

20 August 2025

TO: Speaker of the National Assembly
Ms Thoko Didiza

PER: (Email) [REDACTED]

AND TO: [REDACTED]

Dear Honourable Thoko Didiza

**SUBMISSION ON THE CONSTITUTION TWENTY-SECOND AMENDMENT BILL, 2025
PRIVATE MEMBER'S BILL SPONSORED BY MR ROLAND ATHOL PRICE TROLLIP, MP**

1. Introduction

- 1.1. The Organisation Undoing Tax Abuse ("OUTA") is a proudly South African non-profit civil action organisation, comprising of and supported by people who are passionate about improving the prosperity of our nation. OUTA was established to challenge the abuse of authority, particularly the abuse of taxpayers' money.
- 1.2. OUTA welcomes the opportunity to provide input on the Constitution Twenty-Second Amendment Bill, 2025 ("the Bill"), tabled by Mr Roland Athol Price Trollip, MP. The Bill's primary objectives — abolishing the office of Deputy Minister, enhancing parliamentary oversight over ministerial appointments, and enabling a motion of no confidence in individual Ministers — align closely with OUTA's commitment to promoting accountability, transparency, and fiscal responsibility within South Africa's governance structures.
- 1.3. OUTA recognises the urgent need to address the excessive size and cost of the national executive, and to introduce robust checks and balances to safeguard against unfit appointments to ministerial office.

2. General Commentary on the Purpose and Scope of the Bill

- 2.1. The Bill proposes amendments to several sections of the Constitution to:

- 2.1.1. Abolish the office of Deputy Minister and remove all constitutional references to the role;
- 2.1.2. Increase parliamentary oversight by requiring National Assembly approval of all ministerial appointments, supported by the establishment of a proportional, multi-party vetting committee;
- 2.1.3. Allow a motion of no confidence in individual Ministers, empowering Parliament to hold members of the executive directly accountable; and
- 2.1.4. Increase from two to four the number of Ministers who may be appointed from outside the National Assembly.

3. Rationale of the Bill

- 3.1. The Bill correctly identifies that:
 - 3.1.1. South Africa's excessively large national executive imposes an unnecessary financial strain on the fiscus;
 - 3.1.2. The office of Deputy Minister serves little essential governance function and has become largely an instrument of political patronage;
 - 3.1.3. The absence of parliamentary vetting in ministerial appointments has enabled the appointment of individuals with questionable ethical records, insufficient experience, or pending corruption allegations, undermining service delivery and eroding public trust; and
 - 3.1.4. International practice demonstrates that streamlined executive structures, coupled with transparent appointment processes, lead to better governance outcomes.

4. The Financial Burden of Deputy Ministers

- 4.1. OUTA is particularly concerned about the high cost to the taxpayer of maintaining Deputy Ministers and their offices:
 - 4.1.1. According to the official Proclamation Notice 167 under the Remuneration of Public Office-Bearers Act, as of 1 April 2024, the salary for a Deputy Minister is R 2 215 220 per annum;
 - 4.1.2. With 43 Deputy Ministers appointed in the current administration, the total salary cost is approximately: $43 \times R\ 2\ 215\ 220 = R\ 95\ 254\ 460$ per year;

- 4.1.3. Direct salaries for 43 Deputy Ministers amount to approximately R 95.3 million per year;
 - 4.1.4. Support staff salaries average R 4.47 million per Deputy Minister annually, totalling around R 192.3 million per year;
 - 4.1.5. This produces a minimum direct annual cost of R 287.6 million, before considering additional expenses such as VIP protection, official residences, luxury vehicles, international travel and other perks; and
 - 4.1.6. When indirect costs are factored in, the total fiscal burden is significantly higher, drawing scarce public funds away from essential services.
- 4.2. The abolition of these posts would free substantial resources for urgent socio-economic priorities, while improving administrative efficiency.

5. Oversight in Ministerial Appointments — Learning from Chapter 9 Institutions

- 5.1. OUTA strongly supports the Bill's proposal for parliamentary oversight in ministerial appointments. However, OUTA recommends further strengthening the process by adopting elements from the Chapter 9 Institution appointment model as read in section 193 in the Constitution:
- 5.1.1. Defined eligibility criteria: Beyond constitutional requirements, candidates should meet statutory standards for integrity, qualifications, experience and absence of conflicts of interest as read in section 193 (1) of the Constitution, and
 - 5.1.2. Parliamentary vote: The National Assembly should approve appointments from the President's shortlist, with the President bound to appoint from this list.
- 5.2. Such a process would greatly enhance merit-based appointments, improve public trust and embed accountability from the outset of a Minister/ Deputy Minister's tenure.
- 5.3. In addition, OUTA agrees with the amendment proposed in section 12 of the Bill, to amend section 102 of the Constitution pertaining to the removal of office.
- 5.4. OUTA recommends adopting elements from the Chapter 9 Institution removal model as read in section 194 in the Constitution. Currently, although Parliament has the mandate to hold the Executive to account, it has no power to remove members of the

Executive based on grounds of misconduct, incapacity or incompetence as read in section 194 (1) of the Constitution.

6. Transitional Arrangements

- 6.1. OUTA notes the Bill's practical approach to phasing out Deputy Ministers through defined timelines for:
 - 6.1.1. Formal abolition of posts within 30 days of commencement;
 - 6.1.2. Complete reallocation of powers, resources and staff within 60–120 days; and
 - 6.1.3. Legislative clean-up to remove references to Deputy Ministers within nine months.
- 6.2. These provisions ensure an orderly transition without disrupting departmental operations.

7. Implications

- 7.1. The Bill's adoption would:
 - 7.1.1. Strengthen accountability by allowing Parliament to approve and, where necessary, dismiss individual Ministers;
 - 7.1.2. Reduce fiscal waste by abolishing Deputy Minister posts;
 - 7.1.3. Improve service delivery through the appointment of competent, vetted Ministers; and
 - 7.1.4. Restore public trust in the executive by making the appointment process more transparent.

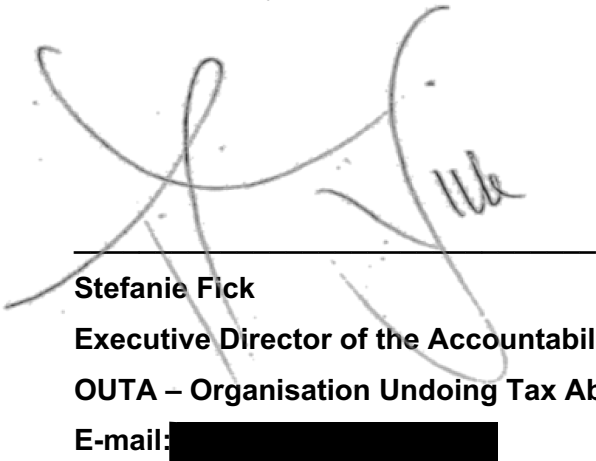
8. Concluding Remarks

- 8.1. OUTA supports the core intent of the Constitution Twenty-Second Amendment Bill, 2025, particularly the abolition of the office of Deputy Minister and the introduction of parliamentary oversight in ministerial appointments. We urge that the appointment process be modelled on the Chapter 9 Institution framework to ensure the highest levels of transparency, merit and public participation.
- 8.2. South Africa's citizens bear the cost of inefficiency and waste in government. This Bill represents an important step towards a leaner, more accountable and fiscally

responsible executive — one that serves the public interest rather than political expediency.

8.3. We trust these comments are received with due consideration and we look forward to receiving your response. Should you have any questions, please do not hesitate to contact our Dr Rachel Fischer at [REDACTED]

Yours Sincerely



Stefanie Fick
Executive Director of the Accountability and Public Governance Division
OUTA – Organisation Undoing Tax Abuse
E-mail: [REDACTED]