

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 1

WEDNESDAY, 25 NOVEMBER 2015

—

*PROCEEDINGS OF THE NATIONAL ASSEMBLY*

—

The House met at 10:01.

The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.

The DEPUTY SPEAKER: Thank you. You may be seated.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member?

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, I'd like to address you on a point of privilege if I may?

The DEPUTY SPEAKER: Yes, hon member.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 2**

The CHIEF WHIP OF THE OPPOSITION: And direct you, Deputy Speaker, to Section 59(1)(b) of the Constitution of the Republic of South Africa, which says, the sittings of this legislature must be held in public and that we should actively allow the public to participate in the proceedings of this House.

[Interjections.] ...

I would suggest to you, Deputy Speaker, that whilst reasonable measures may be taken to prevent striking workers from sitting in the gallery, I would submit to you that a blanket exclusion of members of the public, from being able to come here and witness what happens in this House, is an extremely dangerous precedent. [Interjections.] And I would certainly hope that this has been carefully considered by the Presiding Officers and that this is certainly done on a non-precedential basis, because if we allow this Parliament to be closed to members of the public, when matters of inconvenience arise, it could set a very bad precedent and affect the public's right in terms of the Constitution, to have access to the legislature. [Applause.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 3

The DEPUTY SPEAKER: Thank you, hon member. Thank you, hon members. I see members are walking in as we are speaking. The first item on the Order Paper is in the name of the Chief Whip of the Majority Party.

Mr G A GARDEE: Deputy Speaker, on a point of privilege.

The DEPUTY SPEAKER: Yes, hon Gardee?

Mr G A GARDEE: [Interjections.] Thank you, Deputy Speaker.  
[Interjections.]

The DEPUTY SPEAKER: Ja, no, I'll do that. It's okay.  
[Interjections.] Yes, hon Gardee.

Mr G A GARDEE: Deputy Speaker, can the Chief Whip sit down there?

The DEPUTY SPEAKER: No, hon Gardee, you don't give instructions  
...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 4

Mr G A GARDEE: Or can you please tell him to sit down?

[Interjections.]

The DEPUTY SPEAKER: Ja, okay. Go ahead, hon Deputy Chief Whip. Please take your seat.

Mr G A GARDEE: Thank you, Deputy Speaker. During the "Fees Must Fall" protest, the EFF advised the National Assembly not to proceed with business as usual. The National Assembly didn't listen, and we had a lot of arrests and injury, both to human beings and to properties. It is not business as usual, as the workers are outside and threatening to storm in and you have put only the security measures of the police to protect the House.

We are submitting respectfully, Deputy Speaker, that the House agrees that it cannot sit. Instead, it requests ...

[Interjections.] ... all the Chief Whips of the political parties to meet urgently within the next 30 minutes with the representative of the workers ... [Interjections.] ... and assist in resolving of the issues, because there is a crisis outside. We are only protected by police and the workers'

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 5

demands are legitimate. We so move that the House should not sit but request the Chief Whips to meet the leaders of the workers to resolve the matter. I thank you.

The DEPUTY SPEAKER: Hon member, ...[Interjections.] ... that's not a ...

An HON MEMBER: Hon Deputy Speaker.

The DEPUTY SPEAKER: ... that's not a point of privilege and I suggest we proceed with the business of the House.

An HON MEMBER: Sure.

The DEPUTY SPEAKER: Hon members, the sitting of the House will proceed as agreed to. [Interjections.] So, ...[Inaudible.]

An HON MEMBER: Switch off the mic!

The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, can you please recognize me?

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 6**

The DEPUTY SPEAKER: Hon members, can I just explain? I think this is ...

The CHIEF WHIP OF THE MAJORITY PARTY: I rise on a point of Order, hon Deputy Speaker. Can I ...

The DEPUTY SPEAKER: Chief Whip can I finish what I'm doing? Hon members, both members, take your seats. A point of privilege relates to a member being impeded from performing their duties. No member is being impeded to perform their duties, as we speak, and for that reason we will not accept any points of privilege. Members are here, and we will be able to proceed with our work as agreed to. [Applause.]

Mr N S MATIASE: Deputy Speaker, I rise on a point of order.

The DEPUTY SPEAKER: Yes, what is the point of order...

The CHIEF WHIP OF THE MAJORITY PARTY: I have risen on a point of order ahead of you.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 7

Can you please recognize me, Deputy Speaker?

The DEPUTY SPEAKER: Hon members, I ruled on what points of order? You can't both rise. Can you take your seats please? Chief Whip?

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker ...

Mr N S MATIASE: Deputy Speaker ...

The CHIEF WHIP OF THE MAJORITY PARTY: ... the Chief Whips of ...  
[Inaudible.]

Mr N S MATIASE: You are instructing both the Chief Whip of the Ruling Party and myself to sit down.

The DEPUTY SPEAKER: I will come to you. Please take your seat. You will get an opportunity to speak.

The CHIEF WHIP OF THE MAJORITY PARTY: The Chief Whips of all parties met and agreed we are going to proceed today. We also

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 8**

collectively, raised our concerns about the ongoing negotiations that are taking place unendingly and we urged all other parties, both those parties that are in the negotiations, to talk to each other and finalise their dispute.

So we are not involved in that process. We are involved because we are affected, but we are not involved directly and therefore it is opportunistic for hon Gardee to come today and overrule his own party, which said we must continue today!

The DEPUTY SPEAKER: Okay, thanks.

An HON MEMBER: Can I read?

The DEPUTY SPEAKER: Before that, hon member, let me give the hon member the chance to speak.

Mr N S MATIASE: Deputy Speaker, the Chief Whip of the Ruling Party should not be economic with the truth in that in the Chief Whips Forum, which we attended as the Economic Freedom Fighters, we implored upon the ruling party to use its wisdom to listen



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 9

and to intervene in the genuine and legitimate demands of workers. We also cautioned against any attempt or temptation to use brute force, through the police or security agencies, including bouncers, in an attempt to quell down on the ...

The DEPUTY SPEAKER: Hon member, what's the point that you are making?

Mr N S MATIASE: ...of the workers. Now we are saying [Interjections.] he should not be economic with the truth. He should not be stopped. The submission we made yesterday, and we agreed that the meeting will proceed today on the basis that the demands of workers have been resolved. [Interjections.]

The DEPUTY SPEAKER: Hon member ...

Mr N S MATIASE: ...in the absence of the resolution ...

The DEPUTY SPEAKER: Hon member ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 10**

Mr N S MATIASE: ...in the absence of the resolution we propose that a multi-party committee of all party Chief Whips, to meet with workers and listen to them, otherwise it cannot be business as usual. That's the point that ...

The DEPUTY SPEAKER: Take your seat, hon member. Yes, hon Singh?

Mr N SINGH: Thank you very much, hon Deputy Speaker. Deputy Speaker, I was part of a meeting of the Chief Whips Forum yesterday, together with my colleagues from the other parties and it was agreed that we should proceed with the business of the day that we had yesterday, we do it today and today's business be done tomorrow - notwithstanding the outcome of any negotiation that's taking place between the Secretary to Parliament and the workers outside.

Whilst we empathize with the workers and we stand with them in their struggle, the matter of crossing the T's and dotting the I's in terms of the agreement, is something that they need to sort out. We, as members of parliament have a Constitutional and

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 11**

legal responsibility to carry out our duties and we agreed that we shall carry on with our duties today.

Further to that hon Deputy Speaker, the 10 parties met yesterday and decided as a collective that we should write to the hon Speaker, which we have done, requesting an urgent meeting today, so that she can apprise us of the situation as it is now and the way forward. We have received an acknowledgement from the hon Speaker, that she has received the letter and we are waiting for a time where we can meet the Speaker, and be apprised, but as far as the business of the day is concerned, we support that we continue with the business of the day. Thank you.

The DEPUTY SPEAKER: Hon members, may I let you know ...

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker ...

The DEPUTY SPEAKER: May I let you know - allow me to make this point, hon Chief Whip. May I let you know that I appreciate the information hon Singh is providing us. I also want to draw the attention of the House, that the leadership of Parliament - the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 12**

Speaker and the Chairperson – and we know that the administration too, at various levels, are involved in dealing with the problem that members are referring to, of the question of the administration and its staff and what's going on there to resolve those matters and at the appropriate meeting, as suggested by hon Singh, that information will be conveyed. For now, I think it is appropriate that we proceed without holding back the work of Parliament.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon Chief Whip?

The CHIEF WHIP OF THE OPPOSITION: I'm not trying to hold back the work of Parliament, but there's an important principle that needs to be made here. You ruled that my early intervention was not covered by parliamentary privilege and I refer you to page 5 of the Guide to Procedure ...

The DEPUTY SPEAKER: No-no ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 13

The CHIEF WHIP OF THE OPPOSITION: Sorry, I would like to finish.

[Interjections.]

The DEPUTY SPEAKER: No, hon ...

The CHIEF WHIP OF THE OPPOSITION: I have a right to speak in the House and I would like to draw your attention to something ...

The DEPUTY SPEAKER: No, no-no-no, hon member, I wasn't talking to you. I wasn't addressing you. I was addressing another member who rose on a point of privilege. You are not the only one who rose on it. I wasn't questioning you and your right of privilege. I do wish to draw our attention that there is no intention for anyone's ability to do their work, to be impeded. Nothing that the Presiding Officers will do, have done to do that. So, let's be assured that the work will be carrying on as we ...

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, if you allow me to finish my point you would see where it's going. If you look at the guide to Procedure, what falls under parliamentary

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 14**

privilege on page 5 is internal arrangements. And it says it may make rules in all that's concerning its business with due regard to representative and participative democracy, accountability, transparency and public involvement. And, I'm submitting to you that the decision that's been made today is to exclude members of the public - many of whom are not even involved in the industrial action - they are being barred from coming in to witness the proceedings of the National Assembly.

The point I'm making is that this is a very dangerous precedent, because today it's because of industrial action. Tomorrow it could be because there is uncomfortable legislation that the ANC don't want South Africa to witness being passed.

[Interjections.] And the precedent that you are setting today is that when the Speaker and unelected officials of parliament decide that we're going to close the public gallery, which was never discussed in the Chief Whips Forum yesterday, it's decided to summarily close it. I would say to you that the Constitution is being violated in that regard and that is the point of privilege. [Applause.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 15

The DEPUTY SPEAKER: No-no. Hon Steenhuisen, by the way, the public gallery is not closed. I don't know why you take that from. No, it's not closed. [Interjections.]

Hon MEMBER: It is closed!

The DEPUTY SPEAKER: Hon members [Interjections.] hon members ...

Mr G A GARDEE: Deputy Speaker, there's a point of order.

The DEPUTY SPEAKER: There is a process underway ...

Mr G A GARDEE: Ja, there is the point of order ...

The DEPUTY SPEAKER: ... to ensure that the ...

Mr G A GARDEE: ... to you, Deputy Speaker. We have a point of order, Deputy Speaker.

The DEPUTY SPEAKER: What's your point of order?

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 16

Mr G A GARDEE: Deputy Speaker, you are glaringly conducting yourself unconstitutionally. The Constitution provides that there should not be security at the gate, stopping people from coming in ... [Interjections.]

The DEPUTY SPEAKER: Hon member [Interjections.] Hon member ...

Mr G A GARDEE: And we are saying to you ...

The DEPUTY SPEAKER: Hon member ...

Mr G A GARDEE: ...it is not business as usual! And you can't contravene the Constitution as a Presiding Officer of this august House ...

The DEPUTY SPEAKER: Okay! Alright! ...

Mr G A GARDEE: We are saying ...



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 17

The DEPUTY SPEAKER: Hon Gardee, I see you are very enthusiastic about reminding us of the Constitution. I do draw your attention ...

Mr G A GARDEE: But I have not finished, Deputy Speaker! ...

The DEPUTY SPEAKER: No, I don't ...

Mr G A GARDEE: And I am speaking, and you are speaking!

The DEPUTY SPEAKER: No. I think you are just not ...

Mr G A GARDEE: ... and the next thing you are saying we are not respecting your seat there!

The DEPUTY SPEAKER: No. No. Hon member, please man. It's not correct for you to do it ...

Mr G A GARDEE: Can it be correctly captured, Deputy Speaker? We are saying to you it is not business as usual in South Africa. Can you please adjourn this House and ... [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 18

The DEPUTY SPEAKER: No ...

Mr G A GARDEE: ...request the Chief Whips to speak to the workers?! [Interjections.]

The DEPUTY SPEAKER: No ...

Mr G A GARDEE: And deal with this matter? [Interjections.]

The DEPUTY SPEAKER: No! The answer is "No!"

Mr G A GARDEE: We have got two problems here! The DA has raised the issue of the Constitutionality of refusing people access to the gallery. We have got members of EFF who have been refused to come in there [Interjections.] We are putting it to you, unless you say we adjourn this House, we go and get them inside!

The DEPUTY SPEAKER: No.

Mr G A GARDEE: That will be fine.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 19

The DEPUTY SPEAKER: No. [Interjections.]

Mr G A GARDEE: We are saying to you it is not business as usual

...

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker  
on a point of order ...

The DEPUTY SPEAKER: Hon Gardee, take your seat now!

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker  
...

The DEPUTY SPEAKER: ... you have made your point. You have made  
your point. We have heard you and the answer is "No, the House  
will not be adjourned. We are proceeding with the work of  
parliament." Take your seat, hon member. [Applause.]

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker  
...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 20

Mr G A GARDEE: But ... [Inaudible.] ...this is very wrong Deputy Speaker, you are inviting crisis to yourself, crisis [Inaudible.] office ...

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, may I address you?

The DEPUTY SPEAKER: No-no, hon member, don't worry about me. Take your seat! You have made your point.

Mr G A GARDEE: No!

The DEPUTY SPEAKER: Thank you very much for your advice, but take your seat.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: I just want to inform the members sitting in this House that we were part of

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 21**

that meeting. No-one took a decision that the public gallery will be closed. So, the NA staff is attending to this matter. So can we proceed with the business of today, please?

The DEPUTY SPEAKER: Hon members. Thank you. Let's proceed.

Ms H O HLOPE: Speaker ... [Interjections.] Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member? Yes, hon member?

Ms H O HLOPHE: Deputy Speaker, the point here is that now we are getting a new information from the IFP. Yesterday we met in Chief Whips Forum and we specifically asked, after the Deputy Chief Whip of the ANC told us that there are negotiations between management and the workers. We even suggested, that let us give the time between the workers and the management. We can even reconvene next week, and we were assured yesterday by the ANC [Interjections.] that no, there will be [Interjections.] an intervention ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 22

The DEPUTY SPEAKER: Order! No, hon members, order! You are absolutely out of order. [Interjections.]

Ms H O HLOPHE: I'm not, Deputy Speaker.

The DEPUTY SPEAKER: I'm talking about people who are making noise. Proceed. Finish your point, hon member, because ...

Ms H O HLOPHE: Ja, I'm saying we were told by the ANC that yesterday, talks are underway and then the intervention from the ANC side. So, today when we come here in parliament, we find workers locked outside the gate. We are saying, let us postpone this sitting and [Interjections.] go and attend to workers.

The DEPUTY SPEAKER: Hon member ...

Ms H O HLOPHE: ... because we were misled yesterday!

The DEPUTY SPEAKER: Hon member, take your seat!

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 23

Ms H O HLOPHE: We are submitting to you, let us ...[Inaudible.]  
... postpone this House ...

The DEPUTY SPEAKER: No! The answer is "No"!

Ms H O HLOPHE: ... and then let us go and attend to the workers.

The DEPUTY SPEAKER: The answer is "No"! Workers issues are being  
...

Ms H O HLOPHE: But don't be arrogant! [Interjections.] Deputy  
...

The DEPUTY SPEAKER: I'm - hon member, worker's issues are being  
attended by people who must do that, as we speak! You must sit  
in the House and do your work as a member of parliament!  
[Interjections.] Hon member, what are you rising on?

Ms D CARTER: Deputy Speaker, I just want a point of clarity. The  
Deputy Chief Whip just said that the NA table, the NA staff is  
busy opening the gallery. Can we get an assurance from yourself

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 24

that the visitors' centre is not being closed or blocked for members from the public to come in?

The DEPUTY SPEAKER: Hon member, please take your seat. These matters are being handled. Let's proceed with the purpose of us doing this work we are doing here ...

Ms D CARTER: Deputy Speaker ...

The DEPUTY SPEAKER: ... and that is to attend to the work of parliament. I have answered ...

Ms D CARTER: [Inaudible.] [Interjections.]

The DEPUTY SPEAKER: ... your question, member.

Ms D CARTER: No, but Deputy Speaker, with respect, you did not. We've got assurance that the public gallery is going to be open. I want an assurance from you that except for the public gallery that the visitors' centre is also open to visitors from outside to come in ...



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 25

The DEPUTY SPEAKER: Those decisions - those matters that relate to the gallery and people there are being attended to, and please take your seat. Let's proceed.

Ms D CARTER: If it includes the visitors' centre, I'm happy.  
[Interjections.]

Ms N V MENTE: Deputy Speaker. Deputy Speaker ...

The DEPUTY SPEAKER: Yes?

*IsiXhosa:*

Nksk N V MENTE: Ndicela undimamele.

The DEPUTY SPEAKER: Yes?

Ms N V MENTE: Tata, are you saying, having the police running parliament is democratic? [Interjections.] Are you saying that is abiding by the Constitution of this country?

The DEPUTY SPEAKER: Hon member ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 26**

Ms N V MENTE: ... because right now as we are seated here, police are running the parliament outside!

The DEPUTY SPEAKER: Hon members, take your seats ...

Ms N V MENTE: Members of this parliament that want to come in and work are barred from coming in by the police.

The DEPUTY SPEAKER: Hon member ...

Ms N V MENTE: We are members of parliament. We represent those people that are standing outside, with legitimate issues and we cannot sit here and pretend as if nothing is happening! The Deputy Minister of Public Service is also sitting here. I represent those people in the committee. It actually says in the Public [Interjections.] Act and the recommendations and the regulations of the Public Act, we should have a 1,5 set aside of the fiscus of public service. Now, you don't have to give those people money ...

The DEPUTY SPEAKER: Hon member ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 27

Ms N V MENTE: Why not?

The DEPUTY SPEAKER: You are ...

Ms N V MENTE: We can't sit here and pretend as if those people are satisfied! They are not! ...

The DEPUTY SPEAKER: There is ...

Ms N V MENTE: ... and you are not doing anything as ANC to address their issues!

The DEPUTY SPEAKER: Hon member, take your seat ...

Ms N V MENTE: ... you are doing absolutely nothing!

The DEPUTY SPEAKER: No!

Ms N V MENTE: We cannot allow that this parliament undermine [Interjections.] the workers that support this parliament for it to be progressive.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 28

The DEPUTY SPEAKER: Okay. Thank you very much. We will proceed  
...

Ms N V MENTE: No! You cannot be arrogant and tell us that no,  
you are not, we are continuing.

The DEPUTY SPEAKER: No...

Ms N V MENTE: It cannot work like that!

The DEPUTY SPEAKER: No. Hon member, kindly take your seat. We  
request you to accept that we proceed. Hon Chief Whip?

*Setswana:*

Rre A M MATHLOKO: Motlatsa Modulasetilo ... [Interjections.]

The CHIEF WHIP OF THE MAJORITY PARTY: Order, Deputy Speaker ...

*Setswana:*

Mr A M MATHLOKO: Ne ke botsa fela gore a na re mo maamong a ...  
[Inaudible.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 29

The CHIEF WHIP OF THE MAJORITY PARTY: I pose that the House rule 23 on sub-section 2 ...

Mr A M MATHLOKO: Are we in a state of emergency here? Are we in a state of emergency here!?

The DEPUTY SPEAKER: Hold on ...

Mr A M MATHLOKO: ... where the police have taken over Parliament?

The DEPUTY SPEAKER: No. Police have not taken over [Interjections.] ...

Mr A M MATHLOKO: It's a state of emergency! Here are the police at the door ...

The DEPUTY SPEAKER: Order! Take your seat, hon member.

Mr A M MATHLOKO: But it is a state of emergency!?

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 30

The DEPUTY SPEAKER: No. There is no state of emergency, hon member. Take your seat. Take your seat, hon member.

[Interjections.] Chief Whip, proceed.

The CHIEF WHIP OF THE MAJORITY PARTY: I move that the House notwithstanding Rule 23 (2), which *inter alia* provides that the ...

Mr M S MBATHA: Deputy Speaker, may I address you?

The CHIEF WHIP OF THE MAJORITY PARTY: ... hours from Mondays to Thursdays ...

Mr M S MBATHA: Deputy Speaker, may I address you?

The CHIEF WHIP OF THE MAJORITY PARTY: [Inaudible.]

[Interjections.]

The DEPUTY SPEAKER: Just hold on.

Mr M S MBATHA: Deputy Speaker, ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 31

The CHIEF WHIP OF THE MAJORITY PARTY: ... condones ...

Mr M S MBATHA: We are running a democratic parliament ...

The CHIEF WHIP OF THE MAJORITY PARTY: [Inaudible.] commencement  
[Inaudible.] ...

Mr M S MBATHA: How do you bar workers from participating in the  
mass action ...

The CHIEF WHIP OF THE MAJORITY PARTY: ... resolves that on  
Thursday 26 November 2015 ...

Mr M S MBATHA: Deputy Speaker, we are in parliament ...

The CHIEF WHIP OF THE MAJORITY PARTY: Hours of sitting ...  
[Inaudible.]

Mr M S MBATHA: We are representing those people ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 32

The CHIEF WHIP OF THE MAJORITY PARTY: ... to adjournment. I so move.

Mr M S MBATHA: Why are we doing so? You are being irrational.

The DEPUTY SPEAKER: Hon members, I now ...

Mr M S MBATHA: Deputy Speaker, can we get assuredty ...

The DEPUTY SPEAKER: ... [Inaudible.] motion ...

Mr M S MBATHA: ... that these people are going to enter here, and they are going ... [Inaudible.]

The DEPUTY SPEAKER: Hon member, please take your seat.

Mr M S MBATHA: We have raised; we have submitted to you ...

The DEPUTY SPEAKER: No take your seat, hon member ...

Mr M S MBATHA: But it can't be treated as business as usual.



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 33

The DEPUTY SPEAKER: No, take your seat, hon member.

Mr M S MBATHA: It can't be - there are members of EFF, that want to participate in the gallery and they are unable to attend. Why [Inaudible.]

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker [Inaudible.]

Mr M S MBATHA: ... to attend when it's only President Zuma ...

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, on a point of order!

Mr M S MBATHA: ... have to attend these questions and answers!

The DEPUTY SPEAKER: Hon member ...

Mr M S MBATHA: It can't be!

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 34

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker,  
...

The DEPUTY SPEAKER: Hon members, allow me to ...

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker  
...

The DEPUTY SPEAKER: Can I put that motion please?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Okay.

The DEPUTY SPEAKER: I now put the motion as presented by the  
Chief Whip. Are there any objections?

Hon MEMBERS: Yes!

Hon MEMBERS: No!

The DEPUTY SPEAKER: There, being objections, I now put the  
question. Those in favour will say "Aye".

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 35

Hon MEMBERS: Aye!

The DEPUTY SPEAKER: Those against, "No".

Hon MEMBERS: No!

The DEPUTY SPEAKER: The "Aye's" have it. The motion is agreed to.

An HON MEMBER: We call for Division of the House.

[Interjections.]

An HON MEMBER: Deputy Speaker ... [Interjections.]

The DEPUTY SPEAKER: The bells will be rung for five minutes.

Division called.

The DEPUTY SPEAKER: Order, hon members. I would like to remind members that they may only vote from their allocated seats. When requested to do so, members must simply indicate their vote.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 36

Members must simply indicate - the microphone seems to have gone out. [Interjections.] Sort it out. They are attending to it. Ja, it's okay. No, the microphone will come back on soon ...

[Interjections.] Order! [Interjections.] Order! [Interjections.] Order! [Interjections.] Hon members ...

Mr M M DLAMINI: Deputy Speaker ...

The DEPUTY SPEAKER: Hon members - yes?

Mr M M DLAMINI: Deputy Speaker, can I address you quickly?

The DEPUTY SPEAKER: Yes.

Mr M M DLAMINI: We've got the police here with big guns. What is happening here? Can you [Interjections.] because we are not safe now ...

The DEPUTY SPEAKER: No! Hon member ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 37**

Mr M M DLAMINI: We are not safe! And there are people who are fighting outside. So what is the obsession with this parliament ...

The DEPUTY SPEAKER: Hon member ...

Mr M M DLAMINI: Even half of these members are sleeping here!

The DEPUTY SPEAKER: Hon member ...

Mr M M DLAMINI: What is the obsession with this parliament?

The DEPUTY SPEAKER: Okay. [Interjections.] Hon members, order. When requested to do so, members must simply indicate their vote by pressing the appropriate button. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair. The question before the House is that the motion as moved by the Chief Whip of the Majority Party be agreed to. All members in their allocated seats?

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 38

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Voting will now commence. Those in favour of the motion should press the "Yes" button.

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Those against "No". Those wishing to abstain, press the "Abstain" button. Have all members voted?

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Thank you. The voting session is now closed.

Abstentions:	0
No:	17
Yes:	253

[Applause.] The second motion on the Order Paper is also in the name of the Chief Whip of the Majority Party.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 39

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, I move that the House, notwithstanding Rule 29, which provides for the sequence of proceedings resolve that there will be no notices of motion and motions without notice, as referred to in the Rule 97 (g), today and Thursday, to 26 November 2015. I so move.

The DEPUTY SPEAKER: I now put the motion. Are there any objections?

Hon MEMBERS: Yes.

Mr G A GARDEE: Deputy Speaker, the Economic Freedom Fighters objects.

The DEPUTY SPEAKER: The objection of the Freedom Fighters will be noted. The motion is agreed to.

Mr G A GARDEE: Order! Order! Deputy Speaker, there is no Freedom Fighters here. There is Economic Freedom Fighters!

The DEPUTY SPEAKER: Oh thank you for the correction ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 40

Mr G A GARDEE: Ja, you must be corrected!

The DEPUTY SPEAKER: Ja! I'm corrected! [Interjections.] Thank you. The third - the motion is agreed to. The Third Motion on the Order Paper ...

Mr G A GARDEE: Hey-hey! We call for Division of the House. [Interjections.] We call for Division of the House. We have objected.

The DEPUTY SPEAKER: The ...

Mr G A GARDEE: We are going to vote.

The DEPUTY SPEAKER: The bells will be rung for one minute.

[Interjections.]

Division called.

The DEPUTY SPEAKER: Hon members, I wish to remind members that they may only vote from their allocated seats. When requested



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 41**

to do so, members must simply indicate their vote by pressing the appropriate button. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair. The question before the House is the motion as moved by the Chief Whip of the Majority party, be approved. All members in their allocated seats?

Hon MEMBERS: Yes.

The DEPUTY SPEAKER: No, not yet. There is a member still floating to his chair there. Voting will now commence. Those in favour of the motion should press the "Yes" button.

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Those against should press the "No" button.

Hon MEMBERS: No!

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 42

The DEPUTY SPEAKER: Those wishing to abstain, press the "Abstain" button. Have all members voted?

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Thank you. The voting session is now closed. Hon members,

Abstentions:	0
No:	16
Yes:	252

[Applause.] The motion is therefore agreed to. The Third Motion, also in the name of the Chief Whip of the Majority Party. Chief Whip.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, I move that the House, notwithstanding Rule 29 which provides for the sequence of proceedings, agrees that for today and Thursday, 26 November 2015, the sequence of proceedings will be as reflected on the Order Paper.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 43**

The DEPUTY SPEAKER: I now put the motion. Are there any objections? [Interjections.]

Mr N F SHIVAMBU: Relax! We are objecting. Okay? Thank you. And we are calling for Division as we move forward.

The DEPUTY SPEAKER: The Economic Freedom Fighters are objecting, and they call for a Division. The bells will be rung for one minute.

Division called.

The DEPUTY SPEAKER: Members, I am still going to remind members that they may only vote from their allocated seats. When requested to do so, members must simply indicate their vote by pressing the appropriate button. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair. The question before the House is the motion as moved by the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 44

Chief Whip of the Majority party, be approved. Are all members in their allocated seats?

Hon MEMBERS: Yes.

The DEPUTY SPEAKER: Voting will now commence. Those in favour of the motion should press the "Yes" button.

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Those against should press the "No" button.

Hon MEMBERS: No!

The DEPUTY SPEAKER: Those wishing to abstain, should press the "Abstain" button. Have all members voted?

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Thank you. The voting session is now closed.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 45

Abstentions: 0  
No: 17  
Yes: 255

The motion is therefore approved. [Applause.] The last Motion on the Order Paper is also in the name of the Chief Whip of the Majority Party. Chief whip.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, I move that the House, notwithstanding Rule 253(1) which provides *inter alia* that the debate on the second reading of the Bill may not commence before at least three working days have elapsed since the committee's report was tabled. For purposes of conducting second reading debates, today on the Finance Bill and Appropriation, and National New Development Bank Special Appropriation Bill. So move.

The DEPUTY SPEAKER: I now put the motion. Are there any objections? [Interjections.]

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 46**

Ms H O HLOPHE: Deputy Speaker, the EFF objects and we call a division.

The DEPUTY SPEAKER: Hon members, the objections of the EFF will be noted. The bells will be rung for one minute.

Division called.

The DEPUTY SPEAKER: Hon members, we remind you that you may only vote from your allocated seats. When requested to do so, members must simply indicate their vote by pressing the appropriate button. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair. The question before the House is the motion as moved by the Chief Whip of the Majority party. Are all members in their allocated seats?

Hon MEMBERS: Yes.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 47

The DEPUTY SPEAKER: Voting will now commence. Those in favour should press the "Yes" button.

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Those against, the "No" button. Those wishing to abstain, the "Abstain" button. Have all members voted? Thank you. The voting session is now closed.

Abstentions:	0
No:	16
Yes:	257

The motion is therefore agreed to. [Applause.] The Secretary will read the First Order of the Day.

Mr G A GARDEE: Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member?

Mr G A GARDEE: May I address you?

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 48

The DEPUTY SPEAKER: On what and why?

Mr G A GARDEE: Deputy Speaker, we are being pushed to things that are not in terms of the rules, including the reading of the Bill, because the disorganization of the ruling party is now ...

The DEPUTY SPEAKER: Hon member, that is not ...

Mr G A GARDEE: [Inaudible.]

The DEPUTY SPEAKER: No, hon member ...

Mr G A GARDEE: I requested to address you ...

The DEPUTY SPEAKER: No, I asked you why and on what basis ...

Mr G A GARDEE: I asked you - on the basis that the rules of the National Assembly are being contravened ...

The DEPUTY SPEAKER: Which rule? Which rule, hon member? Which rule?



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 49**

Mr G A GARDEE: All of the motions right from motion 1 to motion 4 are not in terms of the Rules! [Interjections.] Just because it suits the ruling party ...

The DEPUTY SPEAKER: Hon member ...

Mr G A GARDEE: ... it's disorganization ...

The DEPUTY SPEAKER: No, no ...

Mr G A GARDEE: ... it is making it our emergency!

The DEPUTY SPEAKER: No, hon member. There is [Interjections.] you are out of order. Please take your seat. It is not acceptable. [Interjections.] Go ahead, hon member. Secretary will read the First Order here.

**DESIGNATION OF MEMBER TO MAGISTRATE'S COMMISSION**

The DEPUTY SPEAKER: Hon members, Mr M M Tshishonga who was designated by the National Assembly to serve on the Magistrate's

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 50**

Commission in terms of the Magistrate's Act 1993, as a member representing the opposition parties, represented in the National Assembly, lost his membership of the National Assembly in terms of 47(3)(c) of the Constitution of the Republic of South Africa, 1996.

It is therefore necessary for the House to designate a member from the opposition parties to replace Mr Tshishonga on the Magistrate's Commission. I have received a letter from the IFP, nominating Prof C T Msimang to serve on the Commission. Are there any further nominations from the opposition parties? Any further nomination from opposition parties?

Mr N SINGH: Deputy Speaker, just a correction. You might have received the letter from me but it's on behalf of the 10 parties, who are entitled to place a member on the Magistrate's Commission. For the records.

The DEPUTY SPEAKER: Oh, it's not from the IFP *per se*? It's from all parties?

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 51

Mr N SINGH: Correct. Of all ...[Inaudible.]

The DEPUTY SPEAKER: Thank you. The correction is noted.

Mr G A GARDEE: Deputy Speaker, I must correct that. Not all parties. [Interjections.] The other 10. Not the EFF.

The DEPUTY SPEAKER: Alright, alright. [Interjections.]

Mr G A GARDEE: You may be corrected, Deputy Speaker.

The DEPUTY SPEAKER: Yes, it's corrected, hon member. I now put the question that Prof C T Msimang be designated as a member of the Magistrate's Commission. Are there any objections?

Hon MEMBERS: No!

The DEPUTY SPEAKER: No objections? Agreed to. [Applause.]

The DEPUTY SPEAKER: Prof Msimang is accordingly designated as a member of the Magistrate's Commission. Congratulations, hon

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 52**

member. I guess those are in order. [Applause.] The Secretary will read the Second Order.

**CONSIDERATION OF LEGISLATIVE PROPOSAL TO AMEND THE IMMIGRATION  
ACT 2002, ACT NO. 13 OF 2002, SUBMITTED BY PORTFOLIO COMMITTEE  
ON HOME AFFAIRS**

The DEPUTY SPEAKER: Hon Mashile.

Mr B L MASHILE: Thank you, Deputy Speaker. The Portfolio Committee on Home Affairs is hereby requesting the permission of the House in terms of Rule 230(1) for the introduction of the following legislation in the House, namely Immigration Amendment Bill 2015.

The purpose of the Bill is to amend the Immigration Act so as to provide for adequate sanction for foreign nationals who have overstayed in the Republic, beyond the expiry date on their visa in that such person will not be able to acquire a port of entry visa, visa, admission into the Republic or a permanent resident

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 53**

permit for a prescribed period of time and to effect certain consequential amendments.

It is envisaged that these amendments should be contained in Section 32 of the principal Act. The background on this, Deputy Speaker, is that the immigration Act provided that foreigners who left the Department after the expiry of their permits, will be liable to an administrative fine.

However, such administrative fines imposed did not any longer serve as a deterrent and hence the proposal was made to amend Section 30 of the Principal Act so as to declare such foreign nationals who overstayed as "undesirable". In order to give effect to this proposal, Section 20 of the Immigration Act of 2011, amended Section 13 of the Principle Act by including a new paragraph (h) into Subsection (1) of Section 30, that provided that a foreigner may be declared "undesirable" where he or she has overstayed the prescribed number of times.

In practice, this current waiting of Section 30 (1) (h) of the Principle Act has created many interpretation challenges, as

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 54**

some have interpreted it to mean that foreigners must have overstayed on more than one occasion in order for the consequences of undesirability to be visited on such persons.

However, it has always been the intention of the Department to declare a foreigner "undesirable" even upon one instance of overstaying. Hence, regulation 27 of the Immigration Regulations, dated 22 May 2014 and published in Government Gazette no. 37679, provides for a person who overstays after the expiry of his or her visa, even when such a person has overstayed for the first time, to be declared "undesirable" for a certain period of time, depending on the length of his or her overstay.

Despite these interpretations concerned Section 30(1)(h) could be useful as a tool to deal with persons who repeatedly overstay and it is proposed that a Section be retained for this purpose. However, an amendment to Section 32 of the principle Act and other consequential amendments are proposed in order to more clearly provide that illegal foreigners, who have overstayed beyond the expiry date of their visa, do not qualify for port of

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 55

entry visa, a visa or admission into the Republic or a permanent residence permit during the relevant prescribed period.

There are no financial implications to the State for this specific Amendment Bill, but because these particular provisions are already in operation and all parties in the committee, except the DA, have agreed to these memoranda and I request that the House agrees to it. Thank you very much.

The DEPUTY SPEAKER: Thank you, hon member. I notice there is a member who wants to speak. Hon member, you do indicate you wish to make a declaration. You just rock up there [Interjections.] and so on. It's just in order that you indicate procedurally ...

Mr G A GARDEE: A point of Order. Deputy Speaker you must take note what you are saying, because if it was EFF that just rocked in there, you would've called the bouncers! And now because, it's because it's your friends [Interjections.] it's just a nice romantic censure. We are watching that, Deputy Speaker.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 56

The DEPUTY SPEAKER: Welcome back, hon Gardee. [Interjections.]  
[Applause.] Proceed, hon member.

*Declarations of Vote:*

Mr A M FIGLAN: Thank you, Deputy Speaker. This motion to amend the Immigration Act is a feeble attempt to do damage control. When this piece of legislature was written it attempted to remedy the situation where some foreigners were abusing the liberal visa policy and overstaying their allocated time and simply paying a fine when they depart, but the Act also recognize that some visitors to our country had very good reason to overstay this visa, for example, if they were hospitalized or death in their family.

So the Act's intention was to allow for such circumstances and that is why the clause reads "for a prescribed number of times". Where the error occurred is when the Minister introduces regulations. The regulations did not provide for these situations and now instead of correcting the regulations, the Department wants to amend the Act. This is not the way you write law in a country. The regulation must follow the Act, not the



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 57**

other way around. For this reason, the DA does not support the amendment of the Act. The Minister must change his regulations. Thank you.

The DEPUTY SPEAKER: Thank you. Any other declaration? None? I now recognize the - sorry?

Mr N SINGH: Declaration here ...

The DEPUTY SPEAKER: Oh okay, member.

Ms S J NKOMO: Thank you very much, Deputy Speaker. Since 2010 it is reported that well over 330 000 foreigners have overstayed their visa time periods in South Africa. One can appreciate that such overstays carry with them the associated challenges of illegal employment, competition for access to social and health assistance and business opportunities, as well as add fuel to the xenophobic related incidents of violence that occurs sporadically throughout the country.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 58**

This Bill should be welcomed in that it seeks to clarify and entrench a clear sanction for foreign nationals who have overstayed their welcome in the country beyond the terms of their visas.

We take note of the provision of foreign nationals who may be in hospital, who will be catered for. The Amendment to Section 32 of the Immigration Bill will now clearly set out the position with regards to the consequences of an overstay by an illegal foreigner as well as a prescribed time period during which such persons will be unable to return to South Africa. The proposed legislation will not have any financial implications and the IFP supports the amendment of this Bill. I thank you.

The DEPUTY SPEAKER: Thank you, hon member.

An HON MEMBER: Thank you ...

The DEPUTY SPEAKER: Hon Khubisa, I think you are now violating the wishes of the hon, the Minister of Health, for you adults to keep walking, to keep moving ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 59

Prof N M KHUBISA: Deputy Speaker ...

The DEPUTY SPEAKER: ... by speaking from where you are sitting.  
But, proceed.

Prof N M KHUBISA: I thought the Rules provide that when you  
come, you can speak where you are?

The DEPUTY SPEAKER: Did you hear what I said? All I'm saying is  
that it would be good for your heart to move up and down, that's  
all. But go ahead, hon member. [Interjections.]

Prof N M KHUBISA: Not at all, Deputy Speaker. I raise my paper  
to show that I've got a declaration. I thought you saw me.

The DEPUTY SPEAKER: Oh-oh-oh! Go ahead hon member. Do a  
declaration.

Prof N M KHUBISA: Thank you. Our existing immigration  
legislature provides that the foreigner who stayed longer than  
what was allowed by valid visa, can be declared "undesirable".

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 60**

Such an “undesirable” is currently subjected to a penalty in the form of administrative fine.

This fine, however, is ineffective and inadequate in curbing the frequency with which foreigners overstay their welcome. The proposed Bill will address this inadequacy, by providing that “undesirable” foreigners who have overstayed their sojourn in our country beyond the expiry date of this visa will in addition to the administrative fine also face the following additional consequences: They will not qualify during the prescribed time for a port of entry visa, admission into the country or a permanent resident permit.

We agree that the current administrative penalty fine is not effective as a deterrent to overstaying a visit after a visa has expired and welcome the suggested amendments. However, in as much as the NFP is in agreement with the amendment under consideration, there are two issues which need to be addressed.

It is good to have well considered legislation on the books, but legislation is meaningless if it's not enforced.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 61**

Secondly, the amendment speaks to the document and the ...[Inaudible.] ... who are in South Africa. This amendment do not contribute to solving the problem of undocumented immigrants. It is in the interest of social stability that our immigration legislation and policies translate into effective legislative control.

Deputy Speaker, if our people can have an assurance that all foreigners in our country will not tamper with the business phase by staying in the country illegally, the NFP supports this report. Thank you very much.

The DEPUTY SPEAKER: Thank you very much, hon member, but I'm advised that I should advise you that under the Rules of Debate no. 58(2) that regarding the seating in the chamber of the National Assembly, a member may only speak from the podium, except to raise a point of order or a question of privilege and to furnish an explanation in terms of Rule 69. So strictly speaking hon Khubisa, you should've spoken from the podium. Now you know from today onwards.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 62**

Prof N M KHUBISA: Deputy Speaker, I accept the ruling but there is a precedent. The IFP spoke from their seat ...

The DEPUTY SPEAKER: No, no. I'm just reminding you that it's not a precedence. Two wrongs don't make a right, by the way, hon Khubisa. Thank you very much. Any other declaration? Sorry? Hon Gumede?

Mr D M GUMEDE: Thank you very much hon Speaker ...

The DEPUTY SPEAKER: Deputy.

Mr D M GUMEDE: The ANC supports the amendment and the reason why the ANC supports the amendment - it has realized that it is necessary to tighten our immigration laws because the present arrangements were no longer effective. There was a fine up to R3 000 and it had become ineffective. The measure says that if you overstay your visa period, you should then be declared an "undesirable" immigrant. That was debated in the Committee and all parties have agreed, except for the DA. The DA was not

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 63**

present at the meeting where we all agreed, but everyone else understands that there is a need to change the law.

Secondly, I think it is important to say that people previously, we thought were coming into South Africa as refugees, as people that found themselves in countries where it had become dangerous for them to stay, that indeed was not the case. What was happening was that they had seen South Africa as a country of milk and honey where they had to come, because they wanted economic opportunities.

The DEPUTY SPEAKER: Thank you, hon Gumede, your time is absolutely out.

Mr D M GUMEDE: That's absolutely true, hon Deputy Speaker, thank you.

The DEPUTY SPEAKER: The motion is that the permission be given to the Portfolio Committee on Home Affairs for the legislative proposals to be proceeded with. Are there any objections?

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 64**

An HON MEMBER: Yes.

The DEPUTY SPEAKER: Objections noted. Who's that?

Mr M WATERS: Deputy Speaker, please note the objections of the DA.

The DEPUTY SPEAKER: The DA's objections will be noted. The motion is agreed to. The Secretary will read the Third Order.

Agreed to (DA dissenting).

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT OF  
PORTFOLIO COMMITTEE ON PUBLIC WORKS**

The DEPUTY SPEAKER: Hon Chief Whip.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, I move that the report be adopted.



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 65

The DEPUTY SPEAKER: The motion is that the report be adopted.  
Are there any objections?

Mr M WATERS: Deputy Speaker [Interjections.]

The DEPUTY SPEAKER: Yes, yes hon ...[Inaudible.]  
...[Interjections.]

Mr M WATERS: The DA would like to make a declaration please ...

Ms N V MENTE: Yes, Deputy Speaker, I would like to make a  
declaration as the EFF.

The DEPUTY SPEAKER: Okay. Yes, hon member, go ahead.

*Declarations of Vote:*

Ms S P KOPANE: Hon Deputy Speaker, although improvements were  
noted in certain areas of the financial statement of the  
Department, we still feel that the Department must continue to  
enhance effective oversight regarding the financial reporting  
compliance and related internal controls. The Department did not

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 66**

institute effective measures to ensure that correct payments were made to suppliers in respect of the private lease.

Payments relating to the leases were made from the property management information system, which did not agree with the information on the signed lease agreement. In certain areas resulting with overpayments to the landlord.

Hon Deputy Speaker, the immovable asset register is a crucial tool in determining the property portfolio of government and yet this is not being completed, meaning that the department does not have a complete inventory of public property which it manages on behalf of South African tax payers, which is worrying factor, hon Deputy Speaker.

Programme 2 is one of the main programmes of the Department, and received R2,8 billion of the total Departmental allocation. The immovable asset management programme consists of six sub programmes, but none of which achieved all their stated performance targets for the financial year under review while

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 67**

R2,7 billion of the programme budget was spent and that is also worrying.

With regard to the special intervention project with the sub-programme as a new indicator, did not achieve any of its three targets.

1. None of the 36 schools prioritized by the Department of Basic Education were constructed.
2. None of the 125 schools prioritized by the same Department of Basic Education were beautified as agreed.
3. None of the ten low ...[Inaudible.] ...bridges, prioritized by the Department of Public Works, were constructed.

Based on this concern, hon Deputy Speaker, the Democratic Alliance would like to object to this report.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Any other?

EFF.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 68**

Mr G A GARDEE: Hon House Chair, the EFF rejects this BRRR of Public Works. Minister Nxesi I hope you will listen very well here. [Interjections.] The EFF calls on the people of South Africa to reject the ANC, because this BRRR is nothing but an election gimmick for the 2016 local government election and we hope our people are going to reject the ANC.

It is nothing but a ploy to finance Nkandla and all palatial residences of the Ministers in South Africa. [Interjections.] The bloated ministry of President Zuma. So, we can't even actually come closer to even agreeing with you, Minister Nxesi on this BRRR of Public Works, because it's nothing but a port where all corrupt tenderpreneurs, who are going to donate money to the ANC local government election next year. We reject this BRRR with the contempt it deserves. Instead, as EFF we provide an alternative that the State should build capacity to eradicate tenderpreneurs and construct its own offices and construct its own infrastructure and not this tenderpreneurs which are found in this BRRR. [Interjections.] Your former Police Commissioner who is now a Deputy Minister and many other ministers before you, Minister Nxesi...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 69**

The HOUSE CHAIRPERSON (Ms M G Boroto): Please address the Chair.

Mr G A GARDEE: ...are victims of this kind of BRRR and we reject it as EFF. Thank you very much, Chairperson.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. IFP

Mr K P SITHOLE: Hon House Chair, of great concern remains the unemployment criteria being used, by the Department of Public Works and the Expanded Public Works Programmes. It shows unbelievable bias and is currently contrary to Programme core values which are aimed at poverty alleviations and combatting unemployment of citizens. It seems as if only ANC supporters qualify for employment in the EPWP Programme and an ANC membership card is a sure fire way of getting in. The Department of Public Works is fully aware of this practice, but it turns a blind eye to it.

Another issue is the transformation in the bid environment, which is very slow. The accreditation of ...[Inaudible.] ...entering this environment practically takes far too long. In

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 70**

addition, we feel this field is still quite male dominated, with black families facing a huge challenge of exclusion to enter the bid environment.

Even the minister has admitted as much. Transformation is necessary. The inner city regeneration project is also moving at a snails' pace. This project is failing to adhere to its aim of facilitating accommodation for government department, seeking to avail access to government services within the close proximity. It must receive greater impetus. After all that I've said, the IFP still supports this BRRR report. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. UDM.

Mr M L W FILTANE: Thank you, Chair. The high staff turnover in the Department is a matter of great concern as it may be one of the contributory factors towards the failure by the Department in meeting their agreed-to targets over the period under review. In this regard the Department must develop and present the Committee during the first quarter of the year 2016/2017 with a comprehensive plan to deal with this challenge; welcome the fact

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 71**

that the Department seems to be attending to the finalization of cases of misconduct.

However, we would in the same breath implore the Department to continue doing this with a shortened turnaround time in order to avoid incurring costs that could've been avoided. The Department has a high rate of vacancies, whilst sitting with a high number of staff that are additional to their establishment. Within the first three months of 2016, the Department must resolve this matter in particular as it affects the immovable asset management unit as well as the crucial occupations. This is more urgent, given that the immovable asset management program with a budget of R2,83 billion has none of its sub-programmes that achieved their stated performances.

The asset management unit must present to the Committee its comprehensive plan on how it is going to achieve the targets it did not achieve. Amongst these is the population of the immovable asset register with ...[Inaudible.] ...compliant fields. A confirmation of land parcels ownership and others.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 72**

The fact of unrenewed leases by various end-user departments who continue to occupy the affected building, is that our own government is a default on its own. There should be consequences for the personnel that are affected.

Lastly, we suggest that the Department begins to unbundle the big contracts that are allocated to the level 8 and 9, so that it is transformative, so that the smaller contactors can also benefit from the budget. In so doing the budget will be transformative in the economic sense of the word. It is different from what is happening, as we stand here. Thank you. We support the BRRR. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. ANC.

Mr F ADAMS: Hon House Chair, hon members, the Department of Public Works has come a long way from its days as an underperforming institution. Since the introduction of the Department's turnaround strategy by the Minister in 2012, we have seen successes in ensuring that indeed the Department has



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 73**

become not only compliant but starts being the lead Department it is supposed to be.

Hon House Chair, in 2014/15 the Department received an unqualified audit outcome from the Auditor-General, while the property management trading entity received a qualified outcome with two areas of concern being raised by the Auditor-General.

Hon House Chair, we have noted in the report, certain areas that need more attention. There are concerns about spending patterns, targets not being met, slow progress with making public buildings more accessible to people with disabilities and the vacancies and under-capacity within the Department.

We've also noticed hon House Chair, that we've heard this morning that some of the people were calling for the Department spending money on EPWP projects, but just to give them a reminder that that EPWP projects are being administered by the municipalities and not all municipalities are governed by the ANC.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 74**

Let's look at the City of Cape Town, where EPWP programmes are being run out. If you don't show your DA card hon House Chair [Interjections.] then you can't get a job at the City of Cape Town! [Interjections.] And you know that's the truth! You know that's the truth because you have to show your DA card to get a job at the City of Cape Town!

The City of Cape Town is [Interjections.] is not transparent about that and the hon House Chair, the hon Selfe and Kohler - Barnard knows that. We have detailed these concerns as a Portfolio Committee and made recommendations to the Ministry and Department. The Portfolio Committee will continue its oversight function ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much, your time has expired ...

Mr F ADAMS: ... to ensure that those recommendations are implemented. The ANC support this report. Thank you.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 75

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Thank you. Hon members, order. I will now ask the question again, those in favour of the report being adopted please say, "Aye".

Hon MEMBERS: Aye.

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against, say "No".

Hon MEMBERS: No.

The DEPUTY SPEAKER: I think the "Aye's" have it.

Mr M WATERS: Chairperson, will you please note the objection of the DA. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): The objection of the DA will be recorded.

Mr G A GARDEE: May you please divide the House, Chairperson, we are going to ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 76**

The HOUSE CHAIRPERSON (Ms M G Boroto): The House will be divided. The bells will be rung for a minute. Thank you.

Division called.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon members. Are you all in your seats? [Interjections.] Please, hon members. I would like to remind hon members that they may only vote from their allocated seats. When requested to do so, members must simply indicate their vote by pressing the appropriate button below the "Yes", "No" or "Abstain" signs. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair. The question before the House [Interjections.] - order, hon members. The question before the House is that the Budgetary Review and Recommendation Report of the Portfolio Committee on Public Works be adopted. Are all members in their seats?

Hon MEMBERS: Yes.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 77

The HOUSE CHAIRPERSON (Ms M G Boroto): Voting will now commence. Those in favour of the report being adopted should press the "Yes" button.

Hon MEMBERS: Yes!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against should press the "No" button. Those wishing to abstain, press the "Abstain" button. Have all the members voted? [Interjections.] The voting session is now closed. Thank you very much. The results,

Abstentions:	0
No:	81
Yes:	193

The report has been accordingly agreed to. [Applause.] Thank you very much. I will now ask the Secretary to read the Fourth Order.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 78**

**CONSIDERATION OF DISASTER MANAGEMENT AMENDMENT BILL [B 10 D -  
2015] (NA - SEC 76) AND REPORT OF PORTFOLIO COMMITTEE ON  
COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS THEREON**

The HOUSE CHAIRPERSON (Ms M G Boroto): I will ask the hon Mdakane, Chairperson of the Committee to report.

Mr M R MDAKANE: Thank you, Presiding Officer. Thank you, hon members. The Portfolio Committee on Cooperative Governance and Traditional Affairs, having considered the subject of the Disaster Management Amendment Bill, [B 10D - 2015], as amended by the National Council of Provinces are referred to the Committee. The Committee agreed with the amendment proposed by the Committee in the National Council of Provinces.

The issue that we include is that there were only two matters that were included by NCOP. One, is that Traditional Leaders at a provincial level must participate fully in the structures of the disaster management centres. The other one was, the issue of the socially vulnerable group in our society must participate

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 79**

fully in all structures of disaster management centres. We do request the House to agree to this report. Thank you very much.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. The declaration has been asked for. DA.

*Declaration of Vote:*

Mr T C R WALTERS: Thank you, Chairperson. The Democratic Alliance's position on this Bill remains unchanged. We support the amendments made by the NCOP and we support the Bill in principle. We do however wish to reiterate our concerns regarding the financing of this Bill and in particular the potential for an unfunded mandate to be devolved on local municipalities by national and provincial governments.

We acknowledge the importance of having an integrated, proactive and coordinated approach to the planning for and response to disaster situations, such as the current drought that is affecting much of our country and trust that this Bill will go some way to making a response quicker and more efficient. The DA supports the Bill.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 80**

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. EFF.

Mr A M MATHLOKO: Madam Chair, we don't trust the ANC.

[Interjections.] The mandate given to municipalities means more budget and more corruption. The ANC can't be trusted with money. They can't be trusted with a budget. They are unable now to spend their own budget. They are unable now to lead. As you can see outside there, workers are on strike - workers aligned to the ANC. So, how do you entrust a budget to a government which cannot even implement that budget?

*Setswana:*

Ga re tshepe mokgatlo o wa babusaesi wa ANC. Mme fela, bagaetsho kwa ntle kwa, disaster management e e seng teng kwa magaeng a rona, e e seng teng mo dikgosing tsa rona, e e seng teng mo dimaspaleng tsa rona, yone re a e tlhoka. Mme fela re ka se ka ra amogela gore ANC e nne yona e e runnang bajete e e kanakana e e tshwanetseng go yak o bathong ba rona. Ke a leboga ...

[Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): IFP.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 81**

Mr M HLENGWA: Hon House Chairperson, when the Bill came to the House earlier on this year, the IFP supported it and once again we will support it, given the amendments that have been made by the NCOP. Whilst we acknowledge, of course, that the Bill is operational, the IFP remains justifiably concerned that the funding model and the slow pace, when dealing with the complexities thereof for municipalities to cope successfully with the mandate provisions as set out in the Bill.

The argument of whether the mandate of the location of disaster management units has long passed and is now an issue about funding and the IFP expects the National Treasury task team, set up to look at the funding issue and the impact that this will have on poorer municipalities, to move with urgent speed to bring this matter to a logical conclusion.

National Treasury gave the portfolio committee full assurance that funding will be made available to municipalities to fulfil the mandates contained in the Bill and this assurance is in keeping with the principle that funds must follow function and the IFP expects that this be adhered to without compromise,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 82**

otherwise local government, an important sphere of government, will be set up for failure.

So, South Africa is now currently confronted with the drought, a national disaster, which we were warned about more than 10 years ago, and the absence of disaster management units at municipal levels has compounded the problem. So it is most urgent that we bring this matter to a logical conclusion. And we will support the amendments as provided for by the NCOP. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. NFP.

Prof N M KHUBISA: House Chairperson, hon members, climate change is projected to have a severe impact on South Africa and every effort must be made to prepare our country and our people for the hardships heading our way.

Large parts of the country are currently in the grip of a crippling drought, with disaster areas declared in five of our nine provinces to date. Elsewhere the availability of fresh water is dwindling, and water restrictions are already in force

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 83**

in some of our cities and metros. Our food security is at risk as agriculture is grinding to a halt in many parts of the country and the people increasingly have to rely on untreated water in rural areas.

In the face of this intensifying calamity which is unfolding, we come here today to debate on the Disaster Management Amendment Bill. The first aspect of the Bill is of great importance in that it seeks to transfer the function of disaster management from national cabinet to municipalities, both district and local municipalities.

At times the Bill is not as crisp and clear on which provisions apply to district or local municipalities as it could be. There are a few gaps in the Bill, particularly in respect of funding provision, which municipalities are expected to fund an unfunded mandate with their own revenue, their equitable share and conditional grants. All of which are meant for service delivery.

The National Freedom Party would've liked to see an alternative funding model since the disaster such as drought, for example,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 84**

is not necessarily a once-off event and could even span over several years in several instances. Providing relief management of a disaster encompassing such a magnitude and duration will most likely certainly dismay the financial means of struggling municipalities. The National Freedom Party is however encouraged to see that the provision has been made for the involvement ...[Inaudible.] ...to serve on the national disaster management advisory forum. Vast areas of South Africa, under the authority of ...[Inaudible.] ...in particular in rural areas and the input of the general areas will greatly enhance the response...

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much.

Prof N M KHUBISA: The NFP having said that, supports the Bill.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. COPE.

Ms D CARTER: Thank you, Chairperson. The Congress of the People is pleased with the fact that government consulted with a global facility for disaster reduction and recovery, the International Federation of Red Cross and Red Crescent Societies. It did so to

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 85**

obtain an input on International Good Practice and on how legislation should assist with disaster risk reduction. An analysis of International Good Practice Models and Disaster Management was made in revising the principle act.

Government will have to face increasing risk multipliers because of the climate crisis and funds must also be made available. Humans have pushed this planet too far, for too long and now disaster begins to loom in every direction. We must be thoroughly prepared for disasters, many of which will come from nature.

The severe drought we are experiencing is only a small precursor of what is still to come. Although the Disaster Management Act of 57 was promulgated 12 years ago, to help create appropriate and elaborate institutional arrangements for disaster managements, gaps and shortcomings soon became evident. It is not only our concerns about looming disaster. The UNO is also equally concerned. The UN general assembly in its resolution of 195 following the 2005 World Disaster Reduction Conference, endorsed the National Hyogo Framework of Action. This is a 10-

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 86**

year plan to make the world safer from natural hazards. It is highly appropriate that South Africa buys into this plan as well.

In terms of the plan, disaster risk reduction must become a national as well as a local priority with a very strong and well thought out institutional basis for implementation. Unlike Home Affairs, which refused point blank to recognize the enormous harm that its visa regulations were having on Tourism, COGTA fortunately had the good sense to take on board the criticism to refine the legislation. The Congress of the People agrees that the Amendment Act brings about improvements and will therefore support it. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. ANC.

Mr M R MDAKANE: Presiding Officer, thank you very much. The ANC takes the matters of disasters very seriously, hence we have tried our level best to involve as many people as possible to ensure that they understand the disaster management issues and all parties in the committee agreed that disasters are going to

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 87

face us in the near future. Therefore, the state or the government should be well prepared to deal with the matters of disaster. Hon Mathloko is confusing disaster and the workers' struggle. That is not the same and I think, he always raises ...  
[Interjections.]

Ms H O HLOPHE: Order, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mdakane please take your seat. [Interjections.] Hon member.

Ms H O HLOPHE: Hon Mdakane must stick to his speech. He must not incite Mathloko, because Mathloko has ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon ...

Ms H O HLOPHE: ... declared the EFFs position. Hon Mdakane does not want us to remind him ...[Inaudible.] ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member! Hon member!  
That's not a point of order. Continue hon Mdakane ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 88

Mr A M MATHLOKO: Point of order.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mathloko?

Mr A M MATHLOKO: Hon Mdakane must know that this strike is a disaster ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mathloko, what is your point of order?

Mr A M MATHLOKO: My emphasis ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, what is your point of order?

Mr A M MATHLOKO: Listen! Listen! Listen to the point of order!

...

The HOUSE CHAIRPERSON (Ms M G Boroto): No.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 89**

Mr A M MATHLOKO: I'm saying [Interjections.] hon Mdakane must understand that the strike of this workers is a disaster to this parliament ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, hon member, that is irrelevant and is not a point of order. Continue hon Mdakane.

Mr M R MDAKANE: No, hon Presiding Officer, I was just raising the point that it is important for all of us as South Africans to understand disasters and separate them from our emotional attachment with any issue that we address.

We said that the Bill is assisting the government to mobilise society to ensure that the socially vulnerable group in our society participate fully in the structures that deal with disaster management. That it is important for all of us who are members, to appreciate even the drought that is facing our country, that whatever we do, we should bear that in mind.

That's why really, we took this matter of disaster management very seriously. The department now is going to be able to move

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 90**

and implement all our proposals that are put forward. In our view, really, all parties agreed with the Bill as amended by the NCOP and we think that the department is going to implement it as soon as possible. And I was just raising an issue that is separate really from the Bill in terms of hon Mathloko, because it can't be right that when we discuss a matter and the subject matter a person seems to be talking about things that's got no relevance to the issues that we are raising here.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Your time has expired.

Mr M R MDAKANE: Thank you very much. The ANC supports the Bill. Thanks.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. I now recognize the Chief Whip of the Majority Party.

The CHIEF WHIP OF THE MAJORITY PARTY: I move that the Bill be adopted.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 91**

The HOUSE CHAIRPERSON (Ms M G Boroto): The motion is that the Bill be adopted. Are there any objections?

Hon MEMBERS: No.

The HOUSE CHAIRPERSON (Ms M G Boroto): No objections. Agreed to. I'll ask the Secretary to read the Fifth Order. Oh, the Bill will be sent to the President for assent. Sorry for not saying that. I will now ask the Secretary to read the Fifth Order.

**CONSIDERATION OF REQUEST FOR RECOMMENDATION OF CANDIDATES FOR APPOINTMENT TO APPEAL BOARD ESTABLISHED IN TERMS OF SECTION 26 OF SAFETY AT SPORTS AND RECREATIONAL EVENTS ACT, 2010 (ACT NO. 2 OF 2010)**

The HOUSE CHAIRPERSON (Ms M G Boroto): The question before the House is that the following candidates be recommended to the Minister for appointment to the Appeals Board, established in terms of Section 26 of the Safety Act, Sports and Recreational Events, Act no. 2 of 2010. The names are:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 92

- Mr Kehla Humphrey Khoza
- Advocate Lefuno Tokyo Nevondwe
- Mr Frederick Baruti Komani
- Mr Ramesh Vassen
- Mr Mongezi Gladstone India
- Ms Nomthandazo Fotunate Ndanda
- Ms Thembeke Simani
- Mr Malaji Steven Pila
- Dr William Peter Roland
- 

Are there any objections to the names being agreed to?

[Interjections.]

Mr M WATERS: Chairperson, the DA would like to make a declaration please.

The HOUSE CHAIRPERSON (Ms M G Boroto): Declaration being requested. I will allow DA.

Ms H O HLOPHE: EFF object to ANC deployment.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 93**

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

*Declarations of Vote:*

Mr M S MALATSI: Thanks, Presiding Officer. Members of the House will recall that on 11 April 2011, 43 soccer fans lost their lives during a tragic stampede at Ellis Park due to a failure to abide to minimum safety standards as Sports and Recreation Events.

Subsequent to that, a presidential commission of inquiry was appointed and some of the outcomes of that commission of inquiry was their promulgation of the Safety Sports and Recreation Events Act of 2010, which makes provision for the appointment of a board to adjudicate over non-compliance with regard to event organizers at Sports and Recreation Events. So, in light of that the Portfolio Committee conducted interviews over a three-week period where we extensively engaged all the candidates that had applied to the Committee and it was our view that the nine recommended candidates represent a broad, diverse array of people that will bring the necessary expertise to ensure that

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 94**

when applications for hosting events at Sports and Recreation are done, safety remains the number one priority.

However, it has taken more than five years to come to this point, since the promulgation of this Act, and in between that period there's been a continual non-compliance of key aspects of the legislation that has been made and that shows that, had we moved much more expeditiously, some of the instances that occurred would probably have been avoided. However, we are satisfied that the nine candidates will do a sterling job in terms of adjudicating on applications going forward and we appeal to the House to support the Portfolio Committee's recommendations. Thank you, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. EFF.

Mr P G MOTEKA: Thank you, Chairperson. The EFF rejects the appointment of the Appeal Board in terms of Section 26 of Safety Act, Sport and Recreation Events Act. The Act specifies that the appeal board must be made of seven people to be appointed by the Minister, upon the advice of the National Assembly. The report

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 95**

recommends the appointment of nine people among them – they are candidates whose criminal and credit records was found at the Committee to be less than ideal.

This, therefore, is continuation by the ANC of a culture of appointing their corrupt friends and families to bodies that are critical to the lives of many South Africans and in this case our sports men and women are involved.

The safety of our athletes should be of absolute importance to the government and care should be taken that people with unquestionable credibility are appointed to fill a position such as those in the Appeals Board.

The EFF rejects these names, because it's just an irresponsible ANC cadre deployment. We call the nation to reject the ANC in the coming local government elections, I thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. IFP.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 96**

Mr K P SITHOLE: House Chairperson, first of all, the IFP do support the nine candidates, but I'm an alternate member on this committee and I was not present at the interview process of above nine candidates for appointment to the Appeals Board. I can advise that I have gone through each candidate's CV and that the IFP support the representatives' appointment. One point that I would like to make is that, due consideration be taken going forward that will ensure both gender and geographical representatives is taken into account and that a board such as this has a balanced and national representative appointee. So, the IFP do support their appointment. I so move.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. UDM, hon Filtane.

Mr M L W FILTANE: Thank you Chair and members. The UDM supports the appointment of the Board, but we've got one or two serious concerns.

One, after the advertisement went out, only three women applied. Out of that three, two went through, one couldn't make the



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 97**

grade. Now that tells you that transformation as much as we are enthusiastic to make sure that it was enforced, was compromised, because women did not apply.

Secondly, scoring was very, very fair. Those of us who were there, are happy that you know, everything was done transparently, and very, very fairly. And those who made the grade, are those who deserve to be in the board.

Critical Board as it is, we are happy that it has finally come about because Sports injuries can ruin people's career in sport. And so you do need a Board that can make sure that it oversees the processes, when appeals are being lodged. I'm afraid there is no time reflected here. So, I'll continue to talk.

So we appreciate the fact that the Board is, finally, you know, being appointed and we endorse the report of the committee who were part of it. I didn't make all the appointments, but of those that I saw, 60% of them on the day made the grade. So, scoring was very, very fair and we support the appointment of the Board and we wish those members all the luck in conducting

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 98**

their business and we hope that since we didn't compromise on quality, we hope that the Sports will be enhanced.

The disappointing thing is the fact that on such a critical day, the Minister is absent in the House. How great it would've been to be making this in the presence of the Minister. I'm unable to locate the Deputy either on such a critical day and that doesn't speak very well of our Sports. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. NFP.

Mr S C MNCWABE: Thank hon House Chair. Let me begin by saying I'm reading this declaration on behalf of hon Mabika who sits in the Committee. The Portfolio Committee on Sports and Recreation went through an extensive process to sift through the list of applicants to serve as members of the South African Safety and Sports and Recreation events appeal board and the National Freedom Party gives credit where it is due today.

The Act requires that at least one member of the appeal board must be a practicing attorney or an advocate with at least two

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 99**

years' experience and that candidate in general, should have special knowledge and expertise relating to the safety and security and disaster management at events. The latter requirement, however, is not absolute. The committee further required that candidates must be committed to fairness, openness and accountability on the part of those holding public office and finally the board has to be representative of gender, demographic groups and disability.

The NFP is satisfied with the selection process and notes with approval the fairness in the scoring system that was applied as there was no bias towards any particular candidate. The short list is almost fair in its gender and disability representation and we would like to see more female candidates. We do however accept that the committee had to work with the applications they have received. In conclusion, Chair, the National Freedom Party supports the recommendation of the Portfolio Committee on Sports and Recreation of candidates for this Appeals Board. I thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. ANC.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 100**

Ms B N DLULANE: Thank you, hon Chairperson. Let me take this advantage of me being a Chairperson, that I must thank the ANC, the DA, NFP, UDM, except that our colleague hon Moteka was not attending, not even a day.

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay.

Ms B N DLULANE: All those who have attended, we have heard from themselves. They are making my job easy to confirm that all nine candidates were accordingly approved by the Committee, not by the ANC. The Committee was happy. Only one thing that we were not happy, the representation of women, but we were not going to take them anyway. They have applied. There were four who had applied, and we were saying, how can you come here and present these without a gender, but we all agreed that three, they were selected because these CV's they were 21 ...

Mr P G MOTEKA: Point of order. Point of order.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member take your seat. What is your point of order?

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 101**

Mr P G MOTEKA: The Chairperson must not mislead the House. I was there when we find out ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member ...

Mr P G MOTEKA: ... that some of the candidates – the records are not here ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I think at least, that is a point that you can make in a debate. Thank you very much.

Ms B N DLULANE: Thank you Chairperson. As I was saying that the public did give us the CV's, 21 of them, and out of these we have selected these nine. Others, they failed. They could not do well and the women, there are two only, but it was not upon the committee. It was about themselves who are presented to the committee. This committee always, have consensus because of the social cohesion of the Sport. We are not doing politics in Sport. We want that transformation of everything must be done. I thank you ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 102**

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Thank you. I now put the question. Those in favour of the candidates being recommended for appointments to the Appeal Board, please say "Aye".

Hon MEMBERS: Aye.

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against say, "No".

Hon MEMBERS: No.

The HOUSE CHAIRPERSON (Ms M G Boroto): The "Aye's" have it and ...

Mr P G MOTEKA: Chair, please, register the objection of the EFF.

The HOUSE CHAIRPERSON (Ms M G Boroto): The objection of the EFF will be registered and the candidates on the list that are recommended will be forwarded to the Minister of Sport and Recreation for consideration. Thank you very much.

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 103

Hon members, the next item on the Order Paper is a statement by the Minister of Environmental Affairs on the challenges of climate change, its national impact and the forthcoming international negotiations. I now recognise the hon Minister of Environmental Affairs. [Applause.]

**STATEMENT BY THE MINISTER OF ENVIRONMENTAL AFFAIRS ON THE  
CHALLENGES OF CLIMATE CHANGE, ITS NATIONAL IMPACT AND THE  
FORTHCOMING INTERNATIONAL NEGOTIATIONS**

The MINISTER OF ENVIRONMENTAL AFFAIRS: Thank you very much, hon House Chair. Today's debate is taking place less than a week before the nations of the world gather at Paris, France, for the 21<sup>st</sup> Conference of Parties to the United Nations Framework Convention on Climate Change.

We would like to take this opportunity to express our appreciation for this opportunity to share with all South Africans our progress in the international negotiations, as we head up for Paris, where parties are expected to adopt an

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 104**

internationally, legally binding instrument under the UNFCCC to comprehensively address climate change.

Most importantly, hon House Chair, it affords us an opportunity to underscore that in the leap up to Paris, substantial work has been going on at a country level here in South Africa. We can proudly say that we have long put in place progressive, innovative, pro-active policies and plans to deal with ever-changing climate. These policies are guided by the overarching principal of sustainable development, which is a cornerstone of vision 2030 as contained in the national development plan.

We have a national strategy for sustainable development and National Climate Change Response Policy, the green economy strategy and the integrated resource plan 1, which outlines the country's energy mix and this is in addition to our industrial policy and action plan, that recognizes that energy efficiency and less carbon intensive production are central tenets of the green growth. As a responsible global citizen, hon Chair, our approach balances contributions with the need to address economic growth, job creation and poverty alleviation.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 105**

We'd like to say thanks for the abovementioned policies that I've just gone through and indeed these instruments that were instituted by this government which is led by the African National Congress. We are proudly leading from the front and at the same time, hard work behind the scenes and beyond headlines. We don't always want headlines, but we're working hard.

Today, I want to assure all hon members in this august House and each and every South African, that their government is prepared and ready to deal with and effectively to manage the impacts of climate change. The ANC led government is progressively fulfilling the Constitutional mandate to give effect to the rise of citizens to an environment that is not harmful to their health or wellbeing and to have an environment protected for the benefits of the present and the future generations.

The national Climate Change Response Policy was gazetted in October 2011 and has two objectives. Firstly, to effectively manage the inevitable climate change impact through interventions that ...[Inaudible.] ...and sustain South Africa's social, economic and environmental resilience and emerging

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 106**

response capacity and secondly, to make a fair contribution to the global effort to stabilize greenhouse gas concentrations in the atmosphere at the level that avoids dangerous gases - the anthropogenic interference with the climate system within a time frame that enables economic, social and environmental development to proceed in a sustainable manner. Our policy is both developmental and transformational.

It is developmental in that it prioritises climate change responses that have significant mitigation and adaptation benefits as well as significant economic growth, job creation, public health, risk management and poverty alleviation benefits.

It is transformational in that it addresses climate change at a scale of economy that supports the required innovation and finance clause that are needed for a transition to a lower carbon, efficient job creating equitable and competitive economy.

South Africa is making massive strides in reducing our emissions and building our resilience with certain departments taking lead

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 107**

in the programs. South Africa is proud of our widely acclaimed renewable independent power program that has seen the procurement of 5 243 Megawatts within an additional 6 300 Megawatts to be procured in the next five years.

By March this years, close to 2 000 Megawatts had already been built and were generating clean, green energy. There is also extensive progress in improving energy efficiency. The Department of Energy has reported that the total outcome of energy efficiency measures in the industrial commercial public services and residential sectors is close to 300 Mega Tons carbon dioxide saved over a five year period. This is enormous!

This includes a national industrial energy efficiency improvement program that is aimed at transforming industry energy use patterns and assisting industry to improve energy management within the organisation and plans. And of course, in many instances reducing carbon emissions has the additional effect also to reducing sulphur dioxide, nitrogen dioxide and particular a matter that is associated with the impacts of pollution on the health of our people.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 108**

In the transport sector, programmes are under way to shifting freight from roads to rail and introducing electricity regenerating braking in locomotives. This is already saving close to 0.5 Mega tons of carbon annually. In addition, 14 000 taxis are being converted to compress natural gas with an expected initial reduction of 23% to 27% per vehicle.

South Africa is also working hard to build resilience to the impacts of climate change. The whole of Southern Africa is in the grip of drought, ladies and gentlemen, brought about by the El Nino event that is experienced in our young democracy.

The scientists tell us that the drought and high temperature effects of El Nino are actually exacerbated by temperature increases associated with global warming. Now as a water scarce country, we have to ensure that we become strategic, we become cautious about how we use and how we conserve and manage this precious resource. And this message goes to all of us as led by our Minister, Mmè Nomvula Mokonyane.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 109**

Climate impacts on water resources affects aspect every of our economy and society. We have developed long term adaptation scenarios that actually assess these impacts in all key sectors of an economy and elaborate adaptation options to ensure security of water resources, food production, health, human settlements and infrastructure. This work has analysed climatic trends and assessed climate scenarios over the last five decades, on identifying climate risks for key sectors and presenting adaptation options for implementation.

This goes to those who are saying, we are caught napping. These plans do exist. We're not sleeping. We are working very hard. To date, the water, health, agriculture, rural development, biodiversity and eco-systems sectors have drafted their sector base climate change plans, demonstrating our readiness to respond to the likely effect of a two degree world or even a warmer world, including the possibility of extreme weather and slow onset changes in climate.

A number of provinces have also completed their climate change vulnerability assessment and preparing response plans. Cities

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 110**

too, are coordinating their own responses. Hon Chair, at the 19<sup>th</sup> Conference of parties here in Durban - sorry in Warsaw, because 19 was held in Warsaw in Poland - a decision was made for all parties to initiate domestic processes to prepare intended nationally determined contributions, whereby countries propose their own targets and the UN tracks their progress in relation to that but also put aggregates on the table for these pledges to be seen by all of us, whether they are sufficient to keep the temperature increases below two degrees Celsius.

In support of our country's transition to a lower carbon and climate resilient economy and society, two months ago we communicated our INDC to the UNFCCC Secretariat. Our INDC is ambitious, it's fair, pro-development and takes into account the country's triple challenge of poverty, inequality and unemployment.

This is in alignment with the implicit recognition by the UNFCCC of both the vulnerability of poorer countries to the effects of climate change and the rise of poorer nations to economic development. It sets national goals for our adaptation effort

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 111**

and it clearly outlines that South Africa will peak and plateau its greenhouse gases by 2030, which is also aligned to the NDP.

Bold action underpins these commitments. Evidence, through massive progress in growing the renewable energy sector, signifying improving energy efficiency in all sectors and enhancing our green and public transport program to mention just a few.

Our INDC was broadly consulted, hon House Chair, with all stakeholders, including business, civil society and all spheres of government through a provincial consultation process in partnership with nine provinces and this parliament has also participated on that process and held several meetings. The Chair will speak to that part of the Portfolio Committee.

The submission of our INDC before the 1<sup>st</sup> of October deadline represented a significant milestone in our country's climate response roadmap and we can be proud as a country of this achievement.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 112**

Hon House Chair, hon members, allow me now to turn to our global negotiation process in the lead up to Paris Climate Talks. COP 21 will conclude a 4-year negotiation process that was launched here in Durban, in South Africa on African soil. In Paris, all parties to the UNFCCC are expected to adopt a protocol or another legal instrument or an agreed outcome with legal force in order to conclude this Durban mandate.

The agreement will be applicable to all parties and therefore nobody is allowed or will actually have an opportunity to slide back and it will come into effect in 2020. South Africa is one of 196 parties of the UNFCCC that was adopted in 1992 and came into force in 1994. It sets out an ultimate objective of stabilizing greenhouse gas concentrations in the atmosphere at the level that would prevent dangerous human induced interference with the climate systems.

It further directs that this must be achieved within the timeframe sufficient to allow eco-systems to adapt naturally to climate change to ensure that food production is not threatened and to enable economic development to proceed in a sustainable



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 113**

manner and lastly, it ensures that efforts to protect the atmosphere should be shared fairly amongst the countries in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions.

The conventions also note that the largest share of historical and until recently carbon emissions originate in developed countries. This convention's first basic principle is that developed countries should therefore take the lead in reducing greenhouse gas emissions and supporting climate change activities in developing countries to take action and adapt to the impacts of climate change. It acknowledges the vulnerability of poor countries to the effects of climate change and recognizes that poorer nations have a right to economic development.

As we prepared for COP 17 here in Durban that was held in 2011, the multilateral negotiations were deadlocked in two competing paradigms for a future global regime. On the one hand a top down model of a comprehensive multi-lateral rural based legally

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 114**

binding regime with a level of ambition, informed by science. On the one hand with the bottom up pledge and review model of incremental, domestically determined policies, measures and rules that may or may not be domestically legal, with the level of ambition being informed by national priorities and circumstances at which are internationalized through the UNFCCC reporting and review procedures.

The Durban Climate Change conference was very significant in that it marked a turning point in the climate change negotiations and called for bolder actions by all governments. Durban had to resolve a set of very complex indeed, and interrelated issues, just to name but a few. The right to resolve how to address the question of securing multi-lateral climate change systems which related to a future of ...[Inaudible.] ...protocol balanced by the legal form of an outcome under the convention.

It also had to deal with the complexity of the next steps that should be taken in the multi-lateral climate change negotiations process, but also addressing unresolved issues such as -

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 115**

- how to increase the level of ambition of mitigation pledges from developed and developing countries;
- how to give effect to the principle of equity in the allocation of burden and cost between developed and developing countries;
- how to achieve a politically acceptable level of comparability and compliance between developed countries with commitment under KP and under the convention;
- and also how to balance with a politically acceptable degree of symmetry between developed and developing countries, transparency and accountability obligations.

The Durban conference achieved an unprecedented outcome that effectively reconciled the so-called top-down and bottom-up paradigms and retained the principal of common but differentiated responsibility and respective capabilities. The Durban agreement not only significantly advanced the global effort needed urgently to address the immediate global climate change crisis, it also set a long term path way for the development of a fair, ambitious and legally binding future,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 116**

multi-lateral rural based global climate change system which can balance climate and development imperatives.

The new Agreement would ensure the fair participation of all countries both developed and developing, in the global effort to reduce greenhouse gas emissions both now and in the future.

Hence, we say that Durban 2011 indeed delivered the breakthrough in the international community response to climate change.

It is absolutely imperative therefore, that the Paris meeting delivers on the Durban mandate to conclude a 4-year multi-lateral negotiation process to develop a protocol, another legal instrument, on an agreed outcome with the legal force under the convention applicable to all parties. That is highly imperative and that is our mandate as we head for Durban. Under South Africa's leadership the groups of 77 plus China, is demonstrating coherence and common purpose in achieving an outcome of COP 21 that's progressively enhances implementation of the UNFCCC's framework.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 117**

These multi-lateral negotiations require a delicate balance to breach the positions of developing countries and developed countries alike and to achieve an outcome that meets the ultimate objective of the convention. There are vexing issues however, that remain unresolved. As negotiating teams prepare for the final days to conclude the tax and the legal agreement, these include to give effect to the principle of common but differentiated responsibility, our mandate, which we will not relent on.

1. To mobilise the finance to meet the developed countries pre-2020 obligations of USD 100 billion per annum and how to scale up finance beyond 2020;
2. To enable developing countries to transition to lower carbon and climate resilient economies and societies;
3. To frame a global goal for adaptation that reflects the reality that the lower the ambition on reducing global emission, the greater the impact and higher the cost of adaptation; and

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 118**

4. To raise the ambition to global emissions reductions to ensure that the global temperature goal of way below two degrees temperature is met - that rise is met!

As part of an Africa Group, South African will negotiate for a Paris agreement under the convention that is ambitious, durable, fair and effective. That's our mandate. The agreement must balance environmental and development imperatives. That's our mandate. It must ensure that global emission reduction efforts are adequate to keep global temperatures below two degrees Celsius. That's our mandate. It must ensure that adaptation is at the centre of the ...[Inaudible.] ...with the global adaptation goal that reflects that adaptation is a global responsibility. That's our mandate.

Finally, there must be an ambitious outcome on finance, technology and capacity building to support the adaptation, mitigation efforts of developing countries. Hon Chair, COP 21 is taking place at a time and in context in which global solidarity and common purpose is vital. So we must continue to consolidate our efforts and resources.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 119**

Paris presents a golden opportunity indeed to build an ambitious and fair agreement that is effective, durable and strengthens the global approach. Climate change affects us all. The efforts that we take today to fight climate change, will define a true value of future generations. I thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister. The next speaker is the hon Hadebe.

Mr T Z HADEBE: Thank you, House Chair. Impacts from the climate change are happening right now. The current extreme weather events are proof of occurrence of climate change and globally the eco-system and communities are adversely affected. The African continent is not immune to the impacts of climate change and it's facing imminent environment threats to the economy.

As South Africa, despite our comparative greater financial resources and infrastructure, we are also facing similar problems and threats to our economy. This calls for a decisive and coordinated action by the government as climate change poses a range of environmental threats to health and wellbeing of our

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 120**

society and the country's economy. As the key players and partners in development, South Africans have a legal and Constitutional protected right to be consulted on major projects that impact on their rights and yet the current government treats this serious responsibility as an afterthought. The ongoing investment to coal-powered power station contradicts the objectives of mitigation, contained in the national policy and our negotiation position for COP 21.

The non-coal based energy independent power producer's projects that have applied for the EIA's and three environmental authorization granted. This has caused a huge public outcry from the communities that are affected. These communities were not consulted, resulting in having doubts about the adequate oversight in the approval of the process.

It is really hard to argue with that perspective, when you have government departments that are highly fragmented and that loudly proclaim their support for a project before the public hearings begin or are concluded. These efforts to avoid a debate and bypass a fair review, undermine the public trials in



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 121**

government. This makes it difficult for the government to speak confidently and proudly for all South Africans about our environment efforts when talking to international communities or any international negotiations.

If we want to maintain our good international reputation, the departments must project an environmental stewardship and follow applicable legislation to the larger. There is no argument that there is a need for energy, but for that to happen there must be a clear leadership direction. The Department needs to pull to one direction when it comes to energy and environmental matters. We all know that there are opportunities in South Africa for advancement in cleaner energy.

We need to start a new dialogue in South Africa, one that represents a respect for government and the South Africans. One that positions South Africans to be competitive in global economy, forecasts on reducing greenhouse gas emissions. As it stands the provinces and municipalities have responsibility to monitor emanators and verify the accuracy of the data.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 122**

As I speak to you, there is no more monitoring and the verification of accuracy of data by the ...[Inaudible.] ...due to the lack of both human and financial resource by local spheres of government. The effective response to climate change requires a multi-level governance structures that are outline the entire policy process. The process might indicate from the ...[Inaudible.] ...policy tool by the national department and the interventions to assist local authorities during the actual implementations.

It is critical that the role of local authorities is clearly spelt out, as they are closer to the community mostly affected by the threats of climate change. There must be a conditional grant to local spheres of government to address the effects of climate change fears by the local communities. This is important because there is also allocation and adaptation strategies are best placed in the local authorities.

In making resource allocation to councillors will not only take into account the current term priorities but also long term objectives, which includes the economy, non-climate decisions

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 123**

and the effects on the future generations. This will enable municipalities to decide how much to spend on different types of actions, such as emissions reduction and adaptation, which sectors and places should receive resources. This also allows public to participate during the IDPC process.

The community becomes aware of the need to prepare for unavoidable impacts of climate change and this gives local council a choice of directing resources to program design to limit the greenhouse gas emissions or to programs that seeks to build resilience against future impacts. The fight against the impact of climate change becomes apparent not only for the government but for the entire South African population. This will also circumvent the issue of funding, as most of the municipalities has little or no budget when it comes to climate change.

We have a moral responsibility to the future generations and cannot compromise the future by not complying with section 24 of the South African Constitution of 1996. To give effect to our Constitutional obligations we need a comprehensive, transparent,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 124**

consultative, comparative evaluation of different energy options and their implications for water resource, human health, cost to the state, the distribution of cost, benefits and the probable return of energy invested. We have only one planet to live on and today's decisions must not have a negative impact on the future generation. I thank you, House Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. The next speaker is the hon Matiase.

Mr N S MATIASE: House Chair, we know that the United Nations has adopted Kyoto Protocol in 1992, which aimed to amongst other things, to stabilize greenhouse concentration at a level that will prevent dangerous anthropogenic interference with climate systems. To put truth into the pledge, a new treaty is needed, one which is binding and makes binding targets for greenhouse gas reduction. That treaty was finalized in Kyoto in Japan in 1997, after years of negotiations. While the treaty was signed by most nations, the biggest aggressor and enemy of greenhouse gasses, the United States of America, never signed the Kyoto Protocol. We are highlighting this history to give context to

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 125**

what has happened since then. There has been rapid escalation of unsustainable developmental practices right across the board by big capitalist countries.

South Africa, with natural resources, is in a better position to contribute in the fight against global warming and to take care of all of its natural resources by ensuring that aggressors such as the imperialist world, especially the West which is the biggest contributor of emission is stopped in its tracks from environmental denigration, air pollution, plunder and pillaging of national resources of countries like South Africa. The US, as the biggest imperialistic economic power, is profiting most from the destruction of our planet with consequences of genocidal proportions. At the centre of chronic global warming and climate change crisis, is the political economy of imperialism and the destruction of national resources.

Global warming and climate change are manmade crisis, to undermine the existence, not only of nation states, but to undermine the existence of humanity. The current drought is already a lesson of what is yet to come. We must all stand very

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 126**

firm in our opposition to global power, bullying. Failure to do so will lead to misinterpretation of the impact of climate change, with serious consequences, which will lead to wrong conclusions for the struggle against imperialism and for a better world of socialism.

The oppressed and the exploited the world over should know that the capitalist society and the system is not a solution in the fight against climate change. It is also important to remind all of us that part of the solution, and I partly agree with the hon Minister, lies in mitigation and adaptation strategies. As part of mitigating against climate change, we should invest in solar and wind energy and we must reject with contempt the plans to nuclear energy in this country.

Nuclear generated energy is not only potentially dangerous for our health but has devastating environmental impacts. As far as adaptation is concerned, we should be working with our communities to build local based adaptation strategies.

Unfortunately, this cannot be done fully while most of the land is owned by a tiny minority whose interest is instant

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 127**

gratification, working in cooperation and collaboration with powerful capitalist powers of the West. As we move forward to fight and combat global warming the interests of the working class must be placed at the centre ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time is now expired.

Mr N S MATIASE: ... of all efforts. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Next speaker is the hon Singh.

Mr N SINGH: Thank you, hon Chairperson. December 2014's 20<sup>th</sup> session of the Conference of Parties, which took place in Lima, Peru, focused on a new 2015 agreement on climate change where over 190 countries undertook to harness actions as we move towards the intended nationally determined contributions - the INBC's which the hon Minister referred to. These will form the foundation for climate action post 2020. As we all know the INBC's form the foundation of contributions which each country

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 128**

will be required to make, in order to keep the global average temperature, rise to within two degrees Celsius. The question is, is South Africa doing enough? Are we bringing our share in regard to mitigation of climate change or are we further contributing to climate change by not having clear and enforceable policy and legislation on the issue.

Secondly, how are we adapting to the multi-faceted complex and continuous process with the aim of reducing the impacts of climate change. These are the hard questions that require answering and I'm glad that the hon Minister has answered some of these questions from this podium.

Barriers to adaptation must be identified and addressed and some of these barriers include institutional and cultural barriers at local government level, which prevent the flow of funds intended for local communities through corruption or just pure mismanagement and they often limit the adaptive capacity of such communities to effectively implement climate change mitigation strategies.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 129**

Governance and approaches to planned adaptation strategies as well as information and knowledge barriers are the other factors, and we really need to ensure that communities can adapt, and that decision making is taken at appropriate levels and within the required time.

Hon Chairperson, the continent of Africa currently finds itself having to meet an enormous demand for energy and the challenge we face in meeting the demand is that we further add to global warming in so doing. It is therefore imperative that carbon emissions remain low and they can, if the right low carbon energy choices are made now.

We must follow a path of sustainable energy efficiency. Solar, wind and hydro energy must receive greater impetus. Renewables must lead our drive towards greater energy efficiency. The possibility of a mooted carbon tax is another matter that may be used to enforce compliance and transition to a low carbon economy, but great care and account must be taken of the possible negative impacts that the imposition of such tax will have on our fragile economic and social spheres over the short

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 130**

term. The need is for a smooth and gradual transition towards a low carbon economy.

Hon Chairperson, Mahatma Gandhi put it correctly when he said: "Earth provides enough to satisfy every man's needs, but not every man's greed." I wish the Minister and the South African delegation well in their deliberations in Paris next week. Thank you very much.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you hon member. The next speaker is the hon Mncwabe.

Mr S C MNCWABE: Thank you, hon Chairperson, climate change is the biggest threat the humanity has ever faced on global scale, at a national level, and is one of the greatest threats to sustainable development in our country. It is a sad fact that climate change will disproportionately affect the poor who have contributed least to its causes.

The greatest drivers of climate change are manmade. Scientists have made a correlation between industrialization and the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 131**

burning of fossil fuels and a slow but relentless change in the global climate. South Africa is both a contributor to and a potential victim of global climate change. We contribute to climate change with our energy-intensive fossil fuel powered economy which is a major air polluter. At the same time, we are the potential victims because South Africa is a water scarce country and climate change is likely to change the rainfall patterns and the climate of different areas.

Some sectors are more vulnerable to climate change impacts than others. Agriculture, Health and Water are good examples of particularly vulnerable sectors. The national impact of climate change will be droughts, fresh water shortages in some areas and crop failures with a subsequent loss of food security, especially for rural people. We will also see an increase in many types of human and animal diseases as well as damage to infrastructure like roads and telecommunication facilities from flooding caused by changing rainfall patterns.

As South Africa will be joining other countries at the COP 21 meeting in Paris on 30 November, the NFP urges the government to

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 132

do its best to convey to other countries, especially and in particular those developed countries, which are major contributors to climate change, the urgency of reaching the agreement.

We are already starting to see the impact of climate change here with droughts, ravaging four of our provinces and our food security will soon be at risk. There is much at stake and much work to be done. I thank you.

The HOUSE CHAIRPERSON (Mr C T Frloick): Thank you hon member.

The next speaker is the hon Groenewald.

*Afrikaans:*

Dr P J GROENEWALD: Agb Voorsitter, daar word vandag 'n debat gevoer waar die agb Minister 'n verklaring maak oor klimaatsverandering. Dit is goed en reg. Suid-Afrika stuur afgevaardigdes na die internasionale kongres in terme van klimaatsverandering in Parys. Dit is reg en goed. Daar word baie gesê wat gedoen moet word in terme van klimaatsverandering. Dit is reg en goed.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 133**

Agb Voorsitter, ons het op 'n punt gekom dat as ons ernstig is, moet ons nie net praat oor die klimaatsverandering nie, ons moet nou iets begin doen. Ja, ek is bewus daarvan dat wetenskaplikes onder hulself verdeeld is oor aardverhitting, klimaatsverandering, maar die werklikheid is - ongeag die meningsverskille daaroor, weet ek en u dat klimaatsverandering 'n werklikheid is. Ons beleef dit tans in Suid-Afrika met 'n droogte. As ons gaan kyk na die wêreld, dan sien ons aan die een kant vroeë sneeu storms en aan die ander kant totale oorstromings, en dan weer ander gebiede wat dorre streke word. So dit is 'n werklikheid.

Agb Voorsitter, ek wil vandag vir die ANC regering sê, u praat daaroor maar dis al, want die grootste "sondaar" as dit kom by die besoedeling van ons aardse bronne, is die ANC regering. Hoekom sê ek dit? Dit gaan oor die besoedeling van die riviere van Suif-Afrika, as gevolg van onbevoegde, swak munisipale bestuurders wat net eenvoudig toelaat dat onverwerkte riool in ons riviere inspoel.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 134**

Wat doen die ANC regering daaromtrent? Hy praat daaroor. Ek wil vir die agb Minister van Omgewingsake vra, praat sy met haar kollega van Water en Sanitasie? Praat sy met haar agb kollega daar voor haar wat Plaaslike Regerings hanteer? Ek het persoonlik aan die Minister vrae gevra oor die oudit wat gedoen moet word op munisipaliteite oor die storting van hulle riool. Ek is nou nog 'n antwoord verskuldig! [Tussenwerpsels.]

Ek wil vandag - ek het nie vir u gevra nie, ek het vir die Minister van Water en Sanitasie gevra [Tussenwerpsels.] En daarom wil ek vandag vir die ANC sê, hou op om te kom mooipraatjies praat. Doen asseblief iets, want ek stem saam met u, dis net die planeet aarde wat my en u voortbestaan kan verseker, maar u is aandadig daaraan om dit te vernietig deur u swak bestuur van plaaslike regering wat ons riviere besoedel. Ek dank u.

Die VOORSITTER van die HUIS (Mnr C T Frolick): Agb lid, u tyd is verstreke. The next speaker is the hon Carter.

An HON MEMBER: Walk the talk! [Interjections.]

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 135**

Ms D CARTER: Thank you, Chairperson. You know, firstly let us no longer speak of "climate change". Let us rather term it correctly as a Climate Crisis and implement solutions.

The severe drought that South Africa's experiencing is only the beginning of what is yet to come. Rural areas, cities and the built environment will experience the frightening impact of the climate crisis incrementally and suddenly as well. While government has developed a national climate change response white paper it is taking a very leisurely route, translating what is there into the policy.

It is highly responsible of government not to have mainstreamed adaption practices urgently into everyday practice. With all the warnings and the evidence of the havoc that the climate crisis is reeking and maybe if the Ministers stops heckling and actually listening, she'll get some tips. Government should've given the highest priority to implementing strategic plans in all spheres of economic activity and at all levels of the government. This has not happened!

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 136**

We do not yet know of all of the biophysical, socioeconomic and security impact of Climate Crisis we are facing. However, we already have a pretty shrewd idea of what the impact is going to be. The Climate Crisis is both a risk and a threat multiplier and the Minister shakes her head. COPE urges government to respond urgently and comprehensively to multiplier effects to the Climate Crisis. The issue is not purely environmental. It has become a socio-political, economic, security, health and budgetary problem of an immense magnitude.

Monster storms, mega droughts and a refugee problem bigger than what we are witnessing in the Mediterranean area, will overwhelm the nations of the world. Wars will result because of the Climate Crisis. COPE further urges the Minister to take a petition signed by every member of Parliament from every party in South Africa, urging world leaders to bite the bullet. It is now, or it is never!

South Africa must also show its commitment to dealing with the Climate Crisis becoming a world leader in the generation of electricity from the sun. We have some of the highest solar



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 137**

radiation in the world. It is an abundant and infinite resource for clean electricity generation. Let us tap that resources optimally.

Visionary leaders who want to preserve this world for our children and our grandchildren will recognize the severity of a climate crisis we are facing and will take immediate steps to deal with this enormous crisis.

Minister, I have to ask you, have we done effective research of the effects of, for example volcanic eruptions in our oceans? As a nation we must urge all international negotiations to put the planet first because the risk and the threat multiplies of Climate Crisis are becoming too serious to ignore any longer. I thank you.

The HOUSE CHAIRPERSON (Mr C T Folick): Hon member your time has expired. The next speaker is the hon Dudley.

Ms C DUDLEY: Thank you Chair, and thank you, hon Minister for the rational approach to issues of climate change. An approach

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 138**

that does not ignore development and job creation. An interesting perspective on climate change, argued by engineer and energy expert, Andrew Kenny, based on facts that many are not aware of is that our planet does face many serious environmental problems, but manmade climate change is not one of them. For the sake of our planet and of the poor people who live in it, we need to end this unfounded and extravagant belief and turn to science and reason to protect our environment from the many real threats that it confronts.

The belief that mankind is raising global temperatures dangerously by increasing carbon dioxide, CO<sub>2</sub>, in the air, has become a ruling conviction of the modern age. It provides funding and careers for large numbers of activists, bureaucrats and politicians around the world, but basic physics shows that CO<sub>2</sub>, a weak greenhouse gas, can never have important effect on temperatures. Observation confirms it as well. The climate is always changing. It has been changing since the earth came into existence. Given changes in the sun, changes in the earth's orbit, changes in the earth's continents, changes in the earth's geology and the earth's continual rotation, changes will happen.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 139**

CO2 is also changing but changes in CO2 have never been seen to have any significant effect on global temperatures. Now the slight warming of the twentieth century, which stopped by the way, around 1996, was no different from the medieval warm period a thousand years ago when temperatures were much higher than they are now. This warm period, like others before it in the earth's history, was entirely natural.

There is also no basis in science for the notion that rising CO2 increases the frequency or severity of extreme weather events; floods, droughts, storms, cyclones, extreme heat, extreme cold and so on. Observation over the last 50 years shows no such increase. Now, CO2 is entirely clean, safe and natural. It is not a pollutant. On the contrary, it is essential to plant life upon which we all depend, including you. Without it the human race and all other higher mammals would perish.

It is a wonderful gas and its levels are now extremely low, the lowest that they've ever been in the history of the planet.

Possibly dangerously low. The ACDP is of the view that nuclear waste and nuclear risks should concern us more. Thank you.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 140**

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member.

The next speaker is the hon Mthembu.

An HON MEMBER: The world's a good place! [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon member.

Mr J M MTHEMBU: Chair, perhaps we shall start with quite an important statement and that statement is, "History has thrust on us, as this generation, to find a legally binding and plausible as well as an agreement based on science in Paris, to reduce global warming to a level below two degrees Celsius." That's what we should be concerned about. Therefore, we will not waste time on denialists of what CO2 can cause in terms of global warming, but we would like to assure this House that in this government and in this country, there is political will to deal with the catastrophes that will befall us as a result of this important matter we are discussing.

The Climate Change Response Policy speaks to this matter.

Otherwise, if our government was not of the view that we have

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 141**

serious catastrophes coming we will not have a Climate Change Response Policy. We would even not have a green energy strategy and fundamental to both these matters I've referred to, is lowering our carbon footprint and also to make our economy resilient to this global warming and climate change.

But Chair, before I come to the next issue that I would like to raise, I would like to remind the House that the negotiations that the Durban platform set towards a new protocol, another legal instrument or agreed outcome with ...[Inaudible.] ...force must be concluded at the 21<sup>st</sup> Session of the Conference of parties to the UNFCCC and the 11<sup>th</sup> Session of the Conference of the parties, serving as the meeting of the parties to the Kyoto Protocol, commonly known as COP 21/CMP 11, which will take place from 30 November to 11 December 2015 in Paris, France.

South Africa's position, as well articulated by the Minister, is that the 2015 Paris Climate Agreement must be consistent with science and should be under the convention and in accordance with these principles and provisions, particularly the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 142**

principles of common, but differentiated responsibilities and respected capabilities and equity.

The agreement further should enhance a multi-lateral rule based system in a balanced and ambitious manner. South Africa is arguing for a climate regime based on the recognition that solving the climate problem will only be possible if it is undertaken within the context of developing countries' priority of achieving poverty eradication and promoting sustainable development.

The Government insists that the framework for mitigation action by developing countries should be supported and enabled by finance, technology and capacity building. There should be predictable financial technological and capacity building flows into developing countries in any future climate regime in order to enable developing countries to build more resilient economies and leapfrog to low carbon growth and development.

South Africa's position on international climate change negotiations requires broad participation by all parties,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 143**

consistent with the Durban platform for enhanced action to address the global common problem of climate change effectively and efficiently.

I would further like to remind the House that a decision was taken at COP 19 in Warsaw, as alluded to by the Minister, and also in COP 20 in Lima, Peru, to invite all parties to communicate to the UNFCCC secretariat their intended nationally determined contributions (INDC'S) well in advance of COP 21, in a manner that facilitates the clarity, transparency and understanding of the INDC's. COP 20 also invited all parties to consider communicating their undertakings in adaptation planning to consider communicating their undertaken planning or consider including an adaptation component in their INDC's.

It suffices, Chair, to mention that South Africa's INDC's focused on adaptation, mitigation as well as finance and investment requirement for both. The INDC's had been developed on the understanding that the Paris agreement would be binding, fair, effective and incorporate and not backsliding and a

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 144**

progressive approach to enhance climate change mitigation and adaptation implementation and ambition.

This implementation and ambition is expected to be enabled by finance and technology and capacity building support. This House will also recall, Chair, that the Portfolio Committee on Environmental Affairs had a two-day public hearing here in Parliament on our government's negotiating position and the INDC's prior to their submission to the UNFCCC secretariat this past September. The public hearings drew a considerable number of stakeholders from all walks of life, across our beautiful country, including indeed, traditional leaders from the Congress of Traditional Leaders, academics - of course, under academics we had one who was a serious denialist - faith based organisations, international and national non-governmental organisations, community based organisations, school children, academics and legislatures from other parliamentary committees.

These NGO's and other colleagues drawn from sectors of our society unanimously stated that climate change is already a measurable reality in South Africa. Therefore, we agree with the



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 145**

Freedom Front on that particular issue. Again, this was based on their own experiences and observations of their natural environment and a big number of our people supported the government climate change negotiating position and also our INDC's, which truly reflect our development priorities in a changing climate.

They, however, stressed that the fight against climate change must be broadened to the extent that it becomes everyone's business, ranging from a housewife who has to ensure that lights are put off in unoccupied rooms to save energy, to corporate executives who seek to reduce the carbon footprint of their companies to gain a competitive edge over their peers.

It is in this regard that they recommended, amongst others, that climate change awareness, mitigation and adaptation must find concrete expression in our schools in order to produce responsible citizens, rearing leaders to continue this battle that is imposed on us by emerging matters considering that Africa as a continent at present contributes less than 5% of

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 146**

global carbon emissions, yet, we as Africans bear the full brunt of the impact of climate change.

Again, another recommendation when I was at the outcome of COP 21, hon Minister, should be communicated to all stakeholders to ensure compliance by all as climate change confronts the overall South African society and hence needs a broad based response, rather than being a governmental responsibility alone.

On our part, as the portfolio committee, we requested the government via the Department of Environmental Affairs to introduce a flagship comprehensive framework climate Bill in Parliament to concretise the operationalisation of the key concepts articulated in the National Climate Change Response Policy, commonly known as the Climate Change White Paper. We would like to hold corporates, citizens, companies accountable to their carbon budget commitments and/or allocations, but for this to happen, hon Minister, requires an Act of Parliament.

I would also like to submit to the House that this committee, where I served as the Chairperson, and on whose behalf I speak

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 147**

on climate change, considering that climate change affects us irrespective of our political inclinations, have public hearings in KwaZulu Natal, North West and Mpumalanga provinces from the end of August 2014, which are currently among the provinces badly affected by the ongoing droughts.

People in those provinces unanimously agreed that climate change was increasingly threatening their lives and conferred upon our government an unqualified responsibility to negotiate and act on their behalf, being acutely aware that there is a historically context to the consequences of greenhouse gas emissions that we face today. And that it is only the State that can negotiate and uphold our rights at international forum.

With this, I humbly appeal to this auspicious House that our very existence as public representatives require us to speak on behalf of the masses that we represent. It is in this regard, perhaps that we should remind hon Hadebe that we have a legislation on pollution and we have even crafted standards which we renew almost every year, that needs to be adhered to by all companies in this country, therefore we are on track, hon

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 148**

Hadebe. Of course all of us as a Parliament needs then to come together and say how do we ensure an oversight that is effective in the implementation of these standards and legislation?

To the hon member from the EFF, nuclear is part of South Africa's energy integrated plan. Secondly, nuclear is not a fossil fuel but clean energy and therefore the hon member has incorrect facts.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member your time is now expired.

Mr J M MTHEMBU: We fully support the government's position as we go to Paris. [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Hon members, that concludes the Ministerial Statement and party responses thereto. Business is now suspended until 2.00pm when the House will resume with the consideration of some of the finance Bills. Business is suspended.

**UNREVISED HANSARD**  
**NATIONAL ASSEMBLY**  
**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 149**

Debate concluded.

Business suspended at 12:43 and resumed at 14:03.

The DEPUTY SPEAKER: Thank you. You may be seated. The Secretary will read the Sixth Order.

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON APPROPRIATIONS**  
**ON FINANCE BILL [B31 - 2015] (NA - S 77)**

The DEPUTY SPEAKER: I now recognise the Chief Whip of the Majority Party.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thanks, hon Deputy Speaker. I move that the report be adopted.

The DEPUTY SPEAKER: The motion is that the report be adopted. Are there any objections? No objections. Agreed to. The Secretary will read the Seventh Order.

**FINANCE BILL**

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 150**

(First Reading Debate)

The DEPUTY SPEAKER: Hon Paul Mashatile.

Mr S P MASHATILE: Thank you very much, hon Deputy Speaker. Let me just firstly clarify that at the meeting of the Committee, the Committee had agreed that we will not debate the Finance Bill, but the other one that is coming after this. So, what we are going to do. I was going to make remarks from the Committee and allow other parties to make declaration, but it's okay if there's a debate because I know that my committee members were not prepared for the debate, including the DA.

An HON MEMBER: No, we're ready.

Mr S P MASHATILE: Oh the DA says, it's ready. Hon Speaker, [Interjections.] I would like therefore to take this opportunity to table firstly the report of the committee, make remarks on that. Firstly, this was tabled by the Minister on 27 October and recommendations also went through SCOPA, authorizing government unauthorised expenditure. Most importantly, hon Deputy Speaker,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 151**

the recommendations were actually adopted by Parliament of the Republic of South Africa on the 23 June 2015.

Let me explain hon members, that in terms of the Finance Bill, Section 213(2) of the Constitution provides that money may be withdrawn from the National Revenue Fund only in terms of an Appropriation by an Act of Parliament. This is why we are tabling this report today for the adoption of the House.

Section 13 of the Money Bill Amendments, Procedures and Related Matters Act of 2009, requires that any Money Bills other than those in section 10, 11 and 12 must be referred to the Committee on Appropriation.

Hon members, section 34 of the PFMA sets out the procedure that should be followed for the authorization of unauthorized expenditure as a direct charge against the National Revenue Fund. Now, in terms of this Bill that is before the House, the total amount of unauthorized expenditure is R110,22 million. That's the amount that we need the House to authorize and is really referring to the following votes:

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 152**

- The Presidency,
- Department of Women, Children and People with disabilities,
- Social Development and
- Trade and Industry

Those are the only departments that we are concerned about. Hon Speaker, of the total unauthorized expenditure R46,67 million refer to over spending that will result in additional allocation to votes while the remaining R63,5 million is a reimbursement to votes that previously were surrendered to the National Revenue Fund.

While the Committee is presenting a report for the condonement of unauthorized expenditure as provided in the Finance Bill, the committee emphasize that the affected departments should put measures in place to ensure this is prevented in the future.

Let me just indicate hon members, that the Committee also wants the Minister of Finance to assist in enhancing planning in some of the departments, because we noticed that unauthorized



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 153**

expenditure in some of the departments is really lack of forward planning.

The second concern by the Committee was the length that it takes to bring these votes here to be authorized by the House. If you look at -

- The Presidency, that was unauthorized expenditures, 2008 and 2010;
- The Women, Children and people with disabilities is 2010/11;
- Trade and Industry was actually 2004/5;
- Social Development, 2007

Our view is that we need to bring these unauthorized amounts to the House much, much sooner to be authorized so that we can enhance planning throughout government. Our view, therefore, hon Speaker, as the ANC is that the unauthorized expenditure as reflected in the Finance Bill should in fact be authorized by the House and I would like therefore to recommend that the House adopts this Bill without amendments as reflected in our report. Thank you very much, hon Speaker.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 154**

The DEPUTY SPEAKER: Thank you, hon member. Hon Brauteseth. Is that how you say your surname? Okay.

Mr T J BRAUTESETH: Chairperson, it's quite indicative that the ANC is not ready for this. They're not ready for much but we'll see the results of that next year, won't we?

Hon members, I stand before this House, a frustrated and very disappointed man. Frustrated because this Bill reminds us yet again of the ineptitude and arrogance of the departments of the ANC government. Disappointed because year after year after year nothing changes. Every year departments from across government must appear before SCOPA and explain why their mistakes led to an inability to stick to their budget and why they include unauthorized expenditure.

SCOPA must then decide to accept or reject these platitudes for extra funding. Let's be clear on this. Unauthorized expenditure in simple terms means the following: You have spent outside the parameters of your budget. You have spent outside the parameters of your set PDO's. That means that your daily, weekly and

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 155**

monthly planning and tracking of expenditure has been extremely poor. That means you have not catered for emergencies, or if you have done all of the above - if you have tracked your funds, and still over spends, it means your attitude is like a teenager. Whatever! It's not your money, so who cares!

Let us focus on the main areas of the behaviours of the errant officials in this particular Bill. The Presidency incurred an unauthorized expenditure of R42,9 million, made up as follows:

- R2,7 million because of the poor planning of a national order ceremony.
- R5,13 million to cover the shortfall on the legal costs to defend the President against criminal charges - again!
- R4 million for the Presidency travels to Zimbabwe - what on earth could possibly cost R4 million in Zimbabwe?
- A junket to the UN of R1,3 million. A lovely nice trip to New York, for the connected few no doubt.
- The creation of two new ministries to add to an already bloated cabinet at the bargain cost of R8 million.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 156**

- But that's not all folks, in this amazing deal the taxpayer also got 89 unfunded posts in this special deal. Another case of gross irresponsibility on the taxpayer's tab.
- Fruitless mediation with dictators in Libya and Zimbabwe at a cost of R7 million. Certainly no bang for the buck there!
- The Presidential hotline, where taxpayer get hot air and nothing else was under costed and under budgeted to the tune of R5,7 million.

•

The other major miscreant was the Department of Trade and Industry whose unauthorized expenditure totalled R37,3 million.

This included:

- Writing off of staff desks for R125 000. A really nice place to work - the Department of Trade and Industry.
- Payments of R6 million due to a default on a valid trade agreement. The Minister knows about that.
- But the real kicker in this one is the R31 million lost in the GEIS Sanction busting scheme of the pre-1994 regime. This scheme encouraged traders to beat sanctions, trade overseas and paid incentives to whoever did. Unfortunately,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 157**

there were no controls. So, you could say you shipped 20 000 TV's over to wherever and just get the incentive for it.

Now, it's unfortunate that the current department has to pick up this particular tab, but it is interesting from the debacle of the Presidency which I indicated above in this speech, to see that the pre-1994 comrades, who still occupy many of the benches here, have taught their new colleagues very well in the art ineptitude and neglect.

Deputy Speaker, this Bill states that SCOPA supported the funding of these claims. It's interesting that none of the ANC members of SCOPA are speaking today, that we have to have the hon Mashatile from appropriations ...

The DEPUTY SPEAKER: Hon member ...

Mr T J BRAUTESETH: Yes?

The DEPUTY SPEAKER: Your time has expired.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 158

Mr T J BRAUTESETH: What - the four minutes?

The DEPUTY SPEAKER: Ja. There's the watch on your left there. Sorry. [Interjections.]

Mr T J BRAUTESETH: Okay. The DA does not support this Bill.

The DEPUTY SPEAKER: Hon Paulsen. [Applause.]

Mr M N PAULSEN: Thank you, Deputy Speaker. This is a good example to show that the ANC government will go an extra mile to mislead the public, to refer to unauthorized expenditure as the "Finance Bill" is misleading. We must call it what it is. It's an Illegal Expenditure Bill because it is illegal expenditure against the Appropriation Act. In fact, what you're doing here today as members of Parliament is giving legitimacy to the ANC government's poor planning, wasteful expenditure and plausible corruption. That is what you are known for - corruption.

As the EFF, we do not dispute that it is possible for unavoidable events that can lead to expenditure more than what

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 159**

Parliament has approved, except for legal award for non-prevention of property destruction and the irrecoverable incentives schemes that the majority of unauthorized expenditure was unnecessary.

However, we know, since the beginning of Mr Zuma's administration, irregular expenditure wasteful and fruitless expenditure has increased drastically. We also know that the government, financial administration without exaggerating the matter, has collapsed. What is more concerning, is that this is worse in local government as the majority of municipalities are dysfunctional.

A lot more can be done with R47 million. With R47 million we can send more than 500 students to university for a year, fully funded. With R47 million we can appoint more than 100 grade A nurses in much needed rural community clinics. Under such difficult budgeting conditions whereas a country we have already overburdened a majority of taxpayers, R47 million can bring much needed relief. The EFF objects to the Finance Bill and we must treat unauthorized expenditure the same way we treat

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 160**

unlawfulness everywhere in society. It is illegal. Thank you very much.

The DEPUTY SPEAKER: Thank you. [Applause.] Hon Nkomo.

Ms S J NKOMO: Thank you very much, hon Deputy Speaker. This Bill seeks to implement recommendations in the report of the Committee of Public Accounts on authorizing national government's unauthorized expenditure of R110 million incurred over a period of four different years by the departments of

- the Presidency,
- Women, Children and People with disabilities,
- Social development and
- Trade and Industry.

Of this amount, R46,67 million refers to overspending that will result in additional allocation to budgets whilst the remaining R63,55 million is a reinvestment to votes that previously surrendered funds to the National Revenue Fund.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 161**

One can never condone unauthorized expenditure as it points to a weakness and often an outright failure of the system.

Departments require greater self-regulatory mechanisms regarding expenditure and perhaps greater budget focusing capabilities. Hence the IFP takes note of a statement that was said by the Chairperson of the Appropriation Committee when he said that, Treasury is also expected to assist the departments in this regard.

May I point out to the Presidency, about R14,5 million were actually incurred as unauthorized expenditure due to national order ceremonies, legal fees, travel subsistence, cost and travel.

Women and Children and people with disabilities, R3,7 million for hosting of national days and travel and subsistence.

All of these are extremely problematic. It is crucial that financial management of public funds remain without taint and credibility. Taxpayers want to see their hard earned money at work for the betterment of all South Africans and its people and

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 162**

may I state for the record, hon Deputy Speaker, that the money that we use is not money that we get from ourselves. It's money that we get courtesy of the taxpayers, not courtesy of government.

Whilst the IFP supports this Bill, we'd like to state that you take note of the issues that we have raised but don't forget, the money doesn't come from us. It comes from the taxpayers. Thank you.

The DEPUTY SPEAKER: Thank you. Hon Khubisa.

Prof N M KHUBISA: Deputy Speaker, hon members, this Bill is tabled to us at a time when there is high unemployment, poverty in our country, when there is a problem with student fees and the NFP find it difficult however, to accept the magnitude of unauthorized spending, which we are required to condone. For instance, in 2008/9 financial year, unauthorized expenditure was due to a national order ceremony, legal fees, travel substances, legal gratuity. The overspending of R28,4 million during 2011 was due to the following: creation of additional ministries,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 163**

legal fees, travel, subsistence, Presidential hotline, gratuity, etc.

The National Freedom Party says that, is it morally defensible to approve overspending on expenses such as legal fees, travel and subsistence ...[Inaudible.] ...and leave gratuity in the highest office of the land? We believe that the Presidency should be setting an example rather than incur unauthorized expenditure on non-essential issues. The Presidency, like any other department, should stick to its budget and not spend money which it does not have. This is the taxpayers money and it's not the money for anyone else.

By setting the example, the highest office in the land is sending the wrong signal to the people of our country - that it is okay to spend more than what you have, and it smacks of arrogance.

The amount of R63,5 million referred to in schedule 2 to the Bill is due to overspending of main divisions or programme in a vote of Trade and Industry. At R37,3 million and the vote of

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 164**

social development at R26,1 million, during 2004/5 etc. We do not approve of this unauthorized expenditure in principle. We are however, concerned that the R26,1 million overspending in Social Development vote was due to expenditure on social assistance grant. The main cause of the overspend was an increase in the number of child support grants.

The National Freedom Party accept that the social grants are necessary and are important, but we believe that the Department of Social Development should revisit this formula for calculating and estimating the number of grants before it submits its budget.

Whilst it will not be possible to predetermine with absolute accuracy the number of grants which are to be budgeted for, we believe that it is possible to reduce the gross underestimation which leads to such significant overspending. So we say, we don't condone any form of overspending. Having tabled this, hon Deputy Speaker, the NFP would support the budget, but we say to the department, they must be cautious of things that they have tabled here today. Thank you.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 165**

The DEPUTY SPEAKER: Thank you. Hon Kwankwa.

Mr N L S KWANKWA: Thank you very much, hon Deputy Speaker. The United Democratic Movement does not support this Bill. The issue to us is very simple. It's about unauthorized expenditure which points to poor planning, Mr Minister. I think Abraham Maslow once put it nicely and he said: "If you fail to plan, you plan to fail". And I think the other problem more in particular, it would not be a problem if it had been one or two departments that had problems of over expenditure, but when you have four departments, it becomes problematic, because then it means if the problem is not addressed, you create a culture, you inculcate a culture within the system that says, it's okay for people to overspend, or rather, for departments to overspend.

The other issue which is very key here is that we would only support it in future when there are clear plans in place, a clear demonstration that plans have been put in place to make sure that there is no further recurrence of this problem.

*isiXhosa:*

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 166

Kuba kaloku ukuba sisupporta i-unauthorised expenditure iproblem esiza kubanayo is that tomorrow asizukwazi ukuthetha when the same problem recurs again.

*English:*

Is it my phone? [Interjections.] I beg your pardon.

[Interjections.] No, it's not actually, it's not my phone. I beg your pardon. Humble apologies, Deputy Speaker.

*isiXhosa:*

So sithi asiyisupporti.

*English:*

You are told Mr Minister and we hope that you and your department will put plans in place to address this problem in all departments, especially National Treasury ...

*isiXhosa:*

...ibahoye kuba le mali mayingaphumi emingxunyeni esingayiboniyo. ... Thank you ever so much.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 167

The DEPUTY SPEAKER: Thank you. Hon Shope-Sithole.

Ms S C N SHOPE-SITHOLE: Hon Deputy Speaker, before I speak, I just want to reemphasize what the Chairperson said, that in the Committee we had agreed not to debate, but you know, as the ANC we are always combat ready. I don't have a speech, but I'll speak on this one.

One, members of Parliament who were in this Parliament in the mentioned years should be ashamed to come here and complain about departments. We have a responsibility as members of Parliament to oversee the spending of government.

[Interjections.]

We have got the right to call this department on at least four times [Interjections.] a year - don't talk to me. I'm talking. Give me a chance. [Interjections.] Give me a chance!

[Interjections.] You don't want to hear the truth, that's the problem.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 168**

Anyway, I'm not talking to you, I'm talking to my people at home, I'm talking to the ANC [Interjections.] because the ANC is having 62% vote [Interjections.] and it can do without you whether you like it or not - it's very important.

[Interjections.]

You have a responsibility. You get money paid in your accounts on the 15<sup>th</sup> of every month. What was it for? [Interjections.] It's the taxpayers's money. [Interjections.] Where were you [Interjections.] Were were you? I'm supporting this Bill. I'm supporting this Bill. [Interjections.]

The other thing that you must [Interjections.] you must listen in order to learn, [Interjections.] is that unauthorized expenditure is brought to the public accounts committee for authorization, that is completely in other. There is nothing wrong with that and in any democracy in any country there will always be some unauthorized something [Interjections.] unless if you do what you are supposed to do, not absent yourselves from Committee, attend committee meetings and hold the government to account, because these things happen [Interjections.] because



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 169

you do not attend committee meetings, most of you.

[Interjections.]

You do not attend committee meetings. Can you show me a report where you have actually written that this department is going to overspend? You don't have that because you are not doing your work. So, all of us, it's not just government, all of us, members of Parliament - ourselves, including me - we must take the blame. We must not [Interjections.] come here and say, "government..., government... government... must do... "while you don't attend committee meetings. [Interjections.] You don't come. In our committee meeting, you don't attend. So, the ANC supports this Bill [Interjections.] and we will pass it ...

*Xitsonga:*

Ndzi lava ku byela banu hikwabo ka kaya kuri leswi va swivulavulaku kuvuma vutibi. Vanhu ku lava ku va xitimelile ka xikolo. A va tivi ntshumo. Va hola imali itil5. A va tani komiti nhlango. A va tiri. Department a yi ta endla swo kuri a yi fikelelela ku xiyimo lexi. Loku ku vula kuri Palamende i endla

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 170**

leswi i vurile ku endla. I vona vanhu. Yi til5 va kuma hakelo ku ntirho a u hetile. Ndza khensa.

Ms D CARTER: Thank you, Deputy Speaker. Wow! I have to say, I honestly think that in future hon Shope-Sithole should write the speeches, so she can't get her foot into it. That is new that 60% of the vote means you can eat the taxpayers' money! I've never heard anything like this in my life!

The Congress of the People vehemently opposes this Bill. We cannot in good conscience [Interjections.] condone unauthorized expenditure and allow it to be a charge against the National Revenue Fund. [Interjections.]

The unauthorized expenditure was incurred by the Presidency, the Department of Women, Children and People with Disabilities, the Department of Social Development and the Department of Trade and Industry. The fact that the unauthorized expenditure incurred in different years does not matter! [Interjections.] While the first, second, third and fourth reports of a National Assembly Committee on Public Accounts recommended that Parliament

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 171**

approves the unauthorized expenditure and approve a funding mechanism, it was objected to by the opposition, but against 62% majority rules! Let's just do it!

The fiscus has experienced severe constraints. The AG is urging government to ensure that consequences apply when unauthorized futile or fruitless expenditure occurs. We agree fully with that and so should the ANC-led 62% government! If a situation requires an over expenditure the department concerned must come to Parliament with a request. It must not expect post-expenditure condonation.

The Constitution, in section 2.3 provides that the withdrawal of money from the National Revenue Fund must be provided for in an Act of Parliament. When Eskom needed a bailout, government came to Parliament. The department should've done the same.

The Presidency spent R14,5 million in 2008/9 and R28,4 million during the 2010/11 financial year. What was the expenditure for?

- To pay for National Order Ceremony;
- For legal fees;

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 172**

- For travel and subsistence costs;
- Creation of additional ministries in the already bloated cabinet;
- For national planning? Performance monitoring and evaluation;
- Setting up the Presidential hotline and leave gratuities.

This is not how you spend scarce resources! Government must spend on what is essential. Women, Children and People with Disabilities overspent far too much during 2010/11 financial year on hosting national days, travel and subsistence. Other departments also did spend on the real goods. COPE will always look back at unauthorized futile and fruitless expenditure with stern opposition. The word "consequence" and I'm repeating it - the word "consequence" must enter government's lexicon. COPE will not support this Bill. I thank you. [Applause.]

The DEPUTY SPEAKER: Hon members, wait hon member, there is the ACDP, AIC, Agang, PAC, APC - they have not indicated they want to speak. [Interjections.] Hon members, we are proceeding

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 173**

without you. You were supposed to have indicated. So, hon Ross, proceed.

An HON MEMBER: Hear, hear! [Applause.]

Mr D C ROSS: Thank you, Deputy Speaker. Let me start by just reacting to the hon Sithole in terms of that "members cannot complain about the deficient financial management" that we see in all departments and national entities.

The truth is, Madam, if you look at the preliminary 2014/15 audit outcomes for national government and public entities, you will see that there is a R25,6 billion - R25,6 billion! - in terms of irregular expenditure in the last financial year. Madam Sithole, if you don't think that is a serious inditement on the government, certainly you should revisit the Committee and come to the SCOPA Committee so that we can brief you in terms of the implications of this.

This has a huge implication on economic growth, which is currently, Minister, only 1.5%. It's a drag on economic growth.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 174**

It's indeed a drag on the ability to create jobs and the ANC is simply indicating that it is not relevant. It is amazing! And I think it's a major mistake of the hon Sithole and I think she should apologize to the Parliament today for making such an outrageous statement. [Interjections.] [Applause.]

That is correct, R25,6 billion! And a drag on the economy. Now, predictively when the final results of the audit outcomes 2014/15 is pronounced, you will see that there is a slight improvement from R35 billion to R25 billion in terms of irregular expenditure, and some people might think that is a slight improvement, but a slight improvement in terms of irregular expenditure and unauthorized expenditure is certainly not good enough.

What we need, Minister, is a zero-tolerance approach. The only way to eliminate corruption is through a zero-tolerance approach with regards to these expenditures. Now this irregular expenditure does not sit well with South Africans. This is because the figure of R25,6 billion - whatever way you look at it, is still a massive amount. Minister, to put this into

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 175**

perspective, and what it can mean to the country and also the hon Sithole and the ANC, can look at this and take note.

Judge Dennis Davis who heads up the Davis Tax Committee recently warned that "the greater the level of corruption and maladministration, the less we will have tax integrity and the greater the possibility of a tax revolt".

Now, this is a serious, serious, serious statement by the judge and we need to take note of this. Putting this amount into perspective as I recently said, the amount of irregular expenditure across government for the past financial year could've funded the higher education funding shortfall 11 times over!

Now if this is not something that the ruling party should take note of, I really rest my case. And the reality is, irregular expenditure is a result of the silent tolerance by the current government. For example, the non-compliance in terms of the supply chain management needs to be noted. It's noted that 72%, Minister, non-compliance of legislation exists in these

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 176**

departments and in public entities. 72% non-compliance in legislation, in departments and public entities. That is in terms of the adherence to legislation. Moreover, also the 2015 BRRR reports indicated the inaction by government to address the scourge of irregular expenditure and Deputy President, Ministers, we need to take note of that.

The questions is - and this is very important - how do we fix this unacceptable trend of misappropriation and maladministration? The answer is clear. How do we enforce compliance, Minister? We need to enforce compliance in terms of consequence management where there were transgressions in terms of non-compliance with legislation.

We need a unit, perhaps the Minister can give attention to this, in the National Treasury that should have a dedicated unit dealing with the fraudulent activities, corruption, irregular expenditure and fruitless and wasteful expenditure. Not only in National Departments, Deputy President, but also in public entities. Address the lack of consequences for unfair and uncompetitive procurement process; awards to close family



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 177**

members and employees; inadequate contract management and address the general violations in terms of the Public Finance Management Act, Deputy President.

Address the Treasury regulations and the non-compliance by departments to verify SARS compliance with regards to Tax Clearance Certificate. That is a huge oversight where there are contracts given where there is not a tax clearance certificate, it leads to a lot of atrocities. It leads to a lot of corruption in that regard. Where necessary we have to encourage the intervention by the Auditor-General to enforce compliance and also monitor daily disciplines.

Parliament's Standing Committee of Public Accounts, the SCOPA committee, has been doing a great job in terms of this. We are awaiting the Bill in terms of supply chain management.

Unfortunately, the Bill is long overdue and we're working very hard to get that Bill enacted so that we can address the scourge of corruption so that we can kickstart our economic growth and see that our country grows, so that we can create the necessary employment where needed. I thank you. [Applause.]

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 178**

The DEPUTY SPEAKER: Hon Swart. I'm told you wanted to speak but you are sitting in your seat there. You're supposed to sit here, Sir, next time.

Mr S N SWART: Thank you Deputy Speaker. My apologies. According to my list I was following the next speaker, so my apologies. Deputy Speaker, as other speakers have indicated, this Bill provides the authorization of National Government for unauthorized expenditure and it is historical.

So it is interesting, and I suppose the point can be made for the years 2004/5, 2007/8, 2008/9, 2010/11 - what we as Portfolio Committees did at that stage. But I think from our perspective it sends the wrong message at this time, when we are trying to encourage taxpayers to be compliant and to pay their taxes - that we are at this late stage authorizing this unauthorized expenditure through this Finance Bill. We, from the ACDP's side believe that at the moment, because of the large amounts of wasteful expenditure that we have, Minister, you will already appreciate the taxpayers are feeling uncomfortable and I know when I served on the finance committee a few years ago there was

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 179**

an issue that was raised by National Treasury about the legitimacy of the tax system in the eyes of the taxpayer when they do not believe they are getting value for money.

And we have a self-taxation system. So it is a very important point that when we are considering these issues, the whole consideration of the taxpayers' legitimacy is borne into consideration and we from our side believe that this Bill does not contribute to the legitimacy of the tax system in the eyes of the broader public that are asking questions - when they pay taxes, are their tax funds being properly spent? And clearly, we see here, when we see the unauthorized expenditure, this is not so. So, from the ACDP's side, we regrettably will not be able to support this Bill, but it is a challenge for us, going forward Minister, to look at that whole issue. Thank you very much.

The DEPUTY SPEAKER: Thank you. Hon Gcwabaza.

Mr N E GCWABAZA: Hon Deputy Speaker, let me say upfront that the ANC supports the Finance Bill. We also acknowledge the report of SCOPA which says that, overall the unauthorized expenditure that

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 180**

we are discussing today was not as a result of negligence on the part of the officials of the Department but that this expenditure was necessary.

I do want to highlight the fact that the hon member from the DA accused us of overspending because we were involved in negotiations in what he calls "dictatorships in Africa". The African National Congress and its government is committed to peace and stability in this country and in the continent and in the world and we shall stop at nothing to ensure that peace, stability and democratic governance prevails in the continent. We will spare no effort and no money to achieve that purpose. [Applause.] Secondly, I'm surprised that ...

An HON MEMBER: Don't be surprised!

Mr N E GCWABAZA: ... you are condemning the overspending that happened in the Department of Women, Children and Persons with Disabilities. It simply shows that you care nothing about the well-being of women! You care [Interjections.] nothing about the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 181**

welfare of our Youth! [Interjections.] You care nothing about our people who live with disabilities! [Interjections.]

An HON MEMBER: [Inaudible.] you wasted it! You stole it from them, that's why!

Mr N E GCWABAZA: The third area that I want to refer to [Interjections.] the overspending that happened in the Department of Trade and Industry, part of it was as a result of the support that this Department is giving to our exports, as an export incentive. [Interjections.] When you say that you don't want to support the authorization of the unauthorized expenditure, you are suggesting, interestingly, that you don't support our domestic businesses when they want to enter the export [Interjections.] the export terrain. [Interjections.]

Indeed, indeed, the over expenditure that took place in the Department of Social Development was as a result of the extension - the increase in the beneficiaries of social grants, resulting from the shift from 11 years to 14 years, and that expenditure was necessary.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 182**

Let me indicate to you that the most recent research shows that a Survival Survey of the majority of students that are in higher education today, is as a result of [Interjections.] benefitting from the social grants that this ANC government has implemented. That includes the schools feeding scheme, by the way. Now, if that over expenditure happened as a result of that, then ...

*isiZulu:*

...Kufanele sibatshela abantu bakithi ukuthi anikusupporti ukuthi ingane zakithi ezihlwempu, ezimnyama nezimhlophe, ankusupporti ukuthi uhulumeni azinikezele isibonelelo ukuze zikwazi ukuphila, zifune zie zifike ema-university.

*English:*

That's what you are telling our children and their parents. The hon Sheila Shope-Sithole was emphasizing this point and it must be emphasized, that none of you seated here and no political organization can absolve itself of the responsibility of strengthening Parliament's oversight over public expenditure and then come and stand here and [Interjections.] condemn

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 183

[Interjections.] and cry foul and cry corruption and so on and so on. [Interjections.]

Where were you? - this is what hon Shope-Sithole is asking.

[Interjections.] Where was the oversight responsibility [Interjections.] of committees, of Parliament including yourselves? [Interjections.] That's what she is saying. The ANC supports the Bill. [Interjections.] [Applause.]

The DEPUTY SPEAKER: Thank you, hon member.

*IsiZulu:*

Ngqongqoshe Nhlanhla Nene

An HON MEMBER: Where were you when the ...[Inaudible.] ...rejected [Inaudible.] [Interjections.]

The MINISTER OF FINANCE: Thank you, Deputy Speaker ...

An HON MEMBER: Why care if the budget is so late?!

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 184**

The MINISTER OF FINANCE: Members have made their views heard on this Finance Bill. This Finance Bill, hon Deputy Speaker, aims to recommend that Parliament authorizes the unauthorized expenditure and approve the funding mechanism. With this total amount of R110 million in unauthorized expenditure, which was incurred over years.

We're coming here because we ascribe to the school of transparency [Interjections.] which has put us amongst [Interjections.] which has put us amongst the best! Out of 100 we scored 86 points in the open budget index because this is what we do. We've worked closely with the departments concerned to improve their financial management system in order to ensure that our budget planning systems are improved and enhanced where appropriate: In the Presidency and the department of Trade and Industry, Department of Social Development and former Department of Women, Children and People with Disabilities, which is now the Department of Women.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 185**

In our deliberations with the said departments, we have emphasized the following and some of the members have alluded to this.

1. The need to strengthen planning mechanisms over the resource allocations.
2. That proper processes should be in place for debt recovery and debt impairment where relevant.
3. With regard to overspending on Social Grants, additional systems are now in place and those systems are the three main stakeholders:
  - a. South African Social Security Agency
  - b. DSD and
  - c. National Treasury

Each run their own independent projections to monitor social grants expenditure.

The second one is that quarterly projection meetings are now being held between the three stakeholders - SASSA, DSD and National Treasury. We also do monthly model updates and provide quarterly expenditure reports.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 186**

Finally, we have incorporated the adjustments factor in the model to try and accommodate non-demographic driven factors such as back-pay and other administrative complexities. These are issues, hon members, that some members that are not responsible for running the country, are not familiar with because they are not familiar with reality. They would only come here and grandstand as if budgeting and expenditure is a simple process of just, you cannot authorize.

We've gone through a tedious and comprehensive process through SCOPA, to ensure that all of these are authorized precisely because they pass the test. The ANC government continues to advocate for efficiency and effectiveness in the management of our public finances. We will continue to modernize our public financial management processes and continue to accelerate on our budget reform agenda.

As you know and as I said earlier, we are amongst the most transparent in the world and we have always been at the top. The different parties that did not support, particularly the DA - the IFP supports with conditions and we indeed take those

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 187

conditions on board and the NFP as well. I hear that the DA also has now, all of a sudden, lost its understanding

[Interjections.] They have lost its understanding of the difference between irregular expenditure and unauthorized expenditure [Interjections.] You stand here, and you say that, because of the irregular expenditure then you are not going to support the authorization of unauthorized expenditure.

It is because of the processes that we have gone through, that these matters are brought before Parliament for adoption and [Interjections.] we submit before Parliament that in terms of our legislation these can now be adopted by Parliament. Thank you very much. [Applause.]

The DEPUTY SPEAKER: Hon members, are there any objections to the Bill being read the first time?

Hon MEMBERS: Yes!

Hon MEMBERS: No!

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 188

The DEPUTY SPEAKER: Okay. The objections ...

Mr M WATERS: Deputy Speaker, will you please note the objection of the DA, thank you.

The DEPUTY SPEAKER: The DA's objection will be noted.

Mr N M PAULSEN: Deputy Speaker, also note the objection of the EFF.

The DEPUTY SPEAKER: I will.

Ms D CARTER: Deputy Speaker, please note the objection of the Congress of the People.

The DEPUTY SPEAKER: I will.

Mr S N SWART: The ACDP, Deputy Speaker, thank you.

The DEPUTY SPEAKER: I will.

Mr N L S KWANKA: UDM.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 189**

The DEPUTY SPEAKER: Yes, I will. Hon members, the Secretary will read the Bill the first time.

The SECRETARY: Finance Bill.

The DEPUTY SPEAKER: Thank you. Hon members, the Secretary will read the Eighth Order.

**FINANCE BILL**

(Second Reading Debate)

The DEPUTY SPEAKER: As there are no speaker's lists, are there any objections to the Bill being read the second time?

Hon MEMBERS: Yes!

Hon MEMBERS: No!

The DEPUTY SPEAKER: There is objection. Hon members, I now put the question. Those in favour will say "Aye".

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 190

Hon MEMBERS: Aye.

The DEPUTY SPEAKER: Those against, "No".

Hon MEMBERS: No.

The DEPUTY SPEAKER: I think the "Aye's" have it.

Mr M WATERS: Deputy Speaker, please note the objections of the DA.

The DEPUTY SPEAKER: We'll note the objections of the DA.

Mr N M PAULSEN: Deputy Speaker, also note the objection of the EFF and we call for a division.

The DEPUTY SPEAKER: EFF.

Ms D CARTER: Deputy Speaker, please note the objection of the Congress of the People.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 191**

The DEPUTY SPEAKER: Those will be - it's okay. Hon members, the division, having being called, the bells will be rung for five minutes.

Division called.

The DEPUTY SPEAKER: Hon members. I would like to remind you that members may only vote from their allocated seats. When requested to do so, members must simply indicate their vote by pressing the appropriate button below the "Yes", "No" or "Abstain" button. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair. The question before the House is that the Finance Bill be read a second time. Are all members in their allocated seats?

Hon MEMBERS: Yes!

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 192

The DEPUTY SPEAKER: Voting will now commence. Those in favour of the Bill being read a second time, should press the "Yes" button.

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: Those against should press the "No" button.

Hon MEMBERS: No!

The DEPUTY SPEAKER: Those wishing to abstain, should press the "Abstain" button. Have all members voted?

Hon MEMBERS: Yes!

The DEPUTY SPEAKER: The voting session is now closed.

Abstentions:	0
No:	89
Yes:	211



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 193**

[Applause.] The question is accordingly agreed to and the Secretary will read the Bill a second time.

The SECRETARY: Finance Bill. [Interjections.]

The DEPUTY SPEAKER: The Bill will be sent to the National Council of Provinces for concurrence. The Secretary will read the Ninth Order.

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON APPROPRIATIONS  
ON NEW DEVELOPMENT BANK SPECIAL APPROPRIATION BILL [B 32 - 2015]**

The DEPUTY SPEAKER: I now recognize the Chief Whip of the Majority Party.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, I move that the report be adopted.

The DEPUTY SPEAKER: Hon members, the motion is that the report be adopted. Are there any objections? [Interjections.] There are objections.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 194**

Mr M WATERS: Deputy Speaker, please note the objection of the DA, thank you.

The DEPUTY SPEAKER: The objection of the DA.

Ms H O HLOPHE: Deputy Speaker, I would like to note the objection of the EFF.

The DEPUTY SPEAKER: I will. COPE?

Ms D CARTER: Deputy Speaker, COPE. Our objection as well, thank you.

The DEPUTY SPEAKER: Okay. Hon members, the report is therefore adopted with noting those objections. The Secretary will read the Tenth Order.

**NEW DEVELOPMENT BANK SPECIAL APPROPRIATION BILL**

(First Reading Debate)

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 195**

The DEPUTY SPEAKER: Hon Mashatile, you're back. [Applause.]

Mr S P MASHATILE: Hon Deputy Speaker ...

The DEPUTY SPEAKER: Hon Mashatile, just one second. Hon members, I earlier on indicated that members who would like to participate in this debate and/or discussion should do so. Please indicate to the table in front of me so that I know that you are going to come here, otherwise the empty space is here, and your organisations are there. Thank you. Go ahead hon Mashatile.

Mr S P MASHATILE: Thank you, hon Deputy Speaker. Hon Deputy President, ministers, all hon members of the House, at the fifth Brics Summit in 2013 a decision to establish the Brics Bank was announced. This moment meant the beginning of a new era for the much needed infrastructure, investment and project financing. If indeed, we are concerned about the economic emancipation of our people in our lifetime in addressing infrastructure backlog which was created by colonialism of a special type, we ought to support this initiative.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 196**

Hon members, we have a moral and revolutionary duty imposed upon those of us who are privileged to serve during this historic moment where we are charged with a mammoth task to dismantle the legacy of apartheid. The colonial rule was characterized by land dispossession as well as a total exclusion of the black majority from all forms of economic freedom and participation.

It is against this background, hon Deputy Speaker, that I would on behalf of the ANC to support the Report from the Standing Committee on Appropriation on the New Development Bank Special Appropriation Bill [B 32 - 2015].

We believe hon Deputy Speaker, that this Bill will contribute strongly towards the liberation the creation of a non-racial, non-sexist and prosperous South Africa, as envisaged by the founding fathers of our movement more than 60 years ago, as they adopted the Freedom Charter in Kliptown.

This Bill, hon members, was tabled by the Minister of Finance in October 2015. It provides for an additional amount of money to be paid for what we refer to as "First Paid-in Capital

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 197**

Instalment" towards the capitalization of the Brics Development Bank for 2015/16.

The National Development Bank has its headquarters now in Shanghai in China and a regional office will be established in South Africa in Johannesburg. As we speak, at the moment no loans have been dispersed because this bank has to be capitalized. After the Bill was tabled before Parliament, the Bill was referred to the Standing Committee on Appropriation and I must say, hon Deputy Speaker, that we have gone through processes in the committee to ensure that this Bill is well processed. The Bill requires that Parliament appropriates an amount of R20,9 billion from the National Revenue Fund in this financial year, 2015/16.

Obviously, this is informed by the agreement between Brazil, Russia, India, China and South Africa. All of them called Brics, to establish this New Development Bank. As part of Brics countries, South Africa signed the agreement during the Sixth Brics Summit held in Fortaleza.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 198**

Hon Deputy Speaker, I know that some parties are determined to oppose this progressive move to establish this New Development Bank, but we must remember hon members that it was this very House which ratified the agreement on the 3<sup>rd</sup> of July 2015, as required by Section 231 of the Constitution and there was never any opposing view to this agreement.

Furthermore, the agreement stated that the Bank shall have an initial authorized capital of USD100 Billion and subscribed capital of USD50 Billion. Therefore, we as South Africa cannot sign an agreement and not honour its imperative, at that will be tantamount to sabotaging our own effort and our own Constitution.

Most importantly hon Deputy Speaker, that Section 1(3) of the Bill gives the Minister of Finance powers to impose conditions on the appropriation to promote and enforce transparency and effective management of these funds. The Minister can stop the use of the appropriation if the imposed conditions are not met.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 199**

However, Section 1(4) of the Bill provides that the stoppage of an appropriation must be disclosed in the National Treasury's next quarterly report to the relevant Parliament committees. Of note is that the committee received the briefing also from the FFC on the New Development Bank on the following areas:

Funding budget process of the New Development Bank:

- We looked at cost benefit analysis.
- Intergovernmental fiscal relations and other dimensions including the South African Reserve Bank.

Hon Deputy Speaker, the FFC submission really assisted us to better engage, understand and interrogate the Bill and the Committee took the submissions very seriously. We noted that institutions such as the University of the Western Cape, the FFC, the HSRC, held an international Brics Conference in October 2015, which also shed some light on the pro's and con's of the initiative, which is part of deepening our democracy.

The initial authorized capital of the New Development Bank as I indicated is USD100 billion and subscribed capital

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 200**

USD50 billion. And this will be distributed amongst founding members as per the agreement. Article 7(c) of the agreement suggests that this should be divided into paid-up shares and callable shares.

Hon Deputy Speaker, as a Brics partner, South Africa is therefore liable to contribute USD2 billion in respect of paid-in shares. This amount is a direct charge against the National Revenue Fund and forms part of a national budget vote of the National Treasury and therefore South Africa will therefore be liable for USD8 billion in callable shares.

So the voting powers of each member count is equal to the subscribed shares of capital stock of the bank. South Africa therefore has the same voting power to other member countries in Brics.

Hon Deputy Speaker, through your indulgence I just want to point out a few but most important gains that this initiative is going to bring. The New Development Bank Articles of Agreement allows for the option of financing certain projects in local countries.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 201**

It will reduce systemic risk associated with foreign exchange lending to unhedged borrowers. To this end that issue ends in local capital markets can help avoid currency mismatch, arising out of such project funding and help to develop ...[Inaudible.] ...capital markets of municipal debts. It could increase financial stability, large international diversified bank safer and has a lower probability of failure. At the same time leading towards less fighting depositors.

However, hon Speaker, the committee noted the selling of non-strategic assets to obtain appropriate finance for this initiative. As much as the committee supported, they indicated that they would like to encourage government to ensure that measures are put in place to ensure the country's ability to secure funding and make sure that this is enhanced and robust and the ANC agrees with that.

Most importantly, hon Deputy Speaker, while the New Development Bank is likely to have benefit beyond existing opportunities, we believe that to materialise these benefits requires an active Parliament to play a very strong oversight role and scrutiny to

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 202**

ensure ongoing relevance to projects readiness and ensure Constitutional values are upheld and fiscal risk are minimized in this regard.

As I conclude, Deputy Speaker, I want to indicate that indeed the seeds planted by the famous piece called "Long Walk to Freedom" can only sprout within an environment that is truly conducive to that of a united non-racial, non-sexist, democratic and prosperous society. The 1994 democratic breakthrough provided the African National Congress as a Liberation movement with the opportunity to pursue economic policies ...

The DEPUTY SPEAKER: Hon member, ...

Mr S P MASHATILE: ...which holds inclusive growth, development and world distribution ...

The DEPUTY SPEAKER: Hon member ...

Mr S P MASHATILE: Hon Deputy Speaker, the ANC support this Bill. Thank you very much.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 203**

The DEPUTY SPEAKER: Hon Figg. Hon Figg, let me state a little bit of the obvious. There is timer on your left. As you speak to us, keep your eye on it. You are quite capable of self-regulation, Sir. Go ahead. Thank you, very much.

[Interjections.]

Dr M J FIGG: Thank you, hon Deputy Speaker. The purpose of the New Development Bank Special Appropriation Bill is to appropriate money for the first instalment of the paid-in capital towards the capitalization of the Brics-led NDB for the current financial year. While this payment is budget neutral for the first year, it will not be the same for future years. South Africa cannot afford the R2,2 Billion for the first New Development Bank instalment due in January 2016. Within the context of the higher education funding crisis it is advisable to use the R2,2 Billion generated from the sale of Vodacom Shares to fund higher education.

Hon MEMBERS: Yes!

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 204**

Dr M J FIGG: South Africa should focus its attention on financing our own urgent needs. The New Development Bank is not a priority. South Africa's contribution to the New Development Bank is 13,5% of the national budget, compared to 2,2% for Brazil, 2,4% for Russia, 4,7% for India and 0.8% for China.

The bank will also have its headquarters in Shanghai, with the President and at least one vice-president from other founding members. This means that an opportunity has been lost for job creation in south Africa.

South Africa will only be guaranteed one job and that is of the Vice-President. In terms of the Bill, the payment of the amount of USD115 million as a first capital instalment to the bank in accordance with the agreement, is subject to payment into the National Revenue Fund of the revenue from the sale of State Assets.

So, while Minister Nene promised more details about the sale of these assets, he still has not provided information. Why, Minister Nene, is there secrecy around the sale of the country's

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 205**

assets? Why is there no transparency? Are you hiding something? Even the Chief State law advisor, on the 19<sup>th</sup> of October 2015, in his opinion addressed to Adv Van Schoor stated, and I quote, "We have not been provided with information regarding these assets. We also do not know at what stage the sale of the assets is." So, if there's no confirmation on the sale, that the sale will materialize in time, how can we approve this Bill?

Whilst South Africa has to honour its commitments in terms of the Fortaleza declaration in January 2016, this could've been avoided if the ANC only listened.

Advice given by the State Legal Advisor was that the due date for the first payment be removed from the agreement until there is certainty regarding the availability of the required USD115 million. The advice was that the money be payable only when the country has the money available to pay it.

Furthermore, since the agreement was signed in 2014, the Rand amount required from South Africa has increased from

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 206**

R1,6 billion to R2,2 billion. So even after hon Mashatile indicated it's R2,9 billion, the Rand has further depreciated.

That is an amount of R600 million, hon Nene. This initial figure is like to increase by January 2016 as the Rand will depreciate further and Mr President, Mr Number One - this is no laughing matter!

This payment is not a once-off cost, it is the first of seven capital payments, which in total will a minimum of USD2 billion. This excludes a possible callable amount of USD8 billion. That gives a total possible commitment to the country of USD10 billion. While the purpose of the bank is to mobilise resources for infrastructure and sustainable development, projects in Brics and other emerging economies and developing countries, there is no guarantee of funding by the bank to South Africa. The funding could be allocated to other founding countries or to other developing countries who approach the bank.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 207**

Furthermore, the funding is in the form of loans, guarantees, equity participation and other financial instruments. So, it doesn't make sense because you are putting money into a project and when you need the money you have to apply for a loan. We do not support the Bill. [Applause.]

The DEPUTY SPEAKER: Thank you. Hon Matiase.

Mr N S MATIASE: Deputy Speaker, the Bill is presented before Parliament today for the sole purpose to appropriate an additional amount of money to the tune of USD2,2 billion for the requirement of the National Treasury to pay the first capital instalment to the New Development Bank.

While efforts to discover and find alternative multi-lateral finance institutions and capital investment mechanism for historically underdeveloped and developing countries. We are however worried that South Africa under the ruling party, is failing to head the call from the Economic Freedom Fighters for the establishment of the State Owned Bank. We welcome the establishment of the Brics bank because it signals the beginning

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 208**

of a new international economic order. The banks provide the new paradigm shift from the monopoly of the World Bank and the IMF.

We, however, call on China, not to try to impose its own will and rules over other countries. It should not use the bank as a platform to advance its own national interests. We welcome the bank because it is a direct challenge to the global imperialist world order, led by the West and it is a direct response to failed anti-working class reforms of the IMF and the World Bank. Not that we don't understand the significance and the imperatives of the New Development Bank. The converse is true. However, we cannot trust the ANC with the responsibility over the taxpayers' money, USD2,2 billion is too much to be thrown away.

We cannot trust the ANC regime because it continues to loot and to reap Billions of Rands through maladministration, fraud and corruption. South Africa has, under the misrule of the ANC, lost R700 billion due to corruption over the last 20 years - according to the Institute of Internal Auditors. For us to take government seriously, it must take itself serious first!



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 209**

We say to the government, recover the R700 billion lost through corrupt practices, arrest and send to jail the responsible people, because you know them. For all of this and for the reason that the Economic Freedom Fighters stands here in welcoming the establishment of the bank, makes us not oblivious of the need to facilitate on alternative funding models to take the under developed countries forward in the need and the aspirations of the working class and the poor. And for all of these reasons and the fact that the ruling party cannot be trusted, the Economic Freedom Fighters reject this Bill.

The DEPUTY SPEAKER: Hon Nkomo.

Ms S J NKOMO: Thank you very much, Deputy Speaker. This Bill effects the first instalment in transfer of the sum of USD150 million from the National Revenue Fund to the New Brics Development Bank, and the IFP is actually saying to itself, let the people of South Africa be informed about this, because this money is actually coming once again from the taxpayers. With this transfer comes the hope of national or the nation for the support of national infrastructure projects by the New

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 210**

Development Bank, as well as the hope that this initiative fosters greater cooperation in partnership among the Brics member states.

The aim of being an alternative to the World Bank and the International Monetary Fund, although not a rival, it is hoped that it will complement the benefit developing countries would be able to provide additional loans, previously unobtainable in order to assist with the infrastructure project.

Such loans would carry the option of being financed in local currency, which will go a long way in reducing systematic risks associated with foreign exchange lending and unhedged borrowers. Once again, the IFP would like to appeal that we need to ensure that this formation of this New Bank does not hinder some of the smaller banks that we have and especially not compete with the ...[Inaudible.] ... way that they are closed down. Another distinct advantage would be an increase of stability as an international diversified bank. This should be far safer with a far lower probability of failure which would in turn benefit investor confidence and hence deposits. Again we are saying to

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 211**

most of the agreements that are signed, let them be signed so that all of this is actually verified in statements so that we do not lose. We actually gain out of the formation of this bank.

At national domestic level, care will be taken though that such a sudden and immense availability of financial products do not crowd out domestic banks. That is what I was talking about earlier. As the IFP we are worried about these domestic banks. We would like them to still be nurtured. We would like them to still be working in our country, not for the New Development Bank to take over and ensure that these banks get closed.

As the bank is a political initiative and founding members, therefore have the necessary structural political oversight of the institution, the Minister of Finance as a member of the Board of Governance must ensure that South Africa obtains its fair share of development finance. The IFP supports this Bill once again. Let's talk to the taxpayers. The money which will be used belong to the people of the country. Thank you.

The DEPUTY SPEAKER: Thank you. Hon Mncwabe.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 212**

Mr S C MNCWABE: Thank you, Deputy Speaker. The National Freedom Party supports this Bill. However, we have the following to express. The Bill tabled here today for approval from this august House to release approximately two billion as a first instalment of the paid-in capital towards the capitalization of the Brics-led New Development Bank for the current financial year, 2015/16, in accordance with the agreement.

The NDB was established with the purpose of mobilizing alternative sources of financing, strengthening the cooperation amongst Brics countries and complementing existing efforts by other development partners and the international financial institutions for global growth and development. This is a noble purpose which the NFP supports. We are however concerned about the affordability of the first instalment. Whereas the initial payment will be covered by the sale of State assets, we believe that this decision will put us on a slippery slope as future payments. As per the permanent scale during the articles of agreement, where increases substantially next year and then again, the year after that. Will we continue to sell State assets to meet our obligations? The NFP also find it difficult

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 213**

to approve a substantial payment towards the NDB when there is a huge need for poverty alleviation in our country, for which there is no funds.

The recent announcement of no increase in fees for students at Universities in 2015/16 will put additional strain on the fiscus and there can be no denial that money will have to be diverted from other worthy causes to fund the projected short fall in the fees for the next year.

More over the crippling drought affecting South Africa will no doubt place additional pressure on the fiscus to make money available for disaster relief and to protect our national food security. All of the above worthy causes could've been served and supported with the two billion which will now go into finance pool that will benefit other countries.

The NFP however asserts that despite our concerns about the affordability of the initial payment to the NDB, South Africa is bound by its agreement and has to honour its obligations. I thank you.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 214**

The DEPUTY SPEAKER: Hon Kwankwa.

Mr N L S KWANKWA: Thank you very much, Deputy Speaker, the UDM supports the New Development Bank Special Appropriation Bill. This is because we feel that it is important for development to take place in Africa and in the developing world. But, more importantly, this is a significant step towards reconfiguring the dynamics that shape the relationship between Africa and emerging economies as powerless in the world and to the mighty in the world.

It is also in our interests that we take initiatives that will take Africa and emerging countries out of the malaise of poverty and underdevelopment. We however wish to caution that while we have made an immense contribution and it is significant achievement that all countries will have the same voting powers, we should remain vigilant in our relationship with China. We have to be fully cognizant of the fact that the scramble for Africa has not gone away; it has just taken a different form.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 215

We should therefore guard against ushering in neo-colonialism via our relationship with China. The relationship of the New Development Bank and other development banks in Africa needs to be looked into and to be fine-tuned over the years, as their mandates might clash with problems. Mr Minister, what I don't understand, when we talk about infrastructure development in Africa for instance and people say that these resources should be transferred towards job creation. Are we saying that infrastructure development will create jobs in Africa?

The other issue, which is very critical, and that people tend to overlook, is that our success as a country is inextricably linked to that of the African continent. Now, what are we saying? Should we continue to, ...

*isiXhosa:*

...ukuphila kamnandi...

*English:*

... while the rest of the African continent and the emerging countries and the emerging communities are struggling? It's like

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 216**

uMike and the mechanics talks about, "we are beggars in Africa while living on a beach of gold." And when we take initiatives and try to address those problems, we say "hayi" instead of saying "ewe".

*isiXhosa:*

So siyayisupporta masibheke phambili. Amandla kuloo ndawo.

Thank you so much.

**WELCOMING OF RUSSIAN DELEGATION OF RUSSIAN FEDERATION**

The DEPUTY SPEAKER: Order! Hon members, before we proceed, I wish to acknowledge the presence in the gallery of a delegation of the Council of the Federation of the Federal Assembly of the Russian Federation. [Applause.]

The delegation is headed by the chairman of the Committee on the House Rules and Parliamentary Performance Management and the leader of the friendship group of the Council of the Federation of the Federal Assembly of the Russian Federation, with the



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 217**

National Council of Provinces of the Parliament of the Republic of South Africa, His Excellency Senator Vadim Albertovich Tulpanov. Welcome, hon members. [Applause.]

Hon Shope-Sithole. [Inaudible.] No, in what list? My list does not say that. [Interjections.] Look at that. Where is that ...

Ms S C N SHOPE-SITHOLE: Hon Deputy Speaker, hon Deputy President, hon Ministers, hon members of this august House, this is a good Bill. The ANC supports it, and I will elaborate on why we support it.

In the world there is IMF and the World Bank. These banks were formed many years ago. The world has moved on today. Other players must come in to assist development. But what is very special is that we will have equal say in this Bank. We will be respected as a people. Terms are not going to be dictated upon us, as in: Take this money; go and buy cool drink; don't buy tea; use it this way. This is a very good Bill.

*IsiZulu:*

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 218**

Le bhanki izosisebenzela.

*English:*

It will make us move forward. Our development finance institutions have been catered for in our NDP, so there is no question about it. We are safe. The commercial banks, I think they have enough responsibility. I am a chairperson of the Women's Economic Development Foundation. On my table there are more than 200 applications for loans by women which are not funded. So the commercial banks will be very busy. They will be kept very busy. They shouldn't worry.

What is important is that hon members, while we support this Bank, we should do what we are supposed to do: keep following up, checking, making sure that we don't thumb-suck, we actually speak from facts, that we hold the Minister of Finance accountable and that we get regular reports, because that is our responsibility. This is what we are supposed to do.

Other than that, in my heart, I am so happy that we have actually got into this agreement, and we must all support it. It

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 219

is in the best interests of South Africa and of Africa. I thank you. [Applause.]

The DEPUTY SPEAKER: Thank you, hon member. Hon Carter, I requested that members indicate when they want to speak. You didn't, Ma'am. You just rocked up and sat there.

Ms D CARTER: Deputy Speaker, ... [Inaudible.] ...

The DEPUTY SPEAKER: No, you notify the table in front of me, hon member. You don't just ... Otherwise, next time we will leave you sitting there.

Ms D CARTER: Deputy Speaker, this morning our national debt stood at R1,872 trillion according to the South African debt clock. Servicing that debt is now costing South Africa over R125 billion. The debt, as a percentage of GDP, is standing at 38,27%. That is R3 907 interest per second. That amounts to R37 000 debt per citizen based on a population of 50,5 million. But if we go to the 62% and we talk about the 11 million voters,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 220**

every member that voted for the ANC has a debt of R173 900 against their name.

Over the next two years a whole bunch of national debt comes due for payment. Thus far the government has merely rescheduled debt rather than meeting it. Thus, the debt mountain grows even higher. Meanwhile, this administration believes that it can pay for a bloated bureaucracy for one of the largest governments in the world for new increases for public office bearers, while dithering on adopting the NDP full board. Furthermore, it believes that it can commit to new undertakings costing millions of dollars even though Treasury is empty.

We are not opposed to the Development Bank, but we are asking: Where is the money going to come from? The idea of the New Development Bank in itself is a good one. COPE does not dispute that. The central question on the issue is: Will government be able to meet its annual instalments between now and 2021? And I don't believe it will be able to.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 221**

While the capital contribution will indeed have a callable in-component of 80%, South Africa will simply be adding to the mountain of debt by borrowing even more from the New Development Bank.

The South African government must live within its means. Under the Zuma administration this has not happened at all. COPE believes that borrowing from the New Development Bank will not promote infrastructure development and economic stimulation. Under the Zuma administration, consumption, side expenditure and tender manipulation have continued. Resources have vanished down the drain, and the more it can borrow the more it will spend! Tragically, the expenditure did not occur to achieve a countercyclical impact. The economy has remained in the trough.

Minister Nzimande and his SACP comrades in government are delighted to receive salaries that even capitalist countries will not contemplate. To the hon Shope-Sithole: It will move us forward, I agree, into a new black hole, an even bigger one!

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 222**

The Congress of People will not support this request for a special appropriation. It will simply serve to get South Africa into even more debt and we cannot allow that. I thank you. [Time expired.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon member. Your time is up. Hon Mcloughlin.

Mr A R MCLOUGHLIN: Hon House Chair, thank you. Yet another Special Appropriation Bill. We seem to get more and more of these. How many more will we see? This one asks us not only for a payment - which started off at R1,6 million by 4 January 2016, but has escalated - of R2,2 billion by that date.

However, in the Bill it speaks of an amount of R2,019 billion in the National Treasury Vote. But at today's rates that is R84 million shy of that first payment. Where is that money coming from, Minister? Can you enlighten us - R84 million in this current financial year?

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 223**

The second payment is due in January 2017 - USD250 million; at current rates: R3,56 billion. Then there are three more payments of USD300 million each, which at today's rates is R4,2 billion each. The last two payments are USD350 million each; at current rates: R4,9 billion. However, if we consider that the Rand is currently depreciating at a rate of approximately 15% per year, by 2021 that last payment will cost us R11 000 329 500. This is scary. This is a huge amount of money that we are putting at risk. And, remember, there has not been one item of public participation on this decision. Not once. Never!

I'm sure you will agree that this is a huge sum of money. But why are we doing this? We haven't really been told. Would you take all your available money and invest it in a bank at 5% interest so that you can go back to that same bank and borrow the money back at 15% interest? I don't think so. There is something we are not being told here.

For the government to do this, flies in the face of the decision in the Constitutional Court judgment of Affordable Medicines Trust in terms of which it was held that government's projects

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 224**

must be rational. This, hon members, is not a rational move. It's not a rational investment. It is unconstitutional. We've not been told what the thinking behind this decision is, and I doubt whether we will. I suspect that the Cabinet is secretly planning to try to borrow its way out of debt. That is also not going to happen.

What happens if we don't meet one of these instalments? Well, ladies and gentlemen, we lose our voting rights in this bank. And when we have lost those voting rights, the remaining members can do whatever they like. They can vote us right out of the picture, and they can vote our money into oblivion. It can happen, and it is a real possibility, because the chances of our meeting every one of these instalments are remote.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Your time has expired.

Mr A R MCLOUGHLIN: The DA does not support this Bill.

[Applause.]



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 225**

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza.

Mr N E GCWABAZA: Hon House Chairperson, the African National Congress supports the establishment by the Brics countries of the New Development Bank, whose purpose is to provide sources of financing the infrastructure, project, preparation and implementation. Not only in the Brics countries, but also in the rest of the developing world.

South Africa is already investing billions of Rands in the infrastructure plan to build social and economic infrastructure and to promote regional integration in line with the objectives of the National Development Plan.

Africa has been identified as the fastest growing region and key to unlocking the economic growth potential is an investment in its infrastructure. South Africa and the African continent seek to compete in the global trade markets and therefore the New Development Bank's focus on financing infrastructure projects comes at an opportune time as closing the infrastructure deficit is vital for the economic prosperity and sustainable

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 226**

development, not only of South Africa, but of the African continent as a whole.

The Industrial Policy Framework of the SADAC Region highlights the urgent need to accelerate regional economic integration and, in this regard, we wish to congratulate the Heads of States and government of the common market of the Eastern and Southern African (COMESA), the East African community (EAC) and the Southern African Development Community (SADEC) for launching in June 2015 the tripartite Free Trade Agreement.

*IsiZulu:*

Sithi ke njengeANC kusemqoka ukuthi sikusupporte ukubakhon kwale bank, kakhulukazi neregion yaseAfrika, ezokwakhiwa la eMzansi Afrika yalo leli bank, ezokwenza ukuthi kubelula kusheshe futhi ukuthuthukisa ingqalasizinda enhlobo ezahlukene, kakhulukazi itransport, amandla i-energy and electricity in particular kanye nezokuxhumana, ukusho nje ezimbalwa, ngesizathu sokuthi lokhu kuzosiza ukuthi i-Africa yonkana kanye namanye amazwe asathuthuka akwazi ukuthuthukisa umnotho, sakhe imisebenzi entuleka kakhulu hayi kuphela iSouth Africa kodwa kwizwekazi

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 227**

lonke laseSouth Africa. Bese siqinisekisa ukuthi umnotho usabalala kubo bonke abantu baseSouth Africa African, kakhulukazi labo akade bencishiwe amathuba omnotho lapha eNingizimu Afrika ngesizathu sesimo sokuphathwa uhulumeni wobandlululo esikhathini esiphambili kanye nalabo ke abafika kuleli zwe bazofuna ukuthatha konke okuthintene nomnotho, amacolonialists.sithi ke i-African National Congress siyakuphakamisa ukuthi leli bhange lentuthuko linikezwe imali engango 2,09 billion rand eyisigaba sokuqala. Im sorry 2,09 billion dollars eyisigaba sokuqala, eyisigaba sokuqala sokuba singene kuleli bhange njengeSouth Africa. Sikusho futhi singananazi ukuthi uhlelo lukahulumeni ka-ANC lokuthi sikwazi ukukhokha kuyo yonke leminyaka ukusuka manje kuyoshaya iminyaka ewu7 to 2023, sizokwazi ukukwenza lokho. I-DA ke as usual, as usual.

An HON MEMBER: We're brilliant! We're brilliant!

Mr N E GCWABAZA: Ja, there is nothing brilliant about doubting that South Africa is capable of funding its contribution to the New Development Bank. [Interjections.] There is nothing

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 228

brilliant in the DA about you objecting to us, to South Africa making the contribution and joining the New Development Bank simply because you want South Africa, Africa and the rest of the developing world to remain subjects of the World Bank and the IMF [Interjections.] There is nothing brilliant about that [Interjections.] [Applause.]

There is nothing brilliant about you wanting South Africa and Africa's infrastructure to continue to serve the interests of the developed Western countries - of the developed colonialists! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, members.

Mr N E GCWABAZA: There is nothing brilliant about that!

[Interjections.]

*IsiZulu:*

Kubafowethu noodadewethu be-EFF, niyasixaka nje ngoba niphikisa yonk'into emayelana nokufaka imali, engabe isemnyangweni

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 229

kahulumeni ophezulu nenational government namaprovincial  
legislatures nelocal government ... [Interjections.]

... whose aim is to give service delivery to all our people ...

Mr M M DLAMINI: Point of order, hon Chair ...

Mr N E GCWABAZA: Now! Just now ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza ...

Mr M M DLAMINI: On a point of order, Chair. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon Gcwabaza,  
please take your seat. Hon Dlamini.

*IsiZulu:*

Mr M M DLAMINI: Ja. Hlala phansi. sihlalo, ....

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, what's your  
point of order? [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 230

*IsiZulu:*

Mnu M M DLAMINI: Into esingayifuni ukuntshontsha la kwiANC. Ukuthi nawe nje. Maninayeka ukuntshontsha singaright. Yekani ukuntshontsha imali kahulumeni.

*English:*

That's all, thank you. [Interjections.]

Mr N E GCWABAZA: Just now you have rejected the New Development Bank. You have rejected the New Development Bank and South Africa's participation therein, implying that you have no interest in developing the economy of this country; no interest in developing the economy of the African continent; no interest in developing the economies of the rest of the developing world [Interjections.] So the question must be asked Whose interests are you speaking for?! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza.

[Interjections.]

Mr N E GCWABAZA: The question must be asked!

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 231

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza ...

*IsiZulu:*

Mnu N E GCWABAZA: Nikhulumela bani?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza! Na, please sit! [Interjections.] Hon Paulsen.

Mr N M PAULSEN: Chairperson [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): What's your point of order?

Mr N M PAULSEN: The speaker must not come here with a debate ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Paulsen ...

Mr N M PAULSEN: He must speak from his speech. We don't want to develop the country in the way ...

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 232

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, what's your point?

Mr N M PAULSEN: ... he wants to develop. But he mustn't come and be misleading and say we are not ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, that's not a point of order [Interjections.]

Mr N M PAULSEN: ... he is misleading and saying we are not interested in developing this country!

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Paulsen [Interjections.] That's not a point of order ...

Mr N M PAULSEN: No! He must withdraw that! Who says we are not interested in developing this country?!

The HOUSE CHAIRPERSON (Ms M G Boroto): No! Please sit. Please take your seat. [Interjections.]



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 233

Mr N M PAULSEN: Rule 89, he must not mislead this country here!

The HOUSE CHAIRPERSON (Ms M G Boroto): Please hon member. Hon Paulsen ...

Mr N M PAULSEN: He is misleading!

The HOUSE CHAIRPERSON (Ms M G Boroto): I am going to switch off your mic because you are not raising a point of order ...

Mr N M PAULSEN: You are such a bully! You can't switch off a mic if you don't like what I'm saying! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue hon Gcwabaza.

*IsiZulu:*

Mnu N E GCWABAZA: Mhlonishwa Kwankwa akuyona *ibank yeChina le*.

*English:*

It's a New Development Bank that belongs to ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 234**

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, hon Gcwabaza, now your time has expired. [Interjections.]

Mr N E GCWABAZA: The ANC supports the Bill. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Minister of Finance, hon Nene, conclude the debate.

The MINISTER OF FINANCE: Thank you, House Chairperson and thank you to the members that have supported the tabling of this Special Appropriations Bill. And also the points that have been raised by other members and even those that seek clarities, indeed their participation is welcomed. The Sixth Brics Summit which was held in Fortaleza in Brazil, marked the signing of the agreement which established the New Development Bank.

The legislatures of all the Brics countries have now ratified as it came into force on the 3<sup>rd</sup> of July. The Bank's aim, if I were to repeat, is to mobilise resources for infrastructure and sustainable developmental projects in the Brics and other emerging economies and developing countries, complementing the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 235**

existing efforts of multi-lateral and regional financial institutions for global growth and development.

We've dealt with the numbers and it is this special appropriation that we deal with today and the members are asking questions in relation to why a Special Appropriation? A Special Appropriation is because ideally the request for capital contribution for the first instalment should've been made during last year's budget process. However, ratification of the agreement as well as its approval had not been concluded, with the result that the agreement had no legal standing to form part of the budget process. I said it was approved on the 3<sup>rd</sup> of July.

So it is for that reason that this - and the first instalment needs to come in in January, which will be before next year's budget. Therefore, it is important to honour the first payment on time for the operationalization of the NDB as South Africa's inability to advance the funds would likely have negative implications for the country, but we would have delayed also the operationalization of the Bank, without the necessary funds. So failure could've been considered a breach of international

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 236**

agreement as South Africa has committed to contributing towards the agreed capital subscription amount.

Hon Figg wants to know where the rest of the money is going to come from. We have again a process - this has already been factored into the coming medium term expenditure framework that will serve before this Parliament for further approvals.

So, as we all welcome this, I think we must also take into account that this also comes with other two pillars. The NDB comes with the establishment of the African Regional Centre, which will provide the primary operational interface between the New Development Bank and the continent, striving to maximize the efficiency, effectiveness and the impact of the Bank's operations in the region and the continent.

Additionally, it will be responsible for creating and maintaining the NDB's relationship with African states and regional bodies and also it will host project preparation capacity to bring projects that the Bank is interested in funding, to a bankable stage.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 237**

I think this is a ground breaking milestone which we should all support as most members have said, and if hon members would take into account that for the past decades, we have been members of the other multi-national institutions like the IMF and the World Bank, and that has not been questioned in this House and as we now get into a situation where we are in an equal partnership with the other Brics countries, it is being questioned. Whilst we were trying to reform the IMF and the World Bank we struggled because we were not founding members of that establishment and here, we have an opportunity of being able to do that.

As we speak, the Board of Directors is meeting, and decisions are being taken and we have already submitted projects that will be coming in South Africa's way. So there is no fear of whether this will be dominated by one country or another but also whether the funding will go to other countries, with South Africa not benefitting.

The other pillar will be the conditional reserved arrangement, which with countries that experience balance of payment pressures, when they have insufficient foreign reserves, this

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 238**

contingent reserved arrangement will come in very handy. So we indeed would like to say to members, this is part of a package that as South Africa, we have taken a decision to be players in the global village, not just players but equal players with all the others and in order to do that we must put our money where our mouth is, and this is precisely what we are doing today.

Of course, South Africans are now aware that these funds come from the sale of the Vodacom shares, which is public knowledge and I find it very strange that members of Parliament would come here and say that we have not been transparent with the sale of Vodacom shares. And if the Committee calls us to come and explain the nature of that transaction, we are quite available to do that and the hon member must do that through the appropriate structures and we will be quite happy to do that.

I hear COPE is very obsessed with the issue of the level of debt. Indeed, we are concerned with the level of our debt, but that would not stop us from making sound investments like this one. And when you talk national debt, the amount you are putting up here without taking into account that we also have grown our

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 239**

GDP over the years to close to R4 trillion as we speak, so it's just a R1,8 trillion. R1,8 trillion. But she says nothing about how our Gross Domestic Product has grown over the years. And what we have said when we tabled our NDPPS was that our debt will stabilize still below 50%, which is within the acceptable limits and at the end of the day what matters is where resources are spent, not that you cannot run a debt.

So I want to assure South Africans, I want to assure this House that this is one of the most important milestones that as a country we've embarked upon and as we move towards the beginning of the year, most of the projects will actually be funded during the first half of 2016. And if we don't expedite this process, we will be delaying that important process of our infrastructure funding taking effect. Thank you very much, hon Chair.

[Applause.]

Debate concluded.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much hon Minister. Hon members, are there any objections to the Bill

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 240

being read the first time? [Interjections.] In light of the objections, I put the question: Those in favour will say "Aye".

Hon MEMBERS: Aye!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against will say "No".

Hon MEMBERS: No!

The HOUSE CHAIRPERSON (Ms M G Boroto): I think the "Aye's" have it.

Mr M WATERS: Hon Chairperson, the DA calls for a division. Thank you.

Division called.

The HOUSE CHAIRPERSON (Ms M G Boroto): A division having being called you will be given five minutes. The bells will be rung for five minutes.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 241**

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, please take your seats. I would like to remind hon members that they may only vote from their allocated seats. When requested to do so, members must simply indicate their vote by pressing the appropriate button below the "Yes", "No" or "Abstain" signs. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote, when the voting session is closed by the Chair.

Order, hon members. The question before the House is that the New Development Bank Special Appropriation Bill be read the first time. Are all members allocated in their seats?

Hon MEMBERS: Yes.

The HOUSE CHAIRPERSON (Ms M G Boroto): The voting will now commence. Those in favour of the Bill being read the first time, should press the "Yes" button.

Hon MEMBERS: Yes!

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 242**

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against should press the "No" button. Those wishing to abstain, should press the "Abstain" button. Have all members voted? [Interjections.] The voting session is now closed. Thank you. The results are in.

Abstentions:	0
No:	78
Yes:	216

[Applause.] The question is accordingly agreed to and the secretary will read the Bill the first time.

The SECRETARY: New Development Bank Special Appropriation Bill.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. I will now ask the Secretary to read the Eleventh Order.

**NEW DEVELOPMENT BANK SPECIAL APPROPRIATION BILL**

(Second Reading Debate)

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 243

The HOUSE CHAIRPERSON (Ms M G Boroto): As there are no speaker's list are there any objection to the Bill being read a second time? [Interjections.] In light of the objection I put the question: Those in favour will say "Aye".

Hon MEMBERS: Aye.

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against will say "No".

Hon MEMBERS: No.

The HOUSE CHAIRPERSON (Ms M G Boroto): I think the "Aye's" have it.

Mr M WATERS: Chair, please note the objection of the DA. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): The objection of the DA will be noted. Hon Matiase?

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 244**

Mr N S MATIASE: Please note the objection of the Economic Freedom Fighters.

The HOUSE CHAIRPERSON (Ms M G Boroto): The objection of the Economic Freedom Fighters will be noted.

Ms D CARTER: And the Congress of the People.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon Carter. COPE's objection will also be noted. The Secretary will read the Bill a second time.

The SECRETARY: New Development Bank, Special Appropriation Bill.

There was no debate.

Bill read a second time (Democratic Alliance, Economic Freedom Fighters and Congress of the People dissenting).

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. The Bill will be sent to the National Council of Provinces for

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 245**

concurrence. [Applause.] The Secretary will now read the last order of the Day.

**CONSIDERATION OF REPORT OF JOINT AD HOC COMMITTEE ON PROBING  
VIOLENCE AGAINST FOREIGN NATIONALS**

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon members! Have you heard what the Order is?

Hon MEMBERS: Yes!

The HOUSE CHAIRPERSON (Ms M G Boroto): Please listen. Let's be quiet. I'm sorry Secretary, please read it again.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. I will now invite hon Bhengu to open the debate. [Interjections.]  
[Applause.]

Ms N R BHENGU: Hon Chairperson, hon members, ladies and gentlemen ...

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 246**

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, the noise levels are high. Please!

Ms N R BHENGU: ... the ad hoc joint committee, which was established by this august House to probe violent attacks against foreign nationals, has concluded that task. When one is tasked with probing a problem that requires a holistic intervention, one needs to look not only at the problem but also at the root causes of the problem, the results of the problem, the indicators of the problem as well as the consequences or failure to address mainly the root causes of the problem. The benefit of this approach in problem-solving is that it gives a broader understanding of what actually needs to be addressed and by whom. It also helps in choosing whether to address the root causes of the problem or the results of the problem.

The Ad Hoc Joint Committee on Probing Violent Attacks Against Foreign Nationals chose to use this approach and present to Parliament a report that will enable Parliament to come up with a holistic intervention that addresses the root causes of the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 247**

problem rather than the results of the problem. What we found as the root causes of the problem are the following:

- High levels of poverty and unemployment, both in South Africa and in the countries of origin of foreign nationals, resulting in foreign nationals leaving their countries and coming to South Africa to seek a better life.
- Political instability in other parts of the world. This results in those who are affected leaving their countries of origin and coming to South Africa to avoid persecution and, in some cases, imprisonment.
- Some of these people are members of political parties or security forces who served former governments in their countries of origin.
- Some foreign nationals are in the country legally for economic opportunities which contribute positively to the economy. Others are professionals with valid documents and work permits.
- There are also illegal and undocumented migrants. This makes the situation difficult particularly at municipal

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 248**

level in terms of budgeting and in providing these people with the required services.

- There is also the movement of people from one province to another and from underdeveloped areas to developed areas in search of employment opportunities. This strains service provision at local government level.

The easiest entry point at community level in terms of accommodation are townships, informal settlements, the rural areas, abandoned buildings in cities and towns, hostels, densely populated streets where big businesses have moved out and so on. Business- and employment-opportunity entry points are at spaza shops, hair salons, tuck shops and taverns; taxi drivers, car guards, waiters in restaurants and hotels, shop assistants and security guards; and in domestic work, gardening and plumbing, as car mechanics, panel beating, etc.

This situation results in high and sometimes unfair competition for scarce resources between foreign nationals and South Africans, as well as the exploitation of foreign nationals by



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 249**

employers who pay them exploitative wages and subject them to poor employment conditions.

Hon members, the ad hoc committee visited KwaZulu-Natal, Gauteng and the Western Cape. We invited and held meetings with offices of the premiers, municipalities, NGOs, the SA Police Service, the House of Traditional Leaders in KwaZulu-Natal, izinduna in hostels, civil society structures, labour unions, Lawyers for Human Rights, organised structures representing foreign nationals, chambers of commerce and business.

We also called for and received written submissions from a number of organizations and interest groups. We took all submissions into consideration, especially those that identified problems and many that recommended possible solutions. Most of the submissions made, either verbally or in writing, identified socio-economic and political instability as the actual problem that affects South Africa and other countries of origin.

In KwaZulu-Natal it was reported by all those who made presentations, including the SAPS, that the violence was

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 250**

triggered by industrial action at a KwaJeena store in Isipingo where the employer replaced workers who were on strike with foreign nationals. This matter was taken to the CCMA and the workers have since won that case. The problem here is the exploitation of both South African workers and foreign nationals by employers. The difference is that South African workers are unionized and are able to fight for their rights, whereas foreign nationals are not unionized, and some are in the country illegally and are therefore vulnerable.

Employers, driven by profit greed, see foreign nationals as cheap labour who accepts slave wages and poor working conditions. The employers are actually commercializing the misery of foreign nationals in this country. To the ANC, this is a reversal of the political gains made by the workers of this country who fought side by side with the ANC against the exploitation of workers by employers.

Crime was also identified as a trigger of violence where criminals from South African communities who, in some cases, are also drug addicts, target shops owned by foreign nationals and

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 251**

steal goods from them. The shop owners who are illegal immigrants in some cases react by shooting with illegal firearms those who steal from their shops, instead of reporting cases to the police. When a South African is shot and killed, the community revolts and loots the shops of the foreign nationals.

Hon members, the long-term solution to this complex situation requires a collective effort by all governments to address poor socio-economic conditions and political instability in their countries. All citizens should be free to live in their countries of origin and should only go to other countries out of choice. No one should leave his place of birth because of poverty, unemployment and political instability.

The ANC therefore calls on this Parliament to engage with other parliaments on matters of poverty, unemployment and political instability. Parliament should ensure that the recommendations of this report are implemented. Parliament should also monitor the implementation of the government plan that hon Minister Radebe will present here today. On behalf of the ANC, I call

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 252**

upon this august House to adopt this report. I thank you.

[Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Hon Chance.

Mr R W T CHANCE: Chairperson, hon members, this report is a curate's egg - good in parts, but in most places, it actually leaves a lot to be desired. The committee was unanimous in attributing the main cause of the violence to socio-economic factors and to wanton criminality, but it failed to attribute much of the violent incidents to xenophobic prejudice.

It is a fact that competition for scarce resources in our townships, cities and rural areas is intense. Jobs are hard to come by and immigrants invariably are more willing to accept lower wages and longer working hours than locals. The foreign-run or -owned spaza shops targeted by criminals, meanwhile, were victims of their own success. They are successful because of their smart business practices. They tap into sophisticated supply-and-distribution networks using bulk-buying to force down prices, shutting down local spaza shop owners.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 253

The committee found that illegal practices are widespread, but these are allowed, even encouraged, by corrupt officials who turn a blind eye in return for a stuffed brown envelope.

Resentment, envy and pent-up anger led to the foreign-owned spaza shops being targeted.

Jonny Steinberg, in his book *A Man of Good Hope*, gives a succinct account of the motivations driving these immigrant shopkeepers even in the face of sometimes horrific prejudice and violence. I quote:

"They come neither with weapons nor with the protection of citizenship. There may be a police force, but it does not bother to answer their calls. Nor do they come with pretences or with artful stories. They do not want to make friends. They do not want to make South Africa their home. They want to make money. And that is what they do. Night and day. Without rest."

Some South Africans spaza shopkeepers believe that before the immigrants arrived in their neighbourhoods, and the malls began

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 254**

mushrooming, they had no competition. This ignores the fact that they were competing with themselves. Such existence, protected from outside competition but alienated from the mainstream economy, is the pernicious legacy of apartheid. They have been slow to respond but are showing signs of adapting their business practices to better compete with the immigrants and malls.

Hon members, on Friday I got a call from an enterprising young woman, Kgaugelo Lebipi, who is training 400 spaza shop owners in Tshwane townships on how to compete more effectively. This is what is needed, not the forced ejection of immigrants or the imposition of anticompetitive regulations to keep them out. Our focus should be on expanding economic opportunity through small business growth and learning from each other about how to be successful.

A level playing field for all, compliance with local bylaws and the policing of illicit and counterfeit goods are essential. After that, the market and fair competition will determine the winners from the losers.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 255**

Within the committee, there were many disagreements over terminology. A majority, for a time, preferred the term "non-nationals" instead of "foreign nationals". This reveals an exclusionary mentality which denies a person's right to an identity. It does not recognize immigrants' legitimate reality of being from another country. Some may be illegal, but they are here and have rights. This denial of identity, creating so-called non-persons, goes to the heart of the discussion around the presence or absence of xenophobia in our society. What is a "non-national", after all?

Unless we face up to the fact that xenophobia exists in South Africa, we can never root it out. This is why defining xenophobia as a hate crime is so important, and I commend the Department of Justice for crafting legislation which takes us in this direction.

Here the committee missed an opportunity. In its penultimate sitting, my colleague the hon Motau and I strongly urged the committee to retain the recommendation on hate crimes. But, no. The ANC majority decided to remove it. This is an insult to the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 256**

organizations that took the trouble to make submissions, including Sonke Gender Justice, the Southern African Litigation Centre and the Consortium for Refugees and Migrants in South Africa, Cormsa.

More importantly, it is an insult to the victims of the hate crimes themselves. As Cormsa pointed out in its written submission, and I quote:

“The absence of such legislation makes it very difficult to find statistics on hate crimes, such as xenophobic violence, as incidents are recorded as murder, looting, assault, etc, but without reference to the motivation – why certain individuals are targeted.”

We are left with a report which refuses to recognize xenophobia as a crime. If it's not a crime, it doesn't exist, right? Wrong! The DA will pursue all matters in this Parliament to ensure that hate crimes include that of xenophobia.



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 257**

The government has admitted that South Africa is now home to between 5 and 6 million immigrants, of which 50% are here illegally. The wave of immigration has steepened since 2008. Through its own failure to control its borders, government has compounded the problem, placing even more pressure on host communities. Had government implemented the recommendations of Parliament's 2008 report, the pressure would have been mitigated.

Hon members, South Africa is bearing the brunt of mass immigration from distressed regions of the world, particularly Africa. Most asylum-seekers and economic migrants come here genuinely seeking a better life of freedom, fairness and opportunity. We must liberalize our immigration policies, making it easier for highly skilled migrants to get in without having to resort to the asylum-seeker process, while shutting the door on millions of low-skilled migrants who will put further pressure on our limited resources.

Government must not repeat the mistake it made in 2008 and shelve this latest report. Parliament must ensure its

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 258**

recommendations are taken seriously and acted upon. South Africa deserves nothing less. Thank you. [Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Hon Hlophe.

Ms H O HLOPHE: Thank you. Hon Chair, the EFF rejects the report of the Joint Ad Hoc Committee on Probing Violence Against Foreign Nationals because it does not provide any solutions. We have said in the past that it is the ANC government that has shown our people that when we have differences, or we do not share the same values, it is acceptable to use violence. What compounds the scourge of violence is the fact that the ANC continues to perpetuate artificial borders that were created by the colonial and apartheid government and the ANC sees nothing wrong with these borders.

Informal settlements, where the majority of these attacks on foreigner nationals take place, are overcrowded and underdeveloped. The rate of crime is too high, and no one cares, especially not the ANC.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 259**

Millions of South Africans are kept in these informal settlements which, effectively, are serving as labour concentration camps - marginalised, oppressed and forced to fight for very limited resources. What does not help the situation is when people like Mr Jacob Zuma's son, Edward Zuma, go around uttering xenophobic statements because he is living the high life. Inclusivity and national unity cannot be achieved at a social cohesion level while the material conditions of the majority of South Africans and foreign nationals continue to be that of a burdened society.

What is alarming about the recommendations of this report, despite overwhelming well-thought-out inputs from various stakeholders, is that the recommendations of the report offer no new thought-out solutions or concrete proposals. If the report is adopted in its current form, it will be a big let-down for South Africans and Africans on the continent, unless there is a radical shift in the structure of the economy and sharing of the country's natural wealth, as is said in the Freedom Charter - if the ANC still cares.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 260**

The EFF will not support the adoption of this report because the report is very shallow. It does not provide tangible solutions. It does not introduce radical economic changes. Instead, it introduces the Police Service to people. They deport Africans in Africa. They set up Operation Fiela to harass Africans who are in South Africa. The hon chair of this ad hoc committee spoke about what happened at the KwaJeena store, but she forgot to tell this Parliament exactly what happened on top of that, as there was a dispute between the workers and the owner of the KwaJeena store, the SA National Civil Organisation, Sanco, which is in alliance with the ANC. When Sanco went there they pretended that they were intervening when they were actually collecting bribes from our own people.

I'm not surprised that last week the president of Sanco was escorted off the premises of a meeting by the police here in the Western Cape, because Sanco is in alliance with the ANC which is very corrupt. We don't support this report. [Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Hon Mncwango.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 261**

Mr M A MNCWANGO: Hon Chairperson, the mandate of this joint committee was to look into the current incidents of violence being perpetrated against foreign nationals, and to make recommendations where possible.

Oversight visits were conducted to various incident hot spots and a round-table discussion was even held in conjunction with the Southern African Development Community, SADC, in Durban, and in other areas of KwaZulu-Natal, Gauteng and the Western Cape. All interest groups had an opportunity to meet with the members of the committee. Discussions were also held with provincial representatives of the House of Traditional Leaders. The committee was pleased to learn that no incidents of violence against foreign nationals were reported in rural areas that were under the control of traditional leadership.

All incidents of violence against foreign nationals that occurred during the earlier part of 2015 were thoroughly investigated, their causes determined, and solutions placed on the table to prevent such outbreaks from occurring in the future. Broad consensus was reached that in order to quell acts

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 262**

of this kind of violence going forward, the socio-economic challenges underlying the violence would have to be addressed.

These include, one, the prioritization of economic growth and employment; two, the revitalization of our township and rural economies; three, the licensing of informal business operations; and, four, greater co-operation with traditional leaders in rural areas.

At the same time, programmes must be developed and rolled out in collaboration with civic organizations that address the general paradigm and mindset that we note being cultivated in some areas of our society that are intolerant of foreign nationals.

Likewise, our criminal justice system and Police Service must be equipped to deal quickly and effectively with outbreaks of violence against foreigners. In this regard, special emphasis, training and logistical capacity must be given to our public-order policing officials.

Madam Chairperson, it is important to note that none of the people or organisations that we met ever mentioned the king of

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 263**

the Zulu people as being the cause of the violence against foreign nationals. This therefore lays to rest the bigotry by some people in the media and in other organisations who diligently tried in vain to peddle this filthy lie. I thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Hon Khubisa.

Prof N M KHUBISA: House Chairperson, thank you very much. The National Freedom Party unequivocally condemns any form of violence against foreign nationals. Such attacks on the persons, property, dignity and freedom - rights enshrined in our Constitution - are contrary to ubuntu, our guiding indigenous philosophy which places great emphasis on our shared and interdependent humanity. The violence against foreign nationals this year began as isolated, sporadic incidents, but these quickly flared up and threatened to engulf our country in a spiral of violence and plunder which spread all over the country.

It is stated in the report that the main causes of the violent attacks were attributable to criminal actions that started with

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 264**

the stealing of goods from foreign-owned spaza shops by South African criminals who were also drug addicts. Spaza shop owners would react by shooting at those who stole from their spaza shops using unregistered firearms, rather than reporting these incidents to the police. When this happened, and someone was killed, local communities retaliated by looting the spaza shops owned by the foreign nationals, rather than reporting the matter to the police.

This simplified explanation points to a country that is in the grip of lawlessness and a country where the citizens have lost trust and faith in the police. In addition to the lawlessness which is prevalent in our country, we also need to consider the lack of adequate immigration control and documentation of foreign nationals as contributory factors in facilitating violence against foreign nationals. Our borders are also very porous, and the Department of Home Affairs must do something about them. Such an influx of people brings with it very real socio-economic complications. Government, for example, is unable to make adequate provision for additional socio-economic



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 265

services, which dilutes the benefits of these services to our people.

There is also a fight and scramble for jobs and economic space. Many black South Africans also feel that their space is shrinking because they are poor and unemployed, with space being usurped by foreign nationals. Indeed, much of the conclusion of the report focuses on the resentment South Africans have towards migrants due to their own economic and social struggles. The National Freedom Party believes that this is indeed at the heart of the xenophobic violence in South Africa.

Having said that, hon Chairperson ...

*IsiZulu:*

Siyaqonda kakhulu ukuthi bakhona abokuhamba abaqhamuka emazweni aseAfrika nangaphandle abanawo amakhono [skills] izwe eliwadingayo kodwa abaningi bangaphakathi ezweni lakithi uthole ukuthi ababhalisiwe. Lokhu kudala izinkinga ezinkulu. Esikushoyo ukuthi umuntu ongena lana kufanele abenayo incwadi [document] bangatholakali bewuvanzi kodwa bengenawo amaphepha

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 266**

[documents] okuthi basemthethweni njengoba bengaphakathi ezweni. Okunye okubalulekile ukuthi kulobu buphofu obukhona ezweni lethu obukhula usuku nosuku zonke lezi zizinto abantu abakhuluma ngazo okubaluliwe nawumbiko [report] kodwa okucacile ilokhu ukuthi ngempelo inkulumo yeSilo yahlanekezelwa. Akukho lapho kuvela khona kulombiko [report] ukuthi iSilo siwuphakimpi, saphakimpi eNingizimu Afrika. Abezindaba kuyofuneka bahoxise. Siyabonga kakhulu. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Kwankwa.

Mr N L S KWANKWA: Thank you. Thank you, House Chair, the United Democratic Movement supports this report. During the incident there were three very dominant narratives that played themselves out in the media and in our public discourse.

The first one was the issue of the business community using illegal immigrants as scab labour in the place of our people who were striking. I think the arrogant attitude which still dominates today is that black people in particular are inherently lazy. I think people continue to say that all the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 267**

time, even though evidence points to the opposite. It is not true. Because the business community ... Even if you look at what eThekweni municipality told the committee and compare it to the input of the department of commerce, the business community: What they said was that they focused mainly on issues of productivity, once more implying that South Africans were lazy, the narrative being that illegal immigrants were productive, rather than saying or admitting that they were exploiting them.

The second issue was obviously the one where we are saying ... You know, the lives of South Africans are not important. The three South Africans who lost their lives during the xenophobic violence form part of a footnote in South Africa's history. No one focused or spoke about them. It was as if they did not matter at all because they were South Africans and yet we have the responsibility of informing South Africans.

If four foreign nationals died during the xenophobic violence, that's very sad, that's very tragic, but so too are the deaths of the other two South Africans. Especially when you consider the fact that those who died - especially the two - were caught

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 268**

by stray bullets, and stray bullets that were coming out of guns that were unregistered and illegal, and guns that were in the hands of illegal migrants. Now that is an issue that we must talk about if we want to try to solve these issues honestly.

The other issue is that migration - whether legal or illegal - especially in Africa, cannot be located outside the context of what is happening in Africa. It means that we need a solution that is going to solve what's happening on the continent rather than saying people mustn't come here. At the same time, as we acknowledge there are problems, in trying to solve these problems we must also take steps domestically that are going to protect citizens, that are going to affirm citizens and that are going to allow them to have known economic opportunities so that there are no tensions.

The other issue, obviously, is one of integration. Why must it only just be the responsibility of South Africans to be welcoming to visitors? Obviously, when you are a visitor you take steps to try to integrate yourself in your community. We must take steps ... foreign nationals, even if they are in South

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 269**

Africa on business, must actually be part of an integration process. They can't allow or create a situation in which they alienate themselves from communities. That actually makes it easy for people to victimise them. Thank you so much, Chair.  
[Time expired.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time has expired. Thank you. Hon Ramatlakane.

Mr L RAMATLAKANE: Thank you. Hon Chairperson, Deputy President, Ministers and hon members, let me just say two things. In the first instance, the mandate of the joint committee was not to probe hate crimes. We did say this in the committee. We thought we explained this to our colleagues from the DA, but they seemed not to understand. They missed the mandate of the committee - what the mandate was. [Interjections.]

Secondly, regarding the issue about the xenophobic attack [Interjections.] that the hon member from the National Freedom Party spoke about, that too was just shorthand or a sound bite [Interjections.] because that was not found in the work of the

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 270**

committee. So I rise, as a member of this committee too, to say that as the ANC [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon member.

Mr L RAMATLAKANE: ... we support this recommendation of the ad hoc committee. I want to isolate just three stakeholders that made presentations to confirm the causes.

The SA Police Service found that the root cause had nothing to do with hate, but was as a result of unemployment and socio-economic conditions. They went further to say that when you came to the issue of business interaction or competition around the issue of the spaza shops, the spaza shops or those foreign-owned spaza shops seemed to undercut prices, therefore closing down the South African spaza shops.

The second stakeholder was the African Diaspora Forum. They spoke about their experience and their experience regarding the attacks that took place. Their gripe was the time they spent, month to month, renewing their permits. The most important issue

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 271**

that they raised was the fact that they were here because they had run away from their countries of origin, and South Africa provided a space for them politically. They thanked the Members of Parliament who went to speak to them, because in their countries of origin there was no space for political discussion, which was why they were in South Africa.

The third stakeholder was the Rwandan group called the "Rights and Equality of Rwandans". They too spoke at length about their experience. In fact, they said that there was no issue for them regarding xenophobic attacks, that that issue for them did not even arise, and that the issue was about competition. Thirdly, what they said - speaking on behalf of Rwandans, Burundians and people from the DRC - was that the fact that they were here was because a space had closed for them to express their views. In fact, they made the point strongly that South Africa continue its peacekeeping interventions, including engaging countries of origin so that situations could change so that they could go back home.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 272**

I am isolating these three to make the point that the issue of crime and the statement about xenophobia were never part of the equation, because the people were talking about the reality on the ground.

Amongst the findings of the committee - I am not going to deal with all of them - was that there was a rapid co-ordinated response in assisting those affected by the violence that broke out in 2015 around security, shelter, transport, marches, community meetings, integration, repatriation, among other things, which were organised and coordinated by the government. The committee found that the work that was done by the IMC on migration that immediate intervention in the medium to long term coordinating all the departments and NGOs was, in fact, implemented and had taken place.

In terms of the foreign nationals that were affected by the violence that took place in 2015, the committee found that when they were affected by high levels of poverty, unemployment and political instability, they left their countries of origin to come to South Africa to seek employment, establish small



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 273**

businesses and to seek refuge particularly in the townships and rural areas.

The committee found that the South Africans, affected by high levels of unemployment and poverty, also established themselves in small businesses such as spaza shops, tuck shops and salons and displaced - and were in competition with - through the undercutting of prices ... closed their businesses.

The committee found that during the violence that took place, the seven people that were killed, as has been indicated, were not just foreign nationals; three were South African. Sparking off the problem were criminal acts: looting of shops and foreign nationals pulling out illegal firearms, shooting and hitting a person who was walking past. This resulted in the locals and community retaliating to the shooting that had taken place. The committee also found that there was the issue of exploitation - cheap labour - in that big businesses preferred to hire or employ those that were not of South African origin, because they were avoiding the trade unions and were paying these people starvation or exploitation salaries.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 274**

Around the recommendations, there are two I want to refer to. I am not going to speak to all of them. The first one that the committee said, was the actual problem was that the socio-economic challenges were the major issues that needed to be attended to; and that, together, addressing that issue, not only as a South African problem, but also as a region was going to address the challenges that we have.

The second recommendation is that the institution, as set up by the government, the IMC, on migration - that the continued operation of it was going to be able to stabilise as a recommendation and that Operation Fiela and all others were going to be supported in making sure that they root out the criminal elements; that the continued South African tasks and jobs in the peacekeeping initiative were, in fact, recommended to continue; that the more Receiver of Revenue, the issue of counterfeit goods, border control, effective managing that is going to be the important. That has to happen. The scanner, the cargo, that come through our borders was going to be critical; that the issue about the report from the IMC report, that the Minister was going to speak about it, it being referred to

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 275**

various committees in empowering the committee to make sure that they do oversight in terms of the work that the government is doing is going to be important, including the interaction between other parliaments for them to understand the challenges that we face.

The second one, the last one, I want to talk about is the recommendation about small business and that the department of small business must give more support and assist South African small businesses in their issues of finance and non-financial needs in order for them to move forward.

The last one I want to end on is the call on the Minister of Arts and Culture to continue to promote the social cohesion programme and the interaction, intercultural sports that brings them together. So, the last is that we call on the Premier of KwaZulu-Natal to make the reference group findings available for the national Parliament as well in order to learn from them. I thank you. [Applause.]

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 276**

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you hon member.

The next speaker is the hon Swart.

Mr S N SWART: Thank you. Chairperson, the ACDP would like to commend all the members who participated in this comprehensive process of investigating the root causes of the outbreak of violence against foreign nationals, resident in South Africa earlier this year.

When I studied the report earlier, I found it very helpful to go through the findings and the recommendations, many of which have been alluded to by other speakers. I would like to just highlight one or two of the points. One of the problems highlighted in this report was the lack of implementation of a full and comprehensive social cohesion programme, that following the 2008 violence that we experienced in the country. There was also a resulting tendency of foreign nationals to not integrate into the communities in which they resided.

Now this is not new, because the ACDP raised this earlier this year when we drew attention to the comprehensive report filed by

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 277**

the SA Human Rights Commission following the 2008 violence. Now remember those recommendations included a fully comprehensive integration and reintegration programme and an early-warning system, an annual indaba to assess progress in tackling xenophobia, and where counsellors engage communities and, of course, a wide education programme.

In a press release earlier this year in April, the Human Rights Commission stated, regrettably, that many of its findings and recommendations were not implemented. Obviously, the issue arises: Had those recommendations been implemented then, that would possibly have resulted in fewer lives being lost. Every life lost is tragic.

However, what is positive is that the improved co-ordination of different departments in tiers of government this year and the rapid response in assisting those affected prevented a recurrence of the larger-scale violence that was noted in 2008, and this we can be thankful for. But, noteworthy, again - and many speakers alluded to this - is whether the recommendations of this report will be implemented, unlike that of the SA Human

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 278**

Rights Commission which had very good recommendations that were not recommended and not implemented.

Clearly, many speakers have alluded to the issue relating to socio-economic conditions, and we from the ACDP are pleased that this issue will also be raised with other parliaments. We fully support this in that we need to discuss this at different levels of Parliament. We see that people come with hope to South Africa and, regrettably, many of these people are disappointed when there are xenophobic attacks.

Clearly, the issue of spaza shops was alluded to. We have competition where we have businesses sponsoring certain spaza shops, and that cannot be acceptable. There must be fair and equal competition on those grounds. And, of course, we also had the criminal elements attacking foreign-owned spaza shops and that, again, led to a lot of tension. Lastly, the ACDP welcomes and supports this report and looks forward to the implementation thereof. I thank you.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 279**

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. The next speaker is the hon Dlamini-Dubazana. [Interjections.] May I also ask hon members who are standing around in the passages to take up their seats please.

*IsiZulu:*

Nkz Z S DLAMINI-DUBAZANA: Sihlalo ohloniphekile waleNdlu, Sekela Mongameli wezwe, abahlonishwa abakhona endlini, namalunga aleNdlu, ngiyanibingelela. Ngicela ukuthatha leli thuba ngazise leNdlu ehloniphekileyo ngezincomo esifikelele kuzona njengekomidi yesikhashana ebeliceliwe yileNdlu ukuthi sihambe siyokwenza umsebenzi. Umsebenzi wokuphandulula ngokuthi kungani kubekhona uthuli wezichwe phakathi kumphakathi wethu, phakathi kwabavakashi abakhona ezweni lethu kanye nezakhamuzi saseNingizimu Afrika. Lelikomidi lihambile laya ezifundazweni ezahlukene. Usihlalo waleli komidi uwachazile ukuthi bekungamaphi. Bekuyi-Kwazulu-Natal naseGauteng.

Sithole ukuthi uHulumeni waseNingizimu Afrika impela ukwenzile okufanelekile ngesikhathi esifanelekileyo ngoba uma lusuka lolu dweshu wabonakala uHulumeni kulezi zifundazwe iKwaZulu-Natal

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 280**

njena, basukile bonke bahamba babona ukuthi babanikeze izindlu laba abedingile ukuthi abazi ukuthi bazohlala kuphi. Babe sebebanikeza ngezinqola zokuhamba ukuthi babathuthe babase lapho ebefuna ukuya ngakhona, nakanjalo akhishwa amaphoyisa kaHulumeni aqikelele ukuthi akuqhubeki udweshu. Okunye esifike sakuthola futhi ukuthi uHulumeni kubekhona izimbizo azibizile ezibizela ukuthi azame ukusiza abokufika kelelizwe ngokuhlanganiswa nabakuleli [integration] nokubuyiselwa ngentando noma ngendluzula emazweni abadabuka kuyo. [repatriation] Undunankulu waKwazulu-Natal impela yena waze wabona ukuthi kufanelekile ukuthi akhe ikomidi elizosiza ukuthi lihlolisise ukuthi lolu dweshu ngabe ngempela imbhangela yalo yini.

Mhlawumbe kubalulekile ukuthi iNdlu yazi ukuthi laphayana eThekwini kunemigwaqo elingasabhadwa abaseNingizimu Afrika lapho ububona ukuthi izivakashi zona besekuyimigwaqo yazo. Baze basho kuthina ngesikhathi sifika laphayana ukuthi yindawo ekungahanjwa kuyona [no go area] kubantu baseNingizimu Afrika, "ithina [We], izivakashi, ezisebenza lana".



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 281**

Laphayana eKwazulu-Natal kunephazi. Leli plazi libizwa ukuthiwa i-Hope Farm, liseMkhambathini endaweni yase-Cato Ridge. Leli plazi linabokuhamba abayikhulu namashumi amahlanu [150]. Laba abangu-150 kuthe uma kusuka lolu dweshu umkhandlu waseMkhambathini oholwa ngumama uMeya uThobekile wazama ukuthi ubasize ngokuhlanganiswa nabakuleli [integration] nokubuyiselwa ngentando noma ngendluzula emazweni abadabuka kuyo [repatriation] kepha abokufika bona abavumanga ukuthi bemukele lolu sizo bathi cha bona bafuna ukuhlala laphayana kuleya nkambu yase-Cato Ridge.

Ikomidi litholile ukuthi Isilo samaBandla wonke, uBhejane phuma esiqiwini, iNkosi uZwelithini nobuholi bomdabu naye wabiza imbizo laphayana e-Moses Mabhida ukuthi anxenxe abantu baKwazulu-Natal bonke ukuthi cha mabahlalisane ngokuthula ukuze kubekhona ukuthula basizane.

Sithe uma sihamba ohambeni lwethu siyikomidi saze sayofikelela eGoli. Uma sifika eGoli sihlangane nabokuhamba abaningi impela, bababalile abekade bekhona kuleli komidi ikakhulukazi umhlonishwa uRamatlakane ukuthi bekungobani. Abakubeke sobala

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 282**

leli gama elilokhu lisetshenziswa la, engisaba nanokulibiza ngoba kuzofanele ukuthi ekugcineni mhlawumbe ngilichaze ngesingisi khona kuzozwakala kuthina sonke ezindlebeni ukuthi amagama ngesinye isikhathi esiwasebenzisayo ikakhulukazi singabaholi abakuleNdlu abangamakhulu amane [400] kuwukuthi iNingizimu Afrika ine nani labantu [population] abangu 51 million, kungenzeka okuphuma emilonyeni yethu kube yikhona okukhanda uchuku nokuthi sithathe lokho okushiwoyo ngamaphepha bese kuthi kungekabhekisiswa kahle uHulumeni sinike ithuba uHulumeni akubhekisise kahle bese thina sesithatha izinqumo siqiniseke ngempela ukuthi kukhona lento abayibizayo.

Engithi mina ngeke ngikhone ukuyibiza ngiwu-ANC ngoba angikutholanga ekuhambeni kwethu siwu-ANC ukuthi ikhona. Ngizocela ukuthi mhlawumbe ngisize nje ukuthi nginike incazelo [definition] ukuthi u-Xenophobia uchaza ukuthini. Bese abantu baseNingizimu Afrika behlezi emakhaya bazozibona ukuthi bona bayiyona lento eshiwoyo. U-Xenophobia uchaza ukuthi, "it's an extreme, irrational hatred or dislike of or prejudice against people from other countries". Manje emakhaya okuchaza ukuthi uma uhamba nje emgwaqeni bese ngiyakubona bese ngithi hayi

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 283**

angikuthandi sengiyakushaya, nginenzondo. Nginenzondo engachazeki. Yilento esiyishoyo uma sithi "xenophobic attacks". Okuchaza ukuthi thina bantu baseNingizimu Afrika sinenzondo.

Siyaphika thina singuKhongolose sithi abantu baseNingizimu Afrika sinezinto esingazisho sizibeke la obala ukuthi i-Freedom Charter [Usonqulu Wenkululeko] yathini yachaza ukuthi abantu baseNingizimu Afrika abanayo inzondo. Ukubuyisana [Reconciliation], imiphumela jikelele [outcomes] athi abantu baseNingizimu Afrika abanzondo. Uhulumeni wentando yabantu wakhiwa kanjani okuchaza ukuthi abantu baseNingizimu Afrika abanayo inzondo. Okuchaza ukuthi, akukho, akuzwakali kahle uthi ungumholi ukhethiwe abantu bakho noma kuthiwa bangakanani bese usebenzisa amagama unganaki [careful] ukuthi leli gama ngoba ngilisebenzisa lizoba namthelela muni

*English:*

The ANC supports the report. [Time expired.] [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time has expired. The next speaker is the hon Motau.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 284**

Mr S C MOTAU: Hon Chair, thank you very much. Hon Ramatlakane, we in the DA understood the mandate of this ad hoc joint committee, and that is why we raised the issues we raised that you and your colleagues avoided raising.

Hon members, South Africa is not a xenophobic country. Read my lips: South Africa is not a xenophobic country. However, to deny that there are xenophobes in this country and that some of the violence perpetrated against foreign nationals and their property could have xenophobic roots is to flounder in a fool's paradise.

In this regard, the People's Coalition Against Xenophobia has expressed its concern to the ad hoc joint committee probing violence against foreign nationals in a written submission - and I wonder whether some of my colleagues have read this - in the following terms. I quote:

"Numerous studies into violence against foreign nationals as far back as the 1990s have pointed to an increase in xenophobic tendencies within South African society."

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 285

And, they continue:

"However, despite the evidence, there remains a tendency within South African society as a whole and within some sectors of government in particular to deny the existence of xenophobia and to reduce the attacks on foreign nationals to mere acts of criminality no different to any other such criminal acts against South Africans."

The coalition, made up of 11 civil society organizations, maintains that xenophobia denialism - and we have seen some of it here this afternoon - has been a problem in the country since the attacks in 2008. The DA agrees.

Writing in the *Daily Maverick* on "Xenophobia: The power of naming" on 15 July 2015, regarding how the ad hoc committee conducted itself during some of its interactions with the public, Prof Raymond Suttner - and I know many of you know who he is: a former political prisoner and a leader in the ANC-led tripartite alliance in the 1990s - was very critical of the manner in which the co-chair of the ad hoc committee, the hon

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 286

Ruth Bhengu, berated journalists for using the word "xenophobia" or "xenophobic". I quote what Prof Suttner wrote:

"The parliamentary group she led" -

Meaning the hon Bhengu -

"...comprised representatives from all political parties. None have departed from the script that the issue is crime and there is no xenophobia."

Hon members, I wish to place it on record that my DA colleagues in the ad hoc committee - the hon Toby Chance was here, as was the hon Bridget Masango and me - never held this view. In fact, we made this very, very clear in the committee. As a matter of fact, we cringed with embarrassment and frustration every time the hon Bhengu or her co-chair, the hon Motlashuping, lectured members of the public and the media about "the dictionary meaning of xenophobia" - and as Suttner put it, "instructed the media to report that it was just attacks not xenophobic attacks".

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 287**

We in the DA believe the misplaced attempt to expunge, through naming, any reference to xenophobia in the committee's deliberations was condescending and wrong. There can be no argument about the fact that there is xenophobia in this country. However, it would be very, very wrong for anyone to suggest that South Africa is a xenophobic country. We cannot "name away" Xenophobia.

As an ad hoc committee mandated by this Parliament to enquire into the incidence of violence against foreign nationals and related matters, we had a responsibility to hear, without bias or prejudice, in their own words, those who appeared before the committee. Unfortunately, an impression has been created in the minds of some of these people and organisations that the committee went about its work with a predetermined outcome in mind, namely that South Africa is not a xenophobic country and therefore there is no xenophobia in the country, and that the violence against foreign nationals could not have any xenophobic roots. This wrong impression could have a negative impact on the credibility of this report with dire unintended consequences.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 288**

Hon members, following media reports of remarks attributed to King Goodwill Zwelithini at a public gathering in Pongola, KwaZulu-Natal, on Human Rights Day last March, there were allegations that the remarks may have sparked the violent attacks against foreign nationals in parts of KwaZulu-Natal and Gauteng a few weeks later.

The DA believes that the ad hoc committee erred when it rejected our proposal to offer the king an opportunity to make a submission to the committee either in person or in writing to clarify his remarks. The ANC majority in the committee and the IFP vehemently opposed the proposal. By adopting this dogmatic position, we believe the committee abdicated an important principle of being objective and impartial. We note that the king did subsequently address an imbizo at the Mabhida stadium in Durban on 20 April.

However, we believe that the king was denied the freedom to choose whether to work with the committee, an organ of this Parliament, or not. As a prominent and responsible leader in this country, the DA believes that the king would have grabbed



**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 289**

the opportunity. As such, the monarch has been denied an opportunity to exercise this right. This was blatantly not fair on him and the country. The DA hopes that the committee has not set a dangerous precedent that this Parliament and the rest of our Constitutional democracy may come to regret.

Hon members, I would like to stress that the DA is committed to building and nurturing a violence-free, safe, democratic South Africa. We are committed to the eradication of xenophobia and its attendant very costly violence. We are committed to the establishment of an equal-opportunity society for all the people in this country.

Despite its flaws, we believe that this report is an attempt by this Parliament to get to the bottom of the scourge of violence against foreign nationals in this country and to root it out. We wish to commend the work already done in this regard by the Inter-Ministerial Committee on Migration, chaired by the hon Minister in the Presidency Jeff Radebe who was here - I see he has gone out now. [Interjections.] Oh, he's here. Oh, yes, yes. Indeed. Indeed. Indeed.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 290**

Following comprehensive work on the possible causes of the 2008 and 2015 outbreaks of violence against foreign nationals, the IMC on Migration has concluded that, and I quote: "As seen in recent weeks, there is considerable latent potential resurgence of violent anti-foreigner sentiment should we fail to address these challenges." The challenges are detailed in the report, and I'm sure the Minister will talk about that.

This House must take this ... [Inaudible.] ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time has expired.

Mr S C MOTAU: Indeed, we will support this report. [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): I now call to the podium the hon the Minister in the Presidency.

The MINISTER IN THE PRESIDENCY: Chairperson, Deputy President, hon members, government welcomes the release of the report of the Joint Ad Hoc Committee on Probing Violence Against Foreign

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 291**

Nationals. In so doing, we acknowledge the vast amount of work that the committee undertook to probe into this matter and interact with the affected communities in preparing this report.

We also greatly appreciate the positive and constructive interaction between the committee and government and the seriousness with which the issue was dealt with by the committee. We also welcome the frank and open discussion that we had as the Inter-Ministerial Committee on Migration and the committee on this particular matter.

We recognize as government that this report identifies critical challenges that we all face to address the root causes of the violence and to ensure that it does not take place again. We also take careful note of the recommendations and interventions that are proposed in the report. We will scrutinize these very closely and ensure that we use them to strengthen and inform the work of the Inter-Ministerial Committee on Migration.

It must be noted Chairperson, that in response to the attacks against foreign nationals, the President demonstrated decisive

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 292**

leadership by meeting with representatives of the émigré communities living in our country and with various stakeholders involved in the immediate relief efforts.

As an indication of the seriousness of the government's response, the President also set up the IMC on Migration, or the IMC, with the specific mandate to address both the immediate situation and the root causes.

We further recognize, as was said in our meeting with the committee, that one of the factors behind the resurgence of the attacks in 2015 was the lack of a properly coordinated and holistic response to the previous attacks which took place in 2008. This time around we affirm our intention to ensure that all stakeholders and role-players play their required roles going forward.

We are also in agreement with the ad hoc committee that the root causes of the challenge are socio-economic in nature. The report of the IMC presented to your committee highlighted the economic challenge created by the large number of low and unskilled

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 293**

foreign nationals in South Africa who are in direct competition with our local poor and unemployed citizens for jobs and economic opportunities. Slower than expected economic growth, along with the shrinking number of jobs available to low and unskilled workers, has placed considerable pressure on our poor and unemployed.

Our government report pointed out that the increasing number of foreign nationals in our country could be attributed to the pull factor of our economy, the abuse of the asylum system and the visa waiver by nationals from the SADC countries, as well as corruption in the border environment and weak border management. A number of push factors also exist within the source countries, among them being conflict and instability, a lack of economic opportunities and various human security challenges.

We also noted the large-scale abuse of the asylum-seeker system, which together with the abuse of the visa waiver, enables economic migrants to enter and stay in South Africa for economic reasons. The market for consumable goods in townships and

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 294**

informal settlements has begun to be dominated by certain émigré communities.

Unfortunately, these individuals are, in some cases, involved in illicit economic activities aimed at bringing down the price of goods, thereby ensuring that South African small businesses are unable to compete. One of the outcomes of this unfortunate illicit economic activity is that local small businesses are being squeezed out of the market. Research has also indicated, for example, that in Ivory Park, foreign nationals own 147 spaza shops, while South Africans own 70. In Tembisa, foreigners own 73, while South Africans own 41. In Imizamo Yethu, South Africans own seven, while foreign nationals own 51. In Vrygrond, foreign nationals own 86, while South Africans own 44.

Members, the government report also outlined in detail the steps that we are taking in the areas of immigration policy, border security and socio-economic matters to address the root causes of the attacks on foreign nationals. These steps include the revision of South African's immigration policy, the strengthening of border controls and border-line safeguarding,

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 295**

and the capacitation of immigration management services of Home Affairs, to name but a few.

In addition, the national Joint Operational and Intelligence Structure launched the widely supported Operation Fiela-Reclaim to address concerns around crime and antisocial behaviour: 1 226 successful operations were conducted, with 103 167 law enforcement and security personnel deployed; 9 882 South Africans were arrested, and 9 827 foreign nationals were arrested on various charges, among them drug-trafficking and ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, I am sorry to do this, but I really would like to request hon members to pay attention to the debate especially the group of MPs sitting there in the back corner. [Interjections.] You have absolutely no interest in what is being discussed here. That is not correct. Order! Take your seats, hon members. Continue, hon Minister. [Interjections.] Order!

The MINISTER IN THE PRESIDENCY: For those who did not hear: 1 226 successful operations were conducted, with 103 167 law

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 296**

enforcement and security personnel deployed; 9 882 South Africans were arrested, and 9 827 foreign nationals were arrested on charges of drug-trafficking and possession, illegal possession of firearms and explosives, vehicle theft, illegal trade in liquor, dealing in counterfeit goods, human trafficking, prostitution, attempted rape, employing of undocumented migrants and armed robbery.

Our government is committed to ensuring that the underlying factors that lead to the continued recurrence of attacks against foreign nationals are firmly addressed in a sustained manner with the involvement of all relevant stakeholders. More importantly, government will ensure that this report of Parliament is closely scrutinised and that whatever will reinforce our efforts in our integrated work as the IMC is implemented effectively. I thank you. [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Minister. That concludes the debate. I now recognise the hon, the Chief Whip of the Majority Party.



UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 25 NOVEMBER 2015

PAGE: 297

Debate concluded.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you, hon House Chairperson. I move that the report be adopted.

The HOUSE CHAIRPERSON (Mr C T Frolick): The motion is that the Report be adopted. Are there any objections? [Interjections.]

Ms H O HLOPHE: Yes, Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): There is objections. I now put the question: Those in favour will say "Aye".

Hon MEMBERS: Aye!

The HOUSE CHAIRPERSON (Mr C T Frolick): And those against will say "No".

Hon MEMBERS: No.

**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**WEDNESDAY, 25 NOVEMBER 2015**

**PAGE: 298**

The HOUSE CHAIRPERSON (Mr C T Frolick): I think the "Aye's" have it. [Interjections.] The objection of the EFF is noted. The Report is thus agreed to.

Hon members, [Interjections.] no you can't call for a division on behalf of someone else. [Interjections.] That concludes the business for the day and the House is adjourned.

The House adjourned at 17:11.