

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
NATIONAL RESEARCH
FOUNDATION AMENDMENT
BILL**

[B 23—2017]

*(As agreed to by the Portfolio Committee on Science and Technology
(National Assembly))*

[B 23A—2017]

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AMENDMENTS AGREED TO

NATIONAL RESEARCH FOUNDATION AMENDMENT BILL [B 23—2017]

CLAUSE 1

1. On page 2, in line 9, to omit “of Science and Technology”, and to substitute “responsible for science and technology”.
2. On page 2, after line 9, to insert the following:
 - (b) by the substitution for the definition of “division” of the following definition:

“‘division’ means a division of the Foundation [established under] envisaged in section 12;”.
3. On page 2, in line 15, after, “infrastructure”, to insert “₂”.
4. On page 2, in line 16, to omit “capital”, and to substitute “capacity”.
5. On page 2, in line 21, to omit “contemplated in”, and to substitute “conducting research as recognised by the Minister in terms of”.
6. On page 3, from line 2, to omit “targeted groups of society”, and to substitute “public”.

CLAUSE 3

1. On page 3, in line 24, to omit the first “and”, and to substitute “₂”.
2. On page 3, in line 24, after “promoting”, to insert “and advancing”.
3. On page 3, in line 24, to omit “capital” and to insert “capacity”.

CLAUSE 4

1. On page 3, in line 36, after “**to**”, to insert “**determine national policies and**”.

CLAUSE 5

1. On page 3, after line 46, to insert the following:
 - (a) by the substitution in subsection (1) for paragraph (a) of the following paragraph:

“(a) promote the development of appropriate human [resources] and research capacity and research infrastructure in the areas of science and technology;”.
2. On page 4, in line 3, to omit “and”, and to substitute “₂”.
3. On page 4, in line 3, after “support”, to insert “and advance”.
4. On page 4, in line 6, to omit “allocate funds for research and”, and to substitute “**[allocate funds for research and]**”.

5. On page 4, in line 8, to omit “paragraph”, and to substitute “paragraphs (*e*) and”.
6. On page 4, after line 34, to insert the following:
 - (*l*) by the substitution in subsection (1) for paragraph (*o*) of the following paragraph:

“(o) compile and maintain a national registry of research funded by the Foundation; and”
7. On page 4, in line 37, to omit “award grants”, and to substitute “allocate funds or award grants, contracts, scholarships or bursaries”.
8. On page 4, in line 41, to omit “capital”, and to substitute “capacity”.
9. On page 4, from line 47, to omit:

“(aB) coordinate science engagement by—

<ol style="list-style-type: none"> (i) supporting the involvement of targeted groups of the society in science engagement; (ii) designing and implementing science engagement initiatives and activities; and (iii) managing the Department supported science engagement programme;”.
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10. On page 4, after line 53, to insert the following:
 - (*o*) by the substitution in subsection (2) for paragraph (*b*) of the following paragraph:

“(b) co-operate or enter into agreements with any person, institution, government or administration; and”.
11. On page 4, after line 54, to insert the following:
 - (*q*) by the substitution in subsection (3) for the words preceding paragraph (*a*) of the following words:

“In addition to its other functions in terms of this Act, the foundation must—”.
 - (*r*) by the substitution in subsection (3) for paragraph (*a*) of the following paragraph:

“(a) undertake or procure the undertaking of such investigations and research relating to its object as the Minister may assign to it; and”.
12. On page 4, in line 59, to omit “requested”, and substitute “approved”.

CLAUSE 6

1. On page 5, from line 7, to omit “(including any government department or administration)”, and to substitute “, including any government department or administration”.
2. On page 5, from line 10, omit “shall, in so far as they can be applied, apply with the necessary changes in connection with the exercising by the Foundation of its powers in terms of this section as if the territory in which it so exercises its powers was part of the Republic”, and to substitute “applies to the Foundation, in so far as possible, when it exercises its powers in terms of this section outside the territory of the Republic”.

4. On page 5, from line 14, to omit subsection 3, and to substitute the following:

“(3) Notwithstanding anything to the contrary contained in this Act, the terms and conditions on which the Foundation may undertake research in terms of subsection (1), must be—
 (a) agreed upon by the Foundation and the person, including any government department or administration on whose behalf research is to be undertaken, and
 (b) approved of by the Minister.”.

CLAUSE 7

1. On page 5, in line 31, after the first “facility”, to insert “2”.
2. On page 5, in line 36, after “facilities”, to insert “as determined in terms of subsection (1)”.

CLAUSE 8

1. On page 6, in line 6, to omit “and”.
2. On page 6, from line 9, to omit “a declaration of an institution as a research institution”, and to substitute “the declaration contemplated in subsection (1)”.

CLAUSE 11

1. On page 7, from line 4, to omit subsection (3), and to substitute the following:

“(3) The chairperson—
 (a) may, at any time, convene a special meeting of the Board;
 (b) must, within 14 days of a request to convene a special meeting of the Board signed by at least one third of the members of the Board convene such a meeting; and
 (c) must determine the time and place of the meeting convened in terms of paragraphs (a) or (b).”.

CLAUSE 12

1. On page 7, in line 39, after the semicolon, to insert “and”.
2. On page 7, in line 43, to omit “; and”, and to substitute “.”
3. On page 7, from line 44, to omit paragraph (c).

CLAUSE 13

1. On page 7, after line 54, to insert the following:

(b) by the substitution for subsection (2) of the following subsection:
 “(2) The chief executive officer must report to the Board **[on those affairs which the Board may require]**.”.

- (c) by the substitution for subsection (3) of the following subsection:

“(3) The chief executive officer must be appointed [**or reappointed for such period, but**] for a term not exceeding five years, and may be reappointed for a term not exceeding five years, subject to such conditions, including conditions relating to the payment of remuneration and allowances, as the Board may, in consultation with the Minister, determine.”.

CLAUSE 15

1. On page 8, from line 13, to omit “for different research fields or functions”.

CLAUSE 16

1. On page 8, from line 18, to omit paragraph (a), and to substitute the following:

“(a) The [**Board**] chief executive officer may—
 (i) with the consent of an employee; and
 (ii) on such conditions as the Board may determine,
 second the employee either for a particular service or for a period of time to the service of a department of State, the government of any province, territory or country, [**or a person in**] organisation or institution within or outside the Republic.”.

CLAUSE 18

1. On page 8, in line 26, to omit “—”, and to substitute “by the deletion of subsections (1)(b), (2)(b), (3) and (5)”.
2. On page 8, from line 27, to omit paragraphs (a) and (b).

CLAUSE 24

1. On page 9, from line 23, to omit “by the deletion of paragraph (b) and (c) of subsection (1) and (2)”, and to substitute “—”.
2. On page 9, after line 24, to insert the following:
 - (a) by the deletion of paragraph (b) and (c) of subsection (1).
 - (b) by the substitution for subsection (2) of the following subsection:

“(2) Regulations made in terms of subsection (1)(d) must be submitted to Parliament [**at least 30 days**] before promulgation.”.

CLAUSE 26

1. On page 9, in line 29, after the first “the”, to insert “support,”.
2. On page 9, in line 29, to after “promotion”, to insert “and advancement”.
2. On page 9, in line 30, to omit “capital” and to substitute “capacity”.
3. On page 9, in line 33, after “support” to insert “, advance”.

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