Post Office Bill were also discussed. Once these engagements were concluded Nedlac tabled the SAPO Amendment Bill. It makes for interesting reading.
- At issue is the energy crisis. Nedlac has established a National Energy Crisis Committee (NECOM) that has developed plans to help alleviate and provide solutions to the shortfall of supply.

The January edition also turns the focus on to changes in the Nedlac Founding Documents that will see the institution aligned with and updated to the reality of today's world. Some pieces of legislation, such as the Nedlac Act and Constitution, date back at least 30 years. Thanks to the vital role played by our social partners and other experts for their advice and participation in making things happen.

Sit back and connect with us. #NEDLAC Connect



# Nedlac Hosts Dialogue Session on NWRIA



Nedlac has successfully convened a dialogue session on the National Water Resource Infrastructure Agency (NWRIA) Bill, which will result in bulk water infrastructure and its asset management and revenue collection functions being integrated, owned, and managed under one entity, thus being able to raise finance for further infrastructure development.

In the 2021 and 2022 State of the Nation Address, President Cyril Ramaphosa emphasised the importance of economic recovery through the development of accelerated various reforms.

In light of the above, the Department of Water and Sanitation (DWS) developed the NWRIA Bill to serve as founding legislation for the newly established catchment agency once promulgated.

The dialogue session, which enabled the social partners to make preliminary input on the Bill before being submitted to Parliament for further processing, was attended by all relevant role players including senior officials from government, labour, business, and community. Experts from entities reporting directly to the government also attended, including Water Research Commission, Transcendental Trans Caledon Tunnel Authority (TCTA), and Water Trading Entity (WTE).

The TCTA is a finance-raising institution and does not own any national assets i.e. water infrastructure assets. WTE is responsible for trading and collecting revenue from the sale of bulk water resource infrastructure as sold to various customers, including industries, agricultural clients, and municipalities, in some instances.



**Water legislation will result in bulk water infrastructure and asset management among others.**

Source: The Greentimes/CGE African Centre for Green Economy

The Water Research Commission shared its perspective on the proposed catchment Agency that will serve as a vehicle to address recommendations from the 2015 OECD Report, 1997 White Paper on a National Water Policy for South Africa, as well as the 2013 National Water Resources Strategy, 2nd edition.

The dialogue session clarified that the Water Boards would continue to provide a support function to municipalities regarding bulk distribution.

# SAPO Bill supports technological developments



Nedlac concluded engagements on the South African Post Office (SAPO) Amendment Bill within two months of it being tabled by the Department of Communications and Digital Technology (DCDT).

The Bill, tabled by DCDT at Nedlac on 1 September 2022, aims to amend the South African Post Office Act of 2011. It will create a platform for SAPO to benefit from the technological developments in its environment, enabling it to revise its duties and expand its mandate.



## New bill could see advanced technological changes

Source: ENTERPRISE AFRICA

SAPO will be a universal postal and courier service provider, a partner for integrated logistics, e-commerce, and other logistics players, including SMMEs, and is envisioned as becoming a digital hub for businesses and communities.

Engagements with social partners took place with the support of the Development Chamber.

Businesses' views on the proposed amendment were that currently, SAPO already provides a diversified service including posting letters and packages, renewing vehicle licenses, money transfers, registering letters,

paying bills, speed service couriers, e-postal mobile, selling airtime and stamps, etc.

Additionally, SAPO was also providing courier services or express logistics to any persons, including e-commerce firms and government institutions. It was not convinced that government needed to amend the Act to provide for these services, as the current legislative regime did not prevent SAPO from providing them.

However, Labour and Community welcomed the proposed amendment, saying they were long overdue, and there was an urgent need to expand the SAPO mandate.

Labour implored government to urgently develop a new funding model for SAPO

to support its broadened mandate as proposed in the Bill. Community supported the provision of e-commerce services in the Bill as these would be vital to rural and farming communities.

The Nedlac report on the SAPO Amendment Bill was approved by the Management Committee on 25 November 2022. The final Nedlac report was submitted to the Minister of Communications and Digital Technology, Minister of Employment and Labour, and the Chairperson of the Portfolio Committee on Communication and Digital Technology to inform them that the process of engagement had been concluded. The report is also available on the Nedlac website for the public.

# Dialogue held on Phase 2

In November 2022, Nedlac convened a second dialogue session on the National Infrastructure Plan 2050 (NIP 2050) Phase 2, attended by experts from Infrastructure South Africa (ISA), senior government officials, business representatives, organised labour, and civil society.



DIALOGUE  
SESSION

## South Africa will see major developments in infrastructure.

The Phase 1 plan had been approved by Cabinet in March 2022, and focused on bulk infrastructure related to energy, water, freight transport, and digital communications, tackling issues regarding the strengthening of institutional capabilities for delivery and infrastructure finance, building Africa's regional infrastructure agenda, revitalising the civil construction sector, and monitoring and evaluation.

NIP 2050 Phase 2 focuses on the distributed infrastructure, organised into two main sections. The first offers insight into six infrastructure areas including human settlements; municipal electricity; water, sanitation, and solid waste;

passenger transport; road infrastructure; education and health infrastructure.

It further provides for three key cross-cutting sections focused on digital capabilities in infrastructure, crime and corruption, and the governance of distributed infrastructure. NIP 2050 outlines the vision for each section, followed by an assessment of the current status, outlining the essential conditions for success, and what would be done by all stakeholders to achieve success.

Constituencies welcomed the three-year action plan, with key elements adopted by the government to strengthen the capacity to deliver under each theme.

# Engagement on Public Procurement Bill concluded

Nedlac concluded engagement on the Public Procurement Bill, which aims to create a single regulatory framework for public procurement and eliminate fragmentation in laws dealing with procurement in the public sector.

**DIALOGUE  
SESSION**

The discussions included focusing on thematic areas, and reviewing key objectives like procurement reform, service delivery and anti-corruption measures. There was debate on whether a statute should provide greater guidance around procurement as opposed to within subordinate legislation, like regulations and instructions.

Experts in areas related to procurement were invited to assist with technical and strategic advice, and were collectively referred to as Joint Strategic Resources (JSR).

At the end of the process, the Nedlac Report outlined agreements and disagreements: the latter included the lack of provision for whistle blowers.



**New public procurement bill will eliminate fragmented laws in the public sector.**  
Source: SA Builder



# Task team established to tackle cost-of-living increases

**Nedlac social partners have established a task team to engage on the escalating fuel and food increases in the country.**

**The Cost of Living Increase Rapid Response Task Team was formally established on 5 October, with the group's final terms of reference being approved at the Manco on 20 January 2023.**



## **Rising cost of living under the microscope**

Source: The Canberra Times

This was after a series of global developments affecting the local economy have led to dramatic increases in fuel and food prices, increasing hardships, especially for the poor and unemployed, and further threatening economic reconstruction and the social fabric of our society. The Team has received several presentations from various government departments, the Consumer Goods Council of South Africa, and the Competition Commission. It has also invited comments from specialists and academics

including Prof Julian May from the National Research Foundation Centre of Excellence in Food Security (NRFCEFC), and Professor Rod Crompton, from the African Energy Leadership Centre (AELC) at the Wits Business School.

The Task Team's work is ongoing, focused on the impact of the rising cost of oil (petrol, diesel, paraffin), and essential foods, and ways to mitigate the impact of the skyrocketing food prices, and the steadily increasing fuel and energy costs.

# Changes to Nedlac founding documents

## Founding documents' revision underway

In the most significant changes since the Nedlac Act and Constitution were approved almost 30 years ago, at the January Manco, the Nedlac Governance Task Team tabled amendments to the Nedlac Act, Constitution, and Protocol for consideration.

They provide for more effective governance and update and align the founding documents with what is happening in practice and the challenges and tasks of the organisation as it is today.

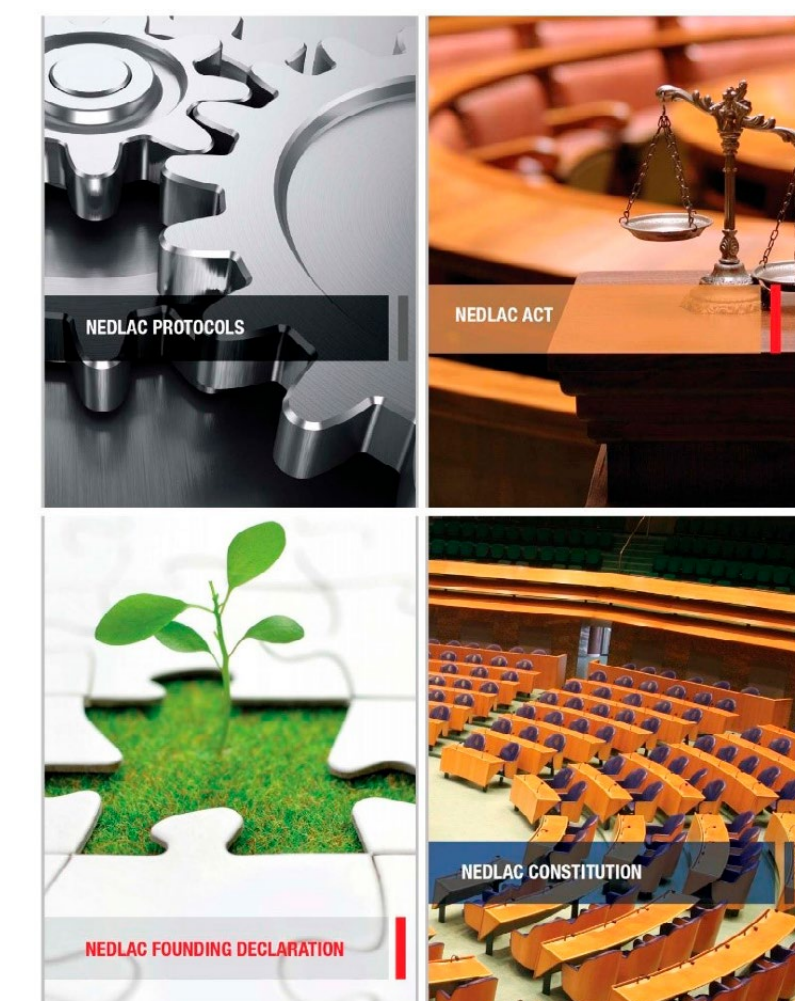
The Nedlac Executive Council approved the Protocol document and directed the Task Team to finalise several further changes to a revised Bill and Constitution at the next round of Manco/Exco meetings. The tabling of the above is a result of extensive deliberations over many years on how to update and renew the founding documents.

- The key changes to the Draft Bill are to:
- Update the functions of Nedlac to include entering into agreements and giving social parties the power to exercise oversight over the implementation of any agreements, policies, and legislation being considered;
  - Require a Minister or Parliament to take into account a report from Nedlac on a policy or legislation respectively;
  - Update and clarify the criteria for

- admission to Nedlac; and
  - Replace Manco and Exco with a single Executive Committee that will be the Accounting Authority.
- The changes to the Constitution include:
- Allowing Constituencies to appoint representatives to structures of Nedlac. In the current constitution, the Minister of Employment and Labour is required to appoint representatives.
  - Setting out a process for the admission and termination of membership to Nedlac; and
  - Aligning the Constitution with the current Public Finance Management Act (PFMA), National Treasury (NT), Department of Planning, Monitoring and Evaluation (DPME) planning and reporting requirements.

- The Protocol for Tabling and Considering Matters at Nedlac updates the current protocol by:
- Formalising the role of task teams as key structures for the consideration of policies and legislation;
  - Simplifying and clarifying dispute resolution processes;
  - Providing for a Programming Committee;
  - Setting out the expectation of government departments and other parties when Bills go to Parliament, including an obligation to report back on any changes made after Bills have left Nedlac; and
  - May require government departments to report back on the implementation of policy, legislation, or agreements considered at Nedlac.

The Nedlac secretariat is working on the implementation of the revised protocol. Once the Constitution is approved by Exco it can be implemented, while the changes to the Act will need to be submitted by the Department of Employment and Labour to Parliament.





# New look and feel for Nedlac

## A new look and feel for Nedlac's Corporate identity is on the cards

Nedlac's Executive Council has approved the new Corporate Identity Manual (CIM) that will make changes aligned with the revision of Nedlac's founding documents, ensuring a Fit for Purpose Nedlac and improving and codifying the organisation's existing brand identity. Nedlac has had the same "look and feel" since its inception but has not had a clear CIM.



The purpose of this is to:

- Create a strong, clear and consistent brand presence and reference, creating a culture and enhancing business practices among employees;
- Specify the proper use of Nedlac's brand elements;
- Promote the brand to stakeholders.

The key changes to the CIM are:

- Introduction of grey in the logo and as a

background colour;

- 3D effect on the South African rounded flag on the logo;
- Introduction of a gold bubble background on the stationery and letterhead;
- Co-branding with the Presidential Climate Commission where appropriate;

Nedlac is working on the official launch of the CI Manual. Look out for the announcement!

# In the Media

## South Africa declares a national state of disaster over load shedding

President Cyril Ramaphosa has declared load shedding a national state of disaster, with immediate effect which will “enable us to provide practical measures that we need to take to support businesses in the food production, storage and retail supply chain, including for the rollout of generators, solar panels and uninterrupted power supply”.

*Read the full article here:* <https://businesstech.co.za/news/government/663581/south-africa-declares-a-state-of-disaster-over-load-shedding/>



**BUSINESSTECH**

## 5 new laws for South Africa to keep an eye on in 2023

New laws refining the edges of the South African lifestyle, business and economy are anticipated this year with 64 Bills undergoing the legislative process, with many awaiting the presidential signature including topics such as domestic workers, sectional titles, employment, land and the national medical aid scheme.

*Read the full article here:* <https://businesstech.co.za/news/government/653455/5-new-laws-planned-for-south-africa-to-keep-an-eye-on-in-2023/>



**BUSINESSTECH**

## Government commits to build on job creation plan

The government has reiterated its commitment to creating jobs in 2023, as part of a five-year plan by the Department of Employment and Labour to create and generate sustainable employment, according to the latest Quarterly Labour Force Survey (QLFS) compiled by Statistics South Africa (StatsSA).

*Read the full article here:* <https://www.skillsportal.co.za/content/government-commits-build-job-creation-plan>



**the skillsportal**  
exploring the new world of work

## Employment Equity Amendment Bill under the spotlight

The amended Employment Equity (EE) legislation is expected to take effect in 2023, according to the employment and labour department, which highlighted this in a 2022 statement on employment equity following the tabling of the bill in Parliament in July 2020.

*Read the full article here:* <https://legal.sabinet.co.za/articles/employment-equity-amendment-bill-under-the-spotlight/>



**Sabinet**

Facilitating *access* to information

## Presidential Climate Commission challenges the energy status quo

The Just Energy Transition Investment Plan offers an option for rebuilding our electricity system while reducing coal dependence — more systematically and timeously than anything we’ve seen from government before, writes columnist Richard Worthington in the Daily Maverick.

*Read the full article here:* [https://www.dailymaverick.co.za/opinionista/2022-12-14-presidential-climate-commission-is-no-silver-bullet-but-it-is-challenging-the-energy-status-quo/?utm\\_source=headtopics&utm\\_medium=news&utm\\_campaign=2022-12-14](https://www.dailymaverick.co.za/opinionista/2022-12-14-presidential-climate-commission-is-no-silver-bullet-but-it-is-challenging-the-energy-status-quo/?utm_source=headtopics&utm_medium=news&utm_campaign=2022-12-14)



**DAILY MAVERICK**

## Minimum wages may be hiked by more than 8%: a proposal by National Wage Commission

The minimum wage could be hiked by more than 8% next year this year, according to a new proposal by the Department of Labour’s National Minimum Wage (NMW) Commission, which has proposed an increase of the consumer price index (CPI) plus 0.5% to 1%.

*Read the full article here:* <https://www.news24.com/fin24/economy/minimum-wages-may-be-hiked-by-more-than-8-according-to-govt-proposal-20221230>



**news24**  
**Business**

# Upcoming meetings

## 17 – 28 February 2023

**17 • 2 • 2023 : 09.00 – 13.00**

TRADE AND INDUSTRY CHAMBER  
TESELICO Sub Committee

**17 • 2 • 2023 : 13.00 – 16.00**

LABOUR MARKET CHAMBER  
Mine Health and Safety Amendment Bill Task Team

**17 • 2 • 2023 : 10.00 – 13.00**

GOVERNANCE  
MANCO

**21 • 2 • 2023 : 14.30 – 16.30**

ERRP  
Freight and Public Transport Workstream

**23 • 2 • 2023 : 10.00 – 15.00**

TRADE AND INDUSTRY CHAMBER  
Trade and Industry (South Africa's National Interest Document)

**24 • 2 • 2023 : 10.00 – 13.00**

GOVERNANCE  
EXCO

**27 • 2 • 2023 : 10.00 – 13.00**

TRADE AND INDUSTRY CHAMBER  
Government Incentives Task Team

**27 • 2 • 2023 : 12.00 – 16.00**

DEVELOPMENT CHAMBER  
Norms and Standards for Public School Infrastructure Task Team

**28 • 2 • 2023 : 10.00 – 13.00**

LABOUR MARKET CHAMBER  
Labour Law Reform Task Team



# ABOUT US

The National Economic Development and Labour Council (Nedlac) is the vehicle by which Government, labour, business and community organisations seek to cooperate, through problem-solving and negotiation, on economic, labour and development issues and related challenges facing the country.

#### USEFUL LINKS

- ▶ [Nedlac Act](#)
- ▶ [Nedlac Constitution](#)

CONNECT WITH US AND  
SHARE YOUR VIEWS.  
WE WOULD LOVE TO  
HEAR FROM YOU.

#### YOU CAN CONTACT US ON:

- ✉ [info@nedlac.org.za](mailto:info@nedlac.org.za)
- ☎ 011 328 4200
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#### CONNECT WITH US ON SOCIAL MEDIA:





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