

# ECD clauses in Children's Amendment Bill rejected

The Portfolio Committee on Social Development has rejected the clauses which provide for Early Childhood Development (ECD) in the Children's Amendment Bill.



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This follows comprehensive legal advice received by the committee on Friday regarding consultations by the Department of Social Development, stakeholders, and interested and affected parties, which took place prior to the introduction of the bill.

Committee chairperson, Mondli Gungubele, said the South African Local Government Association (SALGA) and the Department of Basic Education (DBE) informed the committee that the Department of Social Development had not consulted them on the bill, as directed by the Constitution and the law.

Gungubele said the committee wants to have the bill ready and finalised within the given timeframe, in order to meet the North Gauteng High Court's deadline.

"The committee is committed to passing the bill in line with the directions of the court, with respect to the comprehensive foster care framework.

“The Constitution requires all of us to work collaboratively and not just tick a box. This relationship should be optimised so that the best out of it is achieved,” Gungubele said.

In order to comply with the court judgment and to correct the stated defect, which resulted from the lack of consultation prior to introducing the bill, Gungubele said the committee was advised that it could reject the aspects of the bill that are defective and proceed to process the rest of the provisions of the bill.

The department informed the committee that it would set up a technical team that will consist of Parliament, Social Development, SALGA, the Office of the State Law Advisor and Basic Education to look at ECD-related clauses and provide a way forward.

“The committee was informed that Parliament will hold sittings of the whips on 9, 10 and 19 March 2021, which will coincide with the dates that were scheduled for public hearings. It is compulsory for all Members of Parliament to attend them.

“The committee was then advised to amend its programme. The committee has therefore suspended the public hearings until further notice,” Gungubele said.

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