



GAUTENG
LEGISLATURE

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OFFICE OF THE SPEAKER

FINAL VOTING MANDATE

TO: The Chairperson of the National Council of Provinces.

Hon T Modise

NAME OF BILL: Protection, Promotion, Development and Management of Indigenous Knowledge Bill

NUMBER OF BILL: [B6D-2016]

DATE OF DELIBERATION: 07 August 2018

VOTE OF THE LEGISLATURE:

The Gauteng Provincial Legislature supports the principle and detail of the bill and therefore votes in favour of-

- Protection, Promotion, Development and Management of Indigenous Knowledge Bill

HON NTOMBI MEKGWE

SPEAKER

GAUTENG PROVINCIAL LEGISLATURE

Date: 08/08/2018



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SPORT, RECREATION, ARTS AND CULTURE PORTFOLIO COMMITTEE
FINAL VOTING MANDATE:
PROTECTION, PROMOTION, DEVELOPMENT AND MANAGEMENT OF INDIGENOUS
KNOWLEDGE BILL [B6D-2016]

07 August 2018

1. INTRODUCTION

The Chairperson of the Sport, Recreation, Arts and Culture Portfolio Committee, Hon. J. Pekane, tabled the Committee's Final Voting Mandate on the Protection, Promotion, Development and Management of Indigenous Knowledge Bill [B6D-2016].

2. PROCESS FOLLOWED

The Speaker, on 20th June 2018, formally referred the Protection, Promotion, Development and Management of Indigenous Knowledge Bill [B6D-2016] Section 76, to the Portfolio Committee on Sport, Recreation, Arts and Culture referred to as the Committee, for consideration in terms of Rule 245 (1) read with 246 (1), 247 and 248.

On Tuesday, 07 August 2018, the Committee having considered the Minutes of the NCOP Select Committee on Communications and Public Enterprise, deliberated and adopted the Final Voting Mandates on Protection, Promotion, Development and Management of Indigenous Knowledge Bill [B6D-2016].

3. PRINCIPLES AND DETAILS OF THE BILL

The Bill seeks to provide for the protection, promotion, development and management of indigenous knowledge; to provide for the establishment and functions of the National Indigenous Knowledge Systems Office; to provide for the management of rights of indigenous knowledge communities; to provide for the establishment and functions of the Advisory Panel on indigenous knowledge; to provide for access and conditions of access to knowledge of indigenous communities; to provide for the recognition of prior learning; to provide for the facilitation and

coordination of indigenous knowledge-based innovation; and to provide for matters incidental thereto.

4. OBJECTIVES OF THE BILL

The primary objective of the Bill is to:

- protect indigenous knowledge of indigenous communities from unauthorised use, misappropriation and misuse,
- To regulate the fair and equitable distribution of benefits from its commercial use. And;
- Provide mechanisms for the accreditation of assessors and the certification of practitioners.

5 SOCIO-ECONOMIC FINANCIAL IMPLICATIONS

There are no financial implications because NIKSO is already in existence and it is envisaged that it will continue to operate in its current budget.

6 FINAL POSITION ADOPTED BY THE COMMITTEE

In terms of the Section 65 of Constitution, the Portfolio Committee on Sport, Recreation, Arts and Culture confer authority on the Gauteng Provincial Delegate/s to the National Council of Provinces to **vote in favour** on Protection, Promotion, Development and Management of Indigenous Knowledge Bill [B6D-2016] Section 76.