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NATIONAL ASSEMBLY

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TUESDAY, 24 OCTOBER 2017

—

PROCEEDINGS OF THE NATIONAL ASSEMBLY

—

The House met at 14:02.

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

**TIME ALLOCATED FOR MAKING A DECLARATION OF VOTE TO BE DETERMINED
BY THE RULES COMMITTEE**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I move:

That the House, notwithstanding Rule 108(2) which provides that the time allocated to a member of each party for making a declaration of vote must be determined by the Rules Committee

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taking into account the proportional strength of the parties, limits the time allocated to a member of each party for making a declaration of vote on any Budgetary Review and Recommendation Report to not more than two minutes for the remainder of this annual session.

Agreed to.

THE HOUSE SUSPENDS RULE 290(2) (A)

(Draft resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, we move:

That this House suspends Rule 290(2) (a), which provides *inter alia* that the Second Reading of a Bill may not commence before at least three working days have elapsed since the committee's report was tabled, for the purposes of conducting the Second Reading today on the International Arbitration Bill

Agreed to.

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MEMBERS OF PARLIAMENT GRANTED LEAVE

(Draft resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, we move:

That the House, in terms of Rule 36, read with Item 7 of Appendix A to the Rules, and notwithstanding any provisions to the contrary, grants Ms N W Madikizela-Mandela Member of Parliament, MP, and Ms S J Nkomo MP leave of absence from the House due to ill-health until 31 December 2017 and 30 November 2017, respectively.

Agreed to.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON JUSTICE AND
CORRECTIONAL SERVICES ON INTERNATIONAL ARBITRATION BILL**

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, we move:

That the Report be adopted by this august House.

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Thank you.

Agreed to.

INTERNATIONAL ARBITRATION BILL

(Second Reading debate)

Dr M S MOTSHEKGA: Hon Speaker, the Bill was referred to the Portfolio Committee on Justice and Correctional Services on 21 April 2017. The committee advertised the Bill for public comments in various newspapers and in all official languages. It received eight written submissions. The submissions largely supported the need for legislation to bring South Africa's legislation applicable to international commercial contracts in line with our Model Law Jurisdiction to promote South Africa as an attractive destination for resolving cross-border disputes with a positive impact on trade and investment.

Public hearings on the Bill to place at Parliament on 12 September 2017 and the committee had representations from four

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bodies although the one presenter represented two institutions. The committee was particularly concerned about the possibility that clause 7(2) of the Bill as introduced might override section 3(1) of the Carriage of Goods by Sea Act 1986 Bills of Lading typically contain choice of law and jurisdiction clauses referring disputes to a particular court or arbitration tribunal. As the majority of ocean carriage is by foreign shipping lines, almost all Bills of Lading provide that disputes be referred to a foreign court or arbitration tribunal. The effect is that South African consignees or holders of Bills of Lading and their insurance are compelled to pursue a claim under a Bill of Lading in a foreign court which is prohibitively expensive and very inconvenient.

This can prevent cargo owners or insurance from pursuing a claim. Typically South African consignees or holders of a Bill of Lading for cargo discharge in South Africa usually not responsible for negotiating the contract have no choice about where the disputes are heard and it is a shipper and the shipping line that conclude the contract for the shipping of goods. The Carriage of Goods by Sea Act remedies this in section

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3(1) which provides that South African business of consignees for cargo discharge in South Africa can bring an action in a South African court, notwithstanding any agreement in the Bill of Lading to refer any dispute or arbitration. The concern that was raised was that clause 7 sub-paragraph 2 of the Bill would override section 3 of Carriage of Goods by Sea Act depriving South African claimants of the right to have disputes relating to cargo discharge in South Africa heard here, that is where the contract requires foreign arbitration.

The committee requested that the department responds to the submissions received. The department presented its response to the submissions on 11 October 2017. Following deliberations on 18 October 2017, the committee resolved to recommend that the Bill be adopted with amendments. In addition to a number of technical amendments, there are three amendments of a more substantive nature. In clause 5 the insertion of the words "international commercial" before the word "arbitration" clarify the Act applies to any international commercial arbitration in terms of an arbitration agreement entered into by a public body.

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In clause 9(4) the immunity of arbitrators and arbitral institutions is now also to include persons appointed by the arbitral tribunal and not only employees of an arbitrator. In schedule 4 section 3 of the Carriage of Goods by Sea Act 1 of 1986, is amended to clarify that the International Arbitration Act once enacted will not prevent any consignee or holder of a Bill of Lading for the carriage of goods to a destination in the Republic or to any port in the Republic whether for final discharge or for discharge for further carriage from enforcing their rights in our courts. All the parties supported the Bill with a reservation by the DA. I thank you very much.

Agreed to.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker!

The SPEAKER: You want to go to the question.

The CHIEF WHIP OF THE OPPOSITION: No, we agreed in programming there that while we wouldn't have a full debate, we would allow each party to make a declaration on the matter.

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Declarations of vote:

Ms G BREYTENBACH: Madam Speaker, the International Arbitration Bill will replace the country's existing arbitration legislation, the Arbitration Act, which was promulgated in 1965, and the Recognition and Enforcement of Foreign Arbitral Awards Act of 1977, which regulates international arbitration in South Africa. These two pieces of legislation govern both domestic and international arbitration. Needless to say, they have not kept up with international trends and have become archaic and outdated.

The SA Law Reform Commission recommended that the Model Law on International Commercial Arbitration be updated in 1988, the object of which is to harmonise national laws relating to international arbitration procedures. The effect of the new legislation will result in the existing law continuing to regulate domestic matters, while international arbitration will be split off and regulated by the new Bill. The result is that any dispute in which any party is outside South Africa will be covered by the new Bill, thus recognising the need for a distinct mechanism for both disciplines.

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Investor-state disputes will be governed by the Protection of Investments Act. This Act dates from 2015 but is yet to take effect.

The International Arbitration Bill introduces the United Nations' Commission on International Trade Law Model Law, bringing South Africa in line with international best practice. This means that disputes covered by the new Bill will be eligible for arbitration or conciliation under the UN Commission on International Trade Law Conciliation Rules. Institutions and arbitrators will be protected by immunity for their conduct during arbitrations, except where bad faith can be proven.

The Bill also reforms the area of enforcement of international arbitral awards under the New York Convention, replacing the Recognition and Enforcement of Foreign Arbitral Awards Act of 1977 and bringing enforcement in line with current global trends.

In late 2012, South Africa began cancelling its bilateral investment treaties with European countries due to a concern

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that the investor-state dispute settlement procedures would force it to compensate international investors for its black economic empowerment policies. However, removing the protection on which investors typically rely runs the risk of scaring them away, despite the introduction of the 2015 Protection of Investment Act.

The common view is that the International Arbitration Bill has been drafted to modernise the arbitration profession and will, hopefully, help the country meet its aims of becoming the premier international arbitration location in Africa. The Bill will, hopefully, contribute to increased economic growth and investment and ensure that South Africa is an attractive venue for parties around the world to resolve their commercial disputes.

We have all the right ingredients to house a successful arbitral centre. Our courts, including our Constitutional Court, are pro-arbitration and have been applying international standards for arbitration, protecting awards rather than setting them aside.

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We also have the available infrastructure to make this a reality.

The DA supports this Bill. [Applause.]

Mr N M PAULSEN: Speaker, the International Arbitration Bill aims to incorporate the Model Law on International Commercial Arbitration, as adopted by the UN Commission on International Trade Law, so that South Africa can conform to the Rules on International Trade Law to deal with arbitration. The UN Commission on International Trade Law adopted the Model Law on International Commercial Arbitration in 1966. This was after the 1957-61 economic crisis, which led to massive unemployment, excess capacity, consolidation of unregulated global capital, and the emergence of sophisticated and aggressive tax avoidance.

Profits dropped after the adoption of the Model Law on International Trade Law and the 1973-75 recession. Then came Black Monday in October 1987, when stock markets around the world crashed. There was the recession in the early 1990s, which led to financial crises in India, Finland, Sweden, Russia,

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Mexico, and other countries around the world. Then, in 2007, the worldwide financial crisis occurred and the world has not yet recovered.

There is enough evidence to demonstrate that the majority of cases resting on the Model Law on International Commercial Arbitration are as a result of these capital catastrophes. This is so because when capital was localised at the nation's state level and it had influence over and full control of the state, it could replace workers and the poor with ease. It could therefore resolve its intra-capital cases through domestic arbitration.

However, on the global level, in the absence of a global state - something the UN and all other statutory bodies have failed on - and with everything left to the International Monetary Fund, IMF, and the World Bank, global capital is bound to limp from one crisis to another. Any country trying to contribute to solving global capital and commercial trade problems without first protecting domestic industries will render arbitration useless for domestic companies. For a country that is

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determined, however misguided it is, to prioritise foreign, direct investment and to attract foreign investors as a silver bullet to grow the economy, the message here is simple: Come and invest here and you will be protected.

However, government is failing to protect infant industries, local customers, local farmers and the South African economy from global capital attack and hostile and aggressive competition. If anything, the so-called development and updating of legislation to serve modern commercial needs is just a fancy way of naming new ways to postpone and stall the pending capital crisis. These are not problems that will be solved by courts or arbitration, however. They require the political will to put policies in place that will protect infant industries, regulate capital and exchange controls, and impose import tariffs.

At a more technical level, for the International Arbitration Bill to give immunity to arbitrators, arbitral institutions and employees of arbitrators, it is not only irresponsible and ill-advised, it is also a clear demonstration of a government that has outsourced its responsibility to manage the economy to the

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UN, the World Bank and the IMF. Even more disturbing is such legislation when there is proof of evidence to demonstrate economic hit-men sent to cripple local companies and facilitate hostile takeovers in favour of multinational companies when multinational companies struggle to penetrate local markets.

Finally, of further concern is the failure to build domestic state capacity on arbitration matters and sovereign immunity in international arbitration.

The EFF supports this Bill with the amendments suggested here. Thank you very much, Speaker.

Prof C T MSIMANG: Hon Speaker, this Bill, when enacted, will place South Africa on the global stage, not only in terms of the regulation of international arbitration proceedings, but also the enforcement of foreign arbitral awards.

The Bill incorporates the globally-accepted United Nations Commission on International Trade Law. This will take international arbitration conducted in South Africa to globally

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acceptable standards, which will make our country more attractive as an international arbitration jurisdiction.

With the continued support of the Arbitration Foundation of South Africa and their published international rules, it becomes extremely easy and attractive for parties to international agreements to choose South Africa as an arbitration jurisdiction in the settlement of any dispute before them, in terms of said agreement. South Africa must assume its rightful place, not only as a continental, but as an international seat of justice. Arbitration enables a speedy, less formal, more controlled and binding process of dispute resolution without the attendant high costs and lengthy time periods of parallel court processes.

The IFP supports this Bill. I thank you.

Mr S C MNCWABE: Speaker, hon members, as noted in the report of the portfolio committee, the International Arbitration Bill, once it has been enacted, will provide for the incorporation into our domestic law of the Model Law on International Commercial Arbitration, as adopted by the United Nations

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Commission on International Trade Law. The NFP believes that this development is both necessary and desirable, since our existing legislation regulating international arbitration is outdated.

By adopting the Bill, South Africa will benefit from the Model Law in many ways. Most importantly, we will benefit from the harmonisation and uniformity of national laws to international arbitration procedures. Such harmonisation and uniformity are a system creating a measure of certainty, which is for the benefit of international commerce, in general, and for South African businesses, in particular. The international world of trade is highly competitive, and South African businesses will benefit from certainty and an international playing field that is more level than what it currently is.

Arbitration as a method of dispute resolution is gaining traction in South Africa. It is an internationally recognised alternative to confrontational ways of settling disputes. The NFP welcomes such moves away from confrontation, both on the domestic and international levels. We believe that justice can

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be better served when the net of judicial reach is widened in such a manner.

What is more important about the Bill is the potential for South Africa to become a noted and desirable regional, continental and international arbitration centre when the Bill is enacted. By virtue of our economic strength, and considering the regional, continental and international reach of our businesses, South Africa will be uniquely positioned to emulate the example of Mauritius and set up a globally-ranked international arbitration centre.

The secondary benefits of such a centre of excellence are plentiful. These include the use of local lawyers, hotels, transport, venues, transcription services, and others. We believe that adoption of this Bill will be for the benefit of South Africa. As such, the NFP supports the adoption of the International Arbitration Bill with amendments to the Model Law. Thank you.

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Mr L M NTSHAYISA: Hon Speaker, this House is invited to debate the International Arbitration Bill at a time when the Minister is to deliver his Medium-Term Budget Policy Statement, MTBPS. Coincidentally, these episodes are not mutually exclusive. On Wednesday the Minister of Finance will work his work cut out as he seeks to introduce austerity measures to cushion against a negative investment grade and market dissolution. The demise of direct foreign investment stimulating investor confidence and cross-border trade is what the MTBPS will be unravelling. The International Arbitration Bill relates directly to these issues. The South African Arbitration Scheme is as old as the liberation movements in Africa. Like these movements, this scheme has often deshaded foreign direct investment cross-border transactions and investments on our shores. The Deputy Minister of Justice gave a keynote address at the International Arbitration Seminar in 2016 and commended the incorporation of the model law in the following words:

The new Bill comes at an opportune time for our country to opt into the international standard for the resolution of commercial disputes. Not only does it have potential to

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attract foreign direct investment, but also to give greater legal protection to South African investments abroad.

The adopted incorporation of the model law on our domestic precinct will scale up our efforts to commercially compete in the global market. Article 30 of the model law reads as follows: "If during arbitral proceedings the parties settle the dispute, the arbitral tribunal shall terminate the proceedings and if requested by the parties and not objected to by the arbitral tribunal, record the settlement in the form of an arbitral award on agreed terms." This is progressive and recognises the parties' rights to bargain and settles their disputes cordially. On the contrary, the current Arbitration Act would have deprived the parties the latitude to settle their differences outside the ambit of the arbitration.

Section 3, subsection 2 of the Arbitration Act provides as follows: "The court may at any time on the application of any party to an arbitration agreement, on good cause shown, set aside the arbitration agreement, or order that any particular dispute referred to in the arbitration agreement shall not be

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referred to arbitration or order that the arbitration shall cease to have effect with reference to any disputes referred.” This is arbitrary and tantamount to our usurping the rights and contractual parties. The large majority of South Africans have had to grapple with the costs associated with arbitration. These are small and medium-sized enterprises that have successfully secured international contracts with the big corporates.

This Bill has to be understood against this context. It also has to be allowed space to thrive and leverage commerce in the country. We should caution, however, that the signing of this Bill will be insignificant if the current political mechanisation persists at a time when we need to tighten our belts and stick to physical ... [Time expired.]. The AIC supports the Bill. Thank you very much.

Mr W B MAPHANGA: Hon Speaker, hon members of the House, guests in the gallery, the ANC rises in support of the International Arbitration Bill. The Bill seeks to provide for the incorporation of the model law on international commercial arbitration as adopted by the United Nations Commission on

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International Trade Law, Uncitral, into South African law. It makes amendments for the recognition and enforcement of foreign arbitral awards and repeals the recognition and enforcement of Foreign Arbitral Awards Act of 1977.

The Bill emanates from an investigation by the South Africa Law Reform Commission and aims to adopt the model law as the foundation of international arbitration in South Africa. Model law is defined as a set of model legislative provisions that states can adopt by enacting it into national law. The Uncitral's role is to address the differing approaches to international arbitration which are applied throughout the world by promoting unification and harmonisation of the law and provides a modern and easily adapted alternative to national laws. The Bill introduces a legislative framework that can be used by businesses to resolve their international commercial disputes and in terms of which parties can obtain arbitral awards that are legally enforceable.

The Bill is an indication of the ANC-led government's intention to align its international commercial arbitration practice with

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international standards on the resolution of commercial disputes, especially in trade and investment and to provide greater legal protection to South African investments abroad. The Bill promotes the ANC's stance on access to justice. The proposed legislation will not only assist South African businesses in resolving their international commercial disputes but will ensure that South Africa is an alternative venue for parties around the world to resolve their commercial disputes in a speedy manner.

It is envisaged that the Bill will contribute to economic growth, investments and investor confidence because of its neutrality, confidentiality, finality, enforceability, procedural flexibility and the parties' ability to choose their arbitrator from a pool of experienced arbitrators. It is also envisaged that the Bill will restore certainty and predictability. The Bill will send a message to the international business and investment community that South Africa is a conducive country to operate in and that disputes will be heard and addressed in line with international best practice. When South Africa becomes an arbitration venue, this

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will allow South African lawyers to get briefs and work on these arbitrations.

We would like to take this opportunity to thank all the parties for supporting this Bill, thus indicating their willingness to be led by the ANC. We promise to continue to lead you and the country with diligence and this will be emphasised more when the ANC gets a two-thirds majority in 2019. The ANC supports the Bill. [Interjections.]

Agreed to.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON INTERNATIONAL
RELATIONS AND COOPERATION ON OVERSIGHT ON IMPLEMENTATION OF
JOINT COMMISSION OF COOPERATION BETWEEN SOUTH AFRICA AND ISLAMIC
REPUBLIC OF IRAN AND EXECUTION OF SOUTH AFRICA'S INTERNATIONAL
RELATIONS POLICY IN IRAN AND QATAR**

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON INTERNATIONAL
RELATIONS AND COOPERATION ON PUBLIC LECTURE ON CURRENT SITUATION
AND SOUTH AFRICA'S POSITION ON SAHRAWI ARAB DEMOCRATIC REPUBLIC**

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Mr M S A MASANGO: Hon Speaker and hon members, I hereby introduce the report of the Portfolio Committee on International relations and Co-operation on the occasion of its visit to Western Sahara as well as a public lecture attended by a multitude of stakeholders held here in Parliament on 03 May 2017. Lastly, we also introduce the report already tabled to this House on the occasion of the visit of our portfolio committee to Iran and the comprehensive details of the joint commission of co-operation between South Africa and Iran, for consideration, approval and adoption by this House. I so move.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, we move that all these reports be adopted by this House. Thank you.

Ms M S KHAWULA: On a point of order.

IsiZulu:

Uxolo kancane Sihlalo,

USIHLALO: Yini mam' uKhawula

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Nks M S KHAWULA: Ngiyabonga, awuve umuhle kulezi zinsuku. Bengithi mina nail ibhadi, uyambona ukuthi uhlezi kuphi umhlonishwa uBhongo? [Uhleko.]

USIHLALO: Qha, yeka uBhongo athathe indawo yakhe ayinikwe nguMongameli. Wamukelekile mhlonishwa ...

English:

... and the new Minister Bhongo, but let us allow the hon member to proceed with his declaration.

Declaration(s) of vote:

Mr D BERGMAN: Chair, there can be no greater error than to expect or calculate upon real favours from nation to nation. George Washington said "It is an illusion which experience must cure which a just pride ought to discard". Our international relations is at an all time low, piggy back from the prominence that the Madiba magic brought to us. We can no longer claim that we are the beacon of hope on the African continent. The SA government that entrenches itself with four pillars: Dialogue and negotiations first; multidimensional approach to peace;

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diplomacy through multilateral engagements and the promotion of the African agenda through peace and diplomacy has shown that it has lost its way.

It is said that a country can be judged by the company it keeps. We do this at our own peril. We have become a country that finds itself on the good side of bad decisions. Iran is currently seen as a threat to the peace in the Middle East and in breach of its nuclear mandate. Our Minister prances off at a first opportunity to show solidarity with this regime. At a time when there is tension in Dakar, he is trying to say face whilst the Minister makes these decisions that pulls the whole country along with her, shows the maturity of our executive.

The DA supports initiatives that seek to create world peace, globalization that will benefit our country domestically. But we need to understand that if we lose international face then we plunge our country into further decline. At the public lecture on Sahrawi I was surprised to find on arrival that our parliamentary programme that the chairmanship has been handed over to the BDS for the day. The programme which is meant to be

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an open dialogue had consisted of a panel from one side only, hardly a dialogue.

I pushed for us to take more responsibility by engaging with both side and if it need be even going on a proper fact finding trip to further create a plausible position. It is one thing when we alienate one country in the Middle East at the expense of our doco position and our own pillar of seeking dialogue and mediation. But when we do this on our own continent and show a lack of foreign leadership on matters we then once again send wrong signals that are ambiguous and lacking in maturity.

Our efforts on the global stage should be to bring about peace. We do this by buying credibility on both sides of the coin. If we truly want to be in line with our policies we should understand them first and then be guided by them second. I recently returned from a trip to Senegal where

I was fortunate enough to meet President Macky Sall. The President will host Macky and his delegation this week and I hope that the Minister of International Relations will be there

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too because there are few things that this world class country is doing that we should; things that we should have been leading on; Firstly, peace and stability in the region; secondly, growing the economy through productive trade agreements across the board; thirdly, humility. As asked by a diplomat the other day, is there a stable country or growing country in SadeC at the moment? It seems like only the west, east and north of Africa are moving up.

Minister, do not use SadeC and Au for gate keeping, include as many countries as possible and use their participation to influence peace. Let us rather be seen as serious players on a global scale than a nightmare punch line of a continuous joke. Thank you. [Applause.]

Mr T RAWULA: We stand here as the EFF to remind the people of South Africa, the African continent and the world that people's rights to self determination should not be subjected to negotiations. The people of Western Sahara have a right to exist and they have a right to form a state of their own. To deny the

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people of Western Sahara their right to self determination is to deny their existence as human beings.

The EFF rejects the report and its recommendation which recognises and is on the basis of African union reactionary decision to readmit Morocco back to the union. A very position that is a betrayal to African Unity, a betrayal to African Union's founding values of decolonisation and AU founding fathers that fought for a decolonised Africa. There is no country that should be encouraged to subdue, colonise and oppress another country. The only sensible and concrete recommendation that the EFF will support based on a superior logic, is to isolate Morocco in all manner of speaking. The report must call for international isolation of Morocco on diplomatic investment, economic, intellectual, sports and all other fronts. The international isolation must continue until such a time a referendum without the participation of Moroccan people in Western Sahara.

We owe it to ourselves, to the people of Western Sahara and the continent until the recommendation for the isolation of Morocco

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in all manner of speaking and support of self-determination, self-governance of the people of Western Sahara. The EFF rejects the recommendation of the portfolio committee. It is in fact an indictment for South Africa to even consider such a recommendation given the history of our own country.

Mr A M SHAIK-EMAM: Hon Speaker, I thought that the IFP was declaring that is why I did not come timeously to my seat. The NFP supports the reports tabled here today. Let me start of by welcoming the bilateral engagement and talks between the Republic of South Africa and the Republic of Iran. What is very clear out of this report is that this can benefit both countries and the people of both countries and we must do everything in our power that it is of interest to the people of South Africa.

When we talk about ensuring a free and safe society where all people in all parts of the world could live in harmony, peace and tranquillity, I think Iran is one example of how they did not allow super powers to control them and to bully them. So, the discussion and engagement that has taken place wherein it was resolved that no country in the Middle East must have

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nuclear power. And that goes to all of them and it must be welcomed because that is what can create peace, security and harmony. When one country is allowed to have nuclear weapons and not the other, then that country has an intension of wanting to oppress people of the world and more importantly for its natural resources which can be seen.

In terms of the issue of Sahrawi people, the NFP wants to reiterate that we need to engage and ensure that all parties respect the rule of law; that they respect freedom; respect the independence and the decisions taken by the people of their respective countries.

The NFP also wants to commend any engagement and any participation by South Africa as a government to ensure that there is peace and stability in any part of Africa. The NFP also wants to talk particularly about this engagement or agreement that was entered into which is going to be implemented, that it will benefit us in terms of education. It will benefit us in terms of health; it will benefit us in terms of investment. So, any benefit of this nature must be welcome.

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The NFP is of the view that the report tabled here today must be welcomed and must be supported in order to ensure the principles of what our icon, President Nelson Mandela once said that if there is no peace in Palestine, we as South Africans cannot call ourselves peaceful. So, like that, it is the same thing in Sahrawi and exactly the same thing in terms of Iran and the Middle East. All people in the Middle East must live in peace and harmony. So, this relationship will go a long way in encouraging that. We support the report tabled here today. Thank you very much.

Declaration(s) of vote (cont):

Ms T E KENYE: Hon Speaker and hon members, this is the Report on the Portfolio Committee on International Relations and Co-operation on the public lecture on the current situation and South Africa's position on the Sahrawi Arab Democratic Republic dated, 3 May 2017. The portfolio committee in collaboration with the Department of International Relations and Co-operation held the public lecture on 15 March 2017 at Parliament.

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The objectives of the public lecture were to create a platform for solidarity movements to share their views regarding the situation in the Western Sahara. It was also an opportunity to strengthen the historical relationship between the people of South Africa and that of Sahrawi Arab Democratic Republic. After discussions the committee recommended as follows:

The National Assembly call upon the Department of International Relations and Co-operation to ensure that the admission of Morocco to the African Union is leveraged to speed up the granting of independence to the Sahrawi people.

The National Assembly urges the African Union and the United Nations to speed up the processes towards self-determination by the people of Western Sahara, as a slow approach could lead to the people of Western Sahara losing their patience resorting to an armed struggle.

The National Assembly to call upon the United Nations Security Council to enforce its resolutions on the need for Morocco to hold a referendum which would grant an opportunity for the

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people of the Western Sahara to decide their own destination. The United Nations Security Council should further consider punitive sanctions on Morocco for noncompliance.

The National Assembly to call upon the government of Morocco to stop human rights violations in the camps and stop the occupation of the Western Sahara.

The National Assembly notes and support that the United Nations Security Council adopted the resolution 2351 2017 to extend the mandate of the United Nation's mission for the referendum in the Western Sahara until 30 April 2018. There should be a debate in Parliament regarding solidarity with the people of the Western Sahara in their fight for self-determination.

With regard to the Report on the Portfolio Committee on International Relations and Co-operation on conducting oversight on the mission of the joint commission of co-operation between South Africa and the Islamic Republic of Iran and the execution of South Africa's relations policy in Iran and Doha on 9 and 12 May. The Portfolio Committee on International Relations and Co-

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operation having conducted the oversight on the implementation of the joint commission of co-operation between South Africa and the Islamic Republic of Iran and the execution of South Africa's international relations policy in Iran and Qatar on 9 and 12 May 2017. The joint commission agreed on the following areas on the co-operations:

Political and social, technical and economic, energy, finance and banking, science and technology, agriculture, water and sanitation and that the report must be tabled and debated. So, the ANC supports these reports. I thank you. [Applause.]

Motion agreed to.

Report on Oversight on Implementation of Joint Commission of Co-operation between South Africa and Islamic Republic of Iran and execution of South Africa's international relations policy in Iran and Qatar accordingly adopted.

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Report on Public lecture on current situation and South Africa's position on Sahrawi Arab Democratic Republic accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON HIGHER
EDUCATION AND TRAINING ON OVERSIGHT VISIT TO UNIVERSITIES AND
TECHNICAL VOCATIONAL EDUCATION AND TRAINING, TVET, COLLEGES OF
LIMPOPO**

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON HIGHER
EDUCATION AND TRAINING ON OVERSIGHT VISIT TO POSTSCHOOL
EDUCATION AND TRAINING INSTITUTIONS IN KWAZULU-NATAL**

Ms C C SEPTEMBER: Hon Speaker, the passage of these two reports, the one to Limpopo enables this House to adopt today a report of an oversight visit to the University of Limpopo and indeed the Technical Education Vocation and Training, TVET, colleges as you have said. This report will make sure that at the different institutions that we have gone to that the recommendations that the committee put to the House can be effected. Those in particular as it relates to matters of the National Student

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Financial Scheme, NSFAS, and in particular also as it relates to those students those students that still have problems with how institutions have not sufficiently catered for the disabled students. The report will also make sure that the recommendations around the infrastructure problems that we have raised and recommended about will be effected today.

On the oversight visit to KwaZulu-Natal, indeed the different institutions that we have visited there, those reports and recommendations will be effected by bringing this report here, both as it relate to the capping at the TEVT colleges as well as the integration that has not sufficiently occurred at the KwaZulu-Natal University.

Of importance hon members, is the report that we bring before you also on the university called Unizulu (University of Zululand), a university that many of you in this House call your alma mater. This report has already been much publicised very widely and has been disputed and not disputed. This report is the report that deals with the difficulties that the Unizulu continues to still have as it relates to the university being

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placed under administration, but indeed the new council has been unable to bring this university to stability and make sure that it can return to what its mandate is suppose to be around teaching and learning.

Madam Speaker, this is the same university which has asked that you and I must go to court on a matter completely unrelated to this university by involving us in the labour matter that is at the university. Indeed, the university is dogged by a range of different problems as it relate to problems of the role of the vice chancellor, the role of all the other institutions and safe to say hon members, the university is in complete disharmony.

This report that we are asking you to adopt today will indeed assist us to bring the university through our recommendation to stability and make sure that teaching and learning can return. I thank you.

There was no debate.

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The Chief Whip of the Majority Party moved: That the Reports be adopted.

Declaration(s) of vote:

Prof B BOZZOLI: Chair, these reports cover our committee's visits to 11 institutions in KwaZulu-Natal and Limpopo. We were impressed by the areas of excellence there, we saw a wonderful hotel school in Waterberg College which gave us a nice lunch and of course, excellent research quality at University of KwaZulu-Natal, UKZN and others. However, our attention was drawn to all the problems we found.

In the TVET colleges we saw all the familiar ills such as lack of sufficient funding; old, dated teaching equipment; underqualified staff; staff that are seriously underpaid and remain on contract; inadequate student accommodation; high failure and dropout rates and dozens of others.

This government has taken this neglected and underfunded sector away from the provinces and put it under central as well as national control; then they doubled student numbers. However,

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they did so without remedying the original underfunding or adding sufficient funding to cope with the newly increased numbers.

It is not surprising that the sector is rife with growing student discontent and unhappiness. The TVET college system seems to have reached an impasse. It cannot improve and it cannot grow; and yet it must. Skills training are an imperative for a growth economy. As elsewhere the ANC government has led us into a dead end.

The problems we saw in universities are similar, areas of excellence are marred by an overall lack of funding, lack of top flight staff and often a lack of good governance. These all mean student dissatisfaction is always considerable.

The low point of our visits in this respect was the University of Zululand, which really seems to be a basket case. In fact, we could not even meet on the campus the day we went there as it was riven by protests. This university has never functioned properly. It was recently under the Ministry's administration

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owing to its dismal performance. Serious attempts were made to improve things. However, no sooner did it come out of administration a couple of years ago, than it fell right back into the sordid mess that it now appears to be.

Accusations of corruption, mismanagement and favouritism fly back and forth between the council, the vice chancellor, the students and the unions. Conspiracy theories abound. At the time of our visit, the university had three simultaneous Student Representative Councils, SRCs; court cases were being mounted against it; the main union was deeply divided amidst accusations of corrupt tenders; the council had approved controversial luxury homes and furnishings for the executive and there had been a flood of hiring and firing with significant severance packages included. Our committee was appalled and has since taken the matter further. However, little substantial seems to have changed.

The other Universities: Venda, Limpopo and UKZN were not in the same level of difficulties, but they too had their troubles. We could not meet on the Venda campus because of protests. The UKZN

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was in the middle of the process of suspending and removing no fewer than five of its executives.

Our visit told us that there is much that needs to be done. Our new Minister needs to fast-track the appointment of an assessor to the Zululand University, to give strong leadership in the fees stalemate and to make efforts to ensure university and TVET councils are strong, honest and uncaptured. It goes without saying that this sector remains one of the most underfunded of all. Something needs to be done by our new Minister. Higher education is in a bad way. Thank you. [Applause.]

The SPEAKER: The IFP. [Applause.] Or are you swapping with the EFF? [Interjections.] Quiet, hon member.

Mr M S MBATHA: Madam Speaker.

The SPEAKER: Yes.

Mr M S MBATHA: Thank you very much Madam Speaker. The observations we made on the visits to Limpopo and KwaZulu-Natal

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are as follows. We can no longer continue to blame the ills that we find in these universities and Technical and Vocational Education and Training, TVET, colleges because some of the ills are circumstances that the people that are there, in particular the students and workers, cannot improve on their own. They need direct intervention from a caring government and a caring state that understood in the first instance that the University of Venda was a university described as a university under a homeland. So there was less investment and infrastructure, there was less research and there was very little that was going forward around technological advancements and science and physical sciences.

Now, when you say the institutions need to improve you must also have an underlying interest in what it is that they improve and what it is that they become.

We have established that under the current circumstances, the TVET colleges in Limpopo – no matter what the magic around is – will not improve because the majority of students there are being dumped without appropriate support. The majority of

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students in those institutions require transportation money in order to attend classes, precisely because there is a rule and a policy which says that for you to write an examination under TVET education you must have achieved 80% attendance. The National Student Financial Aid Scheme, NSFAS, is not able to distribute the monies on time; hence it affects the manner in which the students will actually consistently attend to their programmes and classes.

There is no better moment than now for free education. As a solution to extend to the poor that is the only offer you can have. However, the actions require more than just a promise. Actions of a political nature are needed because you can no longer postpone the inevitable.

As we speak today, the University of the Free State and many other universities around us here, including the Cape Peninsula University of Technology, CPUT, are burning and are in crisis.

We also agree with the committee that there has to be an immediate appointment of the assessor, or what you call an

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independent assessor, at the University of Zululand, precisely because there is official looting there. The looting is driven by the vice chancellor and her cronies, and to a greater extent it may even extend itself to the Ministry because one of the suppliers is a relative of the Minister who was once upon a time the Minister of Higher Education and Training.

The vice chancellor there is running a riot. She is firing workers without following proper processes. She is financing student organisations to go to court to fight a legitimate student representative council, SRC. If you call that a vice chancellor then you must be mistaken for something else. The woman in charge there is nothing else but a thug.

We also believe that in KwaZulu-Natal at the University of KwaZulu-Natal, the problems that have visited the Nelson R Mandela School of Medicine need to be resolved and resolved quickly. At the Nelson R Mandela School of Medicine there is a lingering rumour that they have been enrolling people over the years that were not supposed to have been enrolled as doctors. We want those doctors to be scrapped.

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Prof C T MSIMANG: Thank you hon Speaker. When government declared a few years ago that they were introducing TVET education to our education terrain we in the IFP thought that this was a step in the right direction because any developing state needs more artisans than graduates.

Unfortunately, we have been utterly disappointed in that the promise has not happened. The number of TVET colleges that were said to be built has not been built. Those that have been built are absolutely inadequate. The programmes that are offered at these TVET colleges are obsolete. They are not in keeping with market demands and once again we are going to produce graduates that are unemployable.

When it comes to the University of Zululand and all the universities in KwaZulu-Natal, again we have a very sad story to tell. I agree entirely with the chairperson of the Portfolio Committee on Higher Education and Training that the University of Zululand is in a mess. In that university we have a rector who completely undermines council. She takes decisions where there are no policies; like building super houses for the top

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structure of the academic staff. They are built posh mansions in a high-class suburb in Mtunzini, some 20km from the university, even for that rector, whereas the university provides a principal's residence on the premises.

We have got a rector who will dismiss any academic or administrative staff who does not toe her line, and there is frustration for both students and lecturers. So, I agree entirely with the view that there we need an assessor if not an administrator.

Prof N M KHUBISA: Thank you Madam Speaker. First and foremost, let's start with the issue of the University of Zululand. It should be noted that at the University of Zululand there was an administrator by the name of Prof De Beer and he tried to turn the university around. Of course some recommendations were tabled but seemingly the university has swept off the rails again, as other speakers have alluded to.

Firstly, there is ongoing conflict between the management and the academic staff to the extent that this has been brought to

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the Commission for Conciliation, Mediation and Arbitration, CCMA, and the Labour Court a number of times. As we speak, there are issues that are at that level, at that university.

Over and above that, at that university there has been ongoing conflict between the management and the union. This has been going on unabatedly. Hon Minister, I believe that this has to be attended to sooner than we believe because we find that the university is going down the drain because of these matters.

At one stage when we met with the management and the SRC, it was not possible to meet because there were two factions of the SRC. That showed that there was huge conflict within that university. I believe that all these ... I mean a plethora of these issues need to be attended to as soon as possible.

Minister, over and above that, there is the splurge with regard to the houses that have been built at Zini River Estate at Mtunzini. That is a bone of contention as well; where senior management of that university are spending money lavishly - money that should be used on the infrastructure of the

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university and other matters that pertain to the university. It was also noted that there is accommodation for the vice chancellor within the university but that accommodation is never used.

Coming to TVET colleges, it was noted that problems are common for these institutions whether you go to Limpopo or KwaZulu-Natal. They pertain to the issues of governance, accommodation, NSFAS, management and administrative, material and physical resources. It became apparent that tertiary institutions face a myriad or a plethora of challenges.

Most of these affairs are common at TVET colleges and of course Minister, we noted that most of the affairs of TVET colleges are administered centrally, like the appointment of lecturers, academic staff and other staff ... nationally ... centrally, whereas at national level as well there is not enough staff to attend to that.

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Then, the TVET colleges were run for a long time without the necessary staff, either academic or managerial staff. These are the issues that have got to be attended to.

However, issues of student funding, accommodation and resources for students are matters that have to be attended to. I mean, accommodation for students that are nearer to the universities and nearer to TVET colleges are needed so that ... Most of these female students are raped either going to the universities or TVET colleges and we believe that this issue needs to be attended to as soon as possible. The sooner these issues are attended to the better.

Mr W M MADISHA: Thank you hon Speaker. Cope has gone through the report. Clearly the future of our youth and the developmental prospects of South Africa are inextricably linked to higher education and skills development. As the matter stands, we will not attain the goals set out in the National Development Plan.

In respect of the visit to the University of Venda, Cope notes that the committee was warned against undertaking an on-site

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visit due to violent student protests as a consequence of NSFAS problems.

Cope further notes poor human relations and disciplinary issues within the staff establishment, a shortage of lecture halls and student accommodation, and insufficient resources to attend to these needs which is being compounded by our deteriorating economic climate.

The situation at TVET colleges in Limpopo appears even worse. Many problems must be resolved and this includes a lack of co-operation between the TVET colleges and business, particularly within the mining sector; a shortage of appropriately qualified and practically experienced lecturers; poorly maintained and insufficient facilities; outdated and badly-equipped computer laboratories; poor student accommodation; certification backlogs; problems with the payment of NSFAS allowances; staff negligence that impacts on the academic records; and outdated curricula.

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We have seen similar problems evident at facilities visited by the committee in KwaZulu-Natal. More specifically, Cope notes that the lack of strategic alignment between the sector education and training authorities, setas, business and government is actually a problem. The instability at the University of Zululand is impacting on its core business despite being previously subjected to administration.

The oversight reports paint a dark picture of failing institutions of Higher Education and Training, maladministration, corruption and dysfunction – a crisis of national proportions. We hope you will be able to look into this.

Ms S MNCUNU: Speaker, the Portfolio Committee on Higher Education and Training undertook an oversight to postschool education and training institutions in KwaZulu-Natal and Limpopo. The committee visited the Coastal KwaZulu-Natal Technical Vocational Education and Training, Tvet, College, the University of Zululand, University of KwaZulu-Natal, Manufacturing, Engineering and Related Services Sector Education

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and Training Authority, Merseta, the SA Shipyards - a ship building apprenticeship partnership - Mining Qualifications Authority, Zululand Anthracite Colliery, Agricultural Sector Education and Training Authority, Agriseta, and Citrus Academy partnerships.

As the committee we were pleased to see the partnerships that the Coastal KwaZulu-Natal Tvet College established with industry and government departments across KwaZulu-Natal to indeed build a stronger Technical Vocational Education and Training, Tvet, college system. We need these partnerships with industry. We have also noted that industries and Sector Education and Training Authorities, Setas, had provided funding for infrastructure development at the college to build occupational skills centres, training centres for excellence, dye making and they have accredited the college to conduct trade tests. This move will accelerate artisan development and will help towards redress of past injustices where many people especially blacks do have skills and competencies to perform these trades but did not have certifications or trade test certifications. Artisan recognition of prior learning will become a reality.

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We also found that there were still migration outstanding issues and inadequate implementation of collective agreements. Students and staff have expressed concerns about the capping of head count enrolment due to funding challenges, inadequate infrastructure and challenges relating to the backlog of National Certificate Vocational, NCV, certificates and the roll out of the National Student Financial Aid Scheme, NSFas.

With regard to the partnerships between the Setas and industry to redress skills deficit to support inclusive economic growth, the committee found that all the Setas that we have engaged with - Merseta, MQA and Agriseta - had good working partnership with industry. Students from Tvet colleges were trained as apprentices through partnerships between Merseta and the SA Shipyards to support the ocean economy. It was pleasing to see students doing the real work in ship building and ship repair. We were informed that students who qualify as apprentices get employed by the company as artisans, technicians and engineers.

The partnership between the Mining Qualification Authority and Zululand Anthracite Colliery was also a good model for the

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provision of skills intervention. The committee noted a concern about the unwillingness of the mining companies to open their workplaces for skills development. The skills development interventions through the partnership of Agriseta and Citrus Academy were commendable.

With regard to the University of Zululand and the University of KwaZulu-Natal, UKZN, the committee was gravely concerned about the state of affairs at the University of Zululand, the impasse between the university council, management and unions which impacted negatively on the core mandate of the university, which is teaching and learning, research and community engagement. The committee has recommended to the Minister of Higher Education and Training to strengthen oversight of the university to ensure that conducive environment for teaching and learning is restored at the university. We have already met with the university in September 2017 to get an update of the progress made. We will continue to monitor implementation of the recommendations of the committee.

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At UKZN we were concerned with the selling of species at the medical school. We then recommended investigations into the matter. We also found that there was a matter of suspension of five deputy vice chancellors, DVC. The committee urged the university to address issues raised by students with regard to their safety.

At the University of Venda the committee found that there were student protests at the time of oversight as a result the committee could not conduct an onsite inspection of infrastructure development projects. We were informed of acute shortage of teaching and learning facilities including student accommodation. Of great concern was the infrastructure development project. There were also glitches relating to NSFas because of the information technology, IT. Despite these challenges the committee was pleased that all stakeholders at the university were buying into the vision of the university.

At Limpopo the committee was able to conduct an onsite inspection of the teaching and learning facilities. The committee noted an improved infrastructure development and

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progress made in the refurbishment of the existing facilities. There were pockets of excellence at the University of Limpopo in the research field. The committee was also concerned about the delays in the disbursement of NSFas allowances especially for students with disabilities.

In relation to the Tvet colleges of Sekhukhune, Capricon, Waterberg, the engagement of governance council was conducted. We were seriously concerned with the underfunding in the Tvet colleges.

The ANC supports the adoption of both oversight reports. Members, those were the real and accurate reports of the oversight in KwaZulu-Natal and Limpopo. [Applause.]

Motion agreed to.

Report on oversight visit to universities and Tvet colleges of Limpopo accordingly adopted.

Report on oversight visit to postschool education and training

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institutions in KwaZulu-Natal accordingly adopted.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
TELECOMMUNICATIONS AND POSTAL SERVICES - OVERSIGHT VISIT TO
MPUMALANGA AND GAUTENG

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
TELECOMMUNICATIONS AND POSTAL SERVICES - COST TO COMMUNICATE

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
TELECOMMUNICATIONS AND POSTAL SERVICES - DELIBERATIONS ON
STRATEGIC PLAN OF NATIONAL ELECTRONIC MEDIA INSTITUTE OF SOUTH
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CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
TELECOMMUNICATIONS AND POSTAL SERVICES - SITE VISIT TO TELKOM
SUBMARINE CABLE

Ms J D KILLIAN: Speaker, as indicated, I have been requested to introduce the reports on behalf the Acting-Chairperson, Ms

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Dikeledi Tsotetsi who is ill-disposed and in Gauteng for medical treatment.

I am presenting the reports as listed on the order paper, orders number seven to ten. The majority of these reports were actually during November last year, almost a year ago.

The report on oversight visits to Mpumalanga and Gauteng is the most recent one and that report is in relation to public hearings that were held in March this year and that particular report was published in the Announcements, Tabling, and Committee Report, ATC`ed, on the 18th May 2017.

Due to time constrains I will highlight some of the important elements of the reports and in particular focus on the Report on Cost to Communicate and the oversight visit report to Mpumalanga and Gauteng.

As indicated the Telecommunication and Postal Services Committee held public hearings on cost to communicate on 20-21 September 2016. The hearings were attended by members of the public and

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various role players within the Information and Communications Technology, ICT sector. It was also attended by the Department of Telecommunication and Postal Services and relevant state owned enterprises, SOEs, mobile operators, ICT, Small, Medium and Micro-sized Enterprises, SMMEs, non-governmental organisation, NGOs, Internet Service Providers, ISP, and other entities.

The two day public hearings were preceded by an invitation for written submissions to the committee from the broad South African public and particularly ICT role players who have been requested to make some submissions on the Cost to Communicate.

In particular what is important is a very thick report on the Cost to Communicate. I would just like to refer hon members to particulars of the report on page six. Very interesting information was in fact disseminated by Research ICT Africa and that indicated that in 2016 research shows high level of access to digital communication, namely 87% of people which use mobile services weekly.

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But this came at a very high cost as on average 22% of disposable income is spent by people earning less than R388,00 a month and that is obviously for a very limited basket of services and that is very disconcerting if we look at our population. That means that high percentage of disposable income of people earning very low income is spent on communication services which is the same problem that we have with other infrastructure like access to transport, etc.

Also what was interesting is that the whole matter of voice and SMS basket, South Africa was not well ranked, in fact we were ranked 10th out of 49 African countries for the voice and SMS baskets. We were behind Kenya and Egypt which had better price voice and SMS options.

As far as data is concerned, the report highlights the facts that data prices remain expensive on the continent, South Africa's cheapest one gigabyte data was placed 16th out of 47 African countries assessed by Research ICT Africa.

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Tanzania had the cheapest one gigabyte compared to South Africa that was significantly cheaper at US\$0 89 compared to us US\$5,26. In comparison to other large markets, Egypt, Kenya and Nigeria had better data prices than South Africa.

Furthermore, I wanted to highlight the fact that the social impact of high cost to communicate was immense, 41,9% of consumers were sacrificing other items to purchase because they need to buy airtime to remain in communication with their loved ones and with the world.

The last matter that I wanted to bring to the attention as far as these report is concerned is that internet was a serious problem. We had access but it came at a price and therefore internet access remains unaffordable for most South Africans. So, clearly I don't want to go into the further details but the problem is that it must be addressed.

The committee made some recommendations with the time that is already preceded. Clearly some movement has been there. We will

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engage again on the cost to communicate on new public hearings.

Thank you a lot, hon Speaker.

There was no debate.

The CHIEF OF THE MAJORITY PARTY: Hon Speaker, we move that all the reports be adopted by the House. Thank you.

The SPEAKER: The motion is that the reports be adopted.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, the DA would like to make a declaration.

The SPEAKER: Okay, any other request for declarations. Okay, the DA, the EFF and everyone. Okay, we will see you by your presence here in the right place.

Declarations of vote:

Mr C MACKENZIE: Hon Speaker, after this weekend media reports perhaps I should call you Madam President.

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The SPEAKER: Oh no, please.

Mr C MACKENZIE: It is a much repeated World Bank statistics; now listen carefully that the 10% increase in broadband penetration will increase per capita growth by between one and one and half percent and although that side of the House likes to talk about global conditions slowing down South Africa's economy, the truth is that this government has done nothing to restore growth and done everything it possibly can under the Zuma racking bow Presidency to drive our economy into the dustbins.

As the new Minister of Finance will undoubtedly reveal tomorrow, the fact is that no broadband rollout is lost economic growth. It is worth noting that well almost every South African can access a mobile phone, internet connectivity at the speed essential for today's data hungry applications and content remains a problem, especially in rural areas.

The state entity charge to fix this is Universal Service and Access Agency of South Africa, USAASA. A big part of USAASA's mandate is to facilitate the rollout of the mythical SA Connect

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by connecting selected government institutions to a network. On oversight to Mpumalanga local municipalities, clinics and schools were all using private mobile network operators at their own expense even though USASA had paid millions for a network that was not maintained, was not even switched on with sites vandalised, rusty and uncared for.

While we welcome the demise of an inefficient and corrupt USASA, the news that it has to be collapsed into a new soon to be legislated, Digital Development Fund, DDF, has us losing some sleep. Given the government track record of mismanagement and corruption, we are concerned that the DDF will be nothing more than a honey pot for sticky finger deployees. Trust me we will be watching this one closely.

The reason data must fall campaign effectively highlighted the issue of the high cost of data. Though it has been shown in the cost communicate report, the issue is by no means a simple one, for example there is a direct relationship between the cost of data and the quality and reliability of the network you have installed. The cost of data on the 2 gigabytes or 3 gigabytes

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networks is significantly less than the cost of a Long-Term Evolution, LTE, network. In that light, we welcome the upcoming competition commission scrutiny of the telecommunication sector and the cost of data.

The populist approach to the cost of data is data must fall. The DA's approach is data for all. While there is a supply side intervention, the DA is focusing on the demands side providing data to those who needed most, yet find it difficult to afford. It is encouraging to note that despite evidence of massive corruption in the building of city networks in Johannesburg and Tshwane, the new DA-led administration in these cities continues to offer Wi-Fi to all our residence with the no charge daily allowance.

Led by the DA youth, the DA is also proposing that 500 megabytes of free data a month be made available for the poor and missing middle students, matric learners registered at government schools and job seekers registered on the job seekers data base. This allowance will enable this young people to access the internet for study purposes and to find work. That is data for

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all. That is data you can use and come 2019 the DA will implement this. The DA supports these reports. Thank you, Speaker.

Ms V KETABAHLE: Speaker, the majority of South Africans will be left behind by the fourth industrial revolution unless we address the high price of data and internet access. Data must fall. This is not an impossible task.

In 2010, Independent Communications Authority of South Africa, ICASA, intervened in the whole sale call termination market to bring down the cost of phone calls. The same can be done for internet and data prices.

Our country is one the most concentrated mobile phone market in the world with over 29 million South Africans using mobile phones, yet 22% of disposable income for lower income households is spent on mobile services. Why does it cost six times more for one gigabyte in South Africa than it does in Tanzania, when companies like Vodacom also operate in Tanzania? It is because our government allows it.

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This reports offer no fundamental solutions to bring down data prices. The National Electronic Media Institute of South Africa, NEMISA, strategic plan which aims to increase the e-skills capacity of the country doesn't even makes it cheaper and easier access to data as one of its primary focuses in developing e-skills. We can increase e-skills training but if data is too expensive the culture around information technology will never develop and the access and innovation we need to drive the fourth industrial revolution will never materialise. Thank you.

Mr X NGWEZI: Hon Speaker, the cost of communication and in providing universal services and access to communication in our rural areas remains a serious challenge if government is to meet the President's commitment to the people to modernise and to increase the affordability of information and communications infrastructure and electronic communication services including broadband and digital broadcasting.

The fact remains though that access to communication remains cost prohibitive for the vast majority of South Africans. Barriers to access such as lack of education particularly

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amongst woman remain high and as a result South Africa remains behind other developing economies with regard to receiving social and economic benefits of universal access to the internet.

Public access programmes must become a priority, innovative strategy employed to address the connectivity challenges in our rural areas. It is pivotal to any well functioning democracy that universal access to communication its populist is in place. Monopoly in the sector and lack of a need for competition amongst service providers remains a key barrier in realising a reduction in the cost of communication.

In this respect, it is imperative not only that Chapter 10 Enquiry be conducted by ICASA but also that the communications authority continue to work on implementing mechanisms that will amongst others regulate the expiry of data bundles. The declaration was read on behalf the hon member Liezl Linda van der Merwe. Thank you.

Motion agreed to.

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Report on Oversight visit to Mpumalanga and Gauteng accordingly adopted.

Report on Cost to Communicate accordingly adopted.

Report on Deliberations on Strategic Plan of National Electronic Media Institute of South Africa accordingly adopted.

Report on Site visit to Telkom Submarine Cable accordingly adopted.

Mr M L SHELEMBE: House Chairperson and hon members, the NFP notes the reports tabled here today, and we are encouraged by the comprehensive list of observations and recommendations made by the committee and contained in the oversight reports. These observations and challenges identified by the committee are pertinent and, if the department were to pay attention to them and address the concerns of the committee, the NFP believes that progress in institutional governance will be the desired result.

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With regard to the cost to communicate, the NFP notes that the communications sector continues to experience high levels of growth, despite the high prices of data in the market. However, our concern is that the growth is primarily supported by medium to high income groups, thus increasing the digital divide within society. Accordingly, we fully support the recommendation of the committee that the Independent Communications Authority of South Africa, Icasa, should conduct a Chapter-10 inquiry into competition in the broadband market and its associated pricing. We believe that the lowering of data prices will be to the benefit of all South Africans and will give our marginalised youth, in particular, increased access to the world of instant and continuous connectivity which has become the norm in modern-day life.

The NFP also welcomes and supports the recommendation of the committee on the National Metrology Institute of South Africa, NMISA, strategic plan. It is inconceivable that the board can operate satisfactorily with key positions vacant. We agree that the department should move with urgency to ensure that permanent

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members of the board are appointed and that all critical vacancies are filled.

Finally, we note the informative report of the committee on its site visit to the Telkom submarine cable system. In light of the importance of electronic communication and data consumption worldwide, a facility such as the submarine cable system must be awarded our utmost and considered support at all times. At the same time, we believe the strategic importance of such facilities should be acknowledged and emphasised when prioritising funds for maintenance.

In conclusion, the NFP supports the reports. I thank you.

Motion agreed to.

Report on Oversight visit to Mpumalanga and Gauteng accordingly adopted.

Report on Cost to Communicate accordingly adopted.

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Report on Deliberations on Strategic Plan of National Electronic Media Institute of South Africa accordingly adopted.

Report on Site visit to Telkom Submarine Cable accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON TRADE AND
INDUSTRY - VISIT TO NATIONAL REGULATOR FOR COMPULSORY
SPECIFICATIONS**

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON TRADE AND
INDUSTRY - COLLOQUIUM ON LOCAL PUBLIC PROCUREMENT AND ITS
LINKAGES TO INDUSTRIALISATION DRIVE**

Ms J L FUBBS: Chairperson, as I am sure has been explained, this will be the colloquium report on local public procurement and its linkages to the industrialisation drive. This was one of the colloquiums which really dug very deep. Exactly what is it that public procurement is contributing to industrialisation? Is it as effective as it should be?

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As members know, this was directly related to work the committee had done in a previous term - 2012, 2014, and so on - and we continued with this so that we could begin to see what could be changed. At this point, you will also realise that, in public procurement, if we could, we try and get private procurement to go the same route. However, as members of the World Trade Organisation, WTO, we must respect the rulings there and, therefore, we can only require that public entities purchase locally made goods. In terms of localisation, when foreign direct investment comes through and other countries invest in our country, we want to ensure that most of the content of what they are producing is local. It is in localisation and local content that you are able, through a value chain, to actually create more employment and more strategic employment.

What was clear when we did this is that much of the legislation we had dealt with and passed, such as the Broad-Based Black Economic Empowerment Act and Broad-Based Black Economic Empowerment Act Codes of Conduct, dated 2015, were directly contributing to this. However, we remained concerned at this point that some of the larger state-owned entities, SOEs, some

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call them state-owned companies, were not yet pursuing this path. This became apparently in the transportation sector at that point. However, the committee was also informed by Transnet and the Passenger Rail Agency of South Africa, Prasa, that the agreements they had signed ensured that as soon as local companies - and remember, our Black Industrialists Programme is directly linked to ensuring that locally qualified people can actually be directly involved in manufacturing and public procurement. So, we called them in, and we were told at that meeting and convinced - and this is why this report of 13 October 2016 is important - that, actually, it was only the first tranche or production line that had to be secured externally but that, in future, further locomotives, coaches, etc would be procured internally. We were persuaded that that would be the case.

However, what we said is we wouldn't rest there. We would continue to see them and engage them, and we would also conduct our own oversight visit. That January oversight visit, in which we visited regulators, many companies, and black-owned industrialists, we learned during that period that not

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everything we had been informed about was taking place as effectively as it could have. So, our conclusions then were that procurement needs to remain transparent, that we need the Auditor-General's help to verify that when I say this has 90% local content, what I am saying is accurate. It is on that basis that we have asked the Auditor-General to submit a report on measures taken to enhance the auditing process with respect to supply chain management, the Ministers of Trade and Industry and Finance to engage each other, and the Minister of Trade and Industry to engage his compatriots. I thank you. [Applause.]

There was no debate.

Declarations of vote:

Mr D W MACPHERSON: House Chairperson, I am going to give you the honest version of what the hon chairperson gave. She gave the very sugar-coated version.

What we are seeing in local procurement under the ANC is a complete failure to capacitate and emancipate local businesses. In fact, government and state-owned enterprises are giving the

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middle finger to government procurement policies. On an oversight visit to Gauteng, we met with a number of businesses, mostly black owned, and I recall a story that one of the businesses, a 100% black-owned company, was about to start laying off staff because the tenders they had been given by Transnet were not being fulfilled. Imagine that - a black-owned company being pushed to the edge by the ANC-led government. What did they do? They sat there and did nothing. [Interjections.]

The truth is that the ANC and state-owned enterprises are the enemies of black-owned businesses. The Transnet scandal around the locomotive procurement process is a great example of how much the ANC disregards procurement policies. China South Rail was awarded 349 locomotives in the 1064 contract, but there was a company called Tequesta consulting that was based in Hong Kong and had one Mr Salim Essa, a close associate of the Guptas, that worked for it. This company was paid R6 billion for consulting fees, which means that for every locomotive Transnet was buying from China South Rail for R50 million, R10 million was going to the Guptas. Not a single one of those locomotives has been built in this country - not one - but here is the kicker, ladies and

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gentlemen: In the tender award process, in the contracts, there are no penalty clauses for failure to meet local content.

Nothing! [Interjections.] Once again, this is the ANC-led government giving the middle finger to black-owned businesses in South Africa - zero local procurement and no penalties, all without consequences.

Transnet has now gone one step further. They want to become an original equipment manufacturer, OEM. Translated, what that means is they want to start getting into competition with South African manufacturers. They want to do the work of South African manufacturers. They want to start undercutting them. They want to start doing the work they are doing. They want to destroy black-owned businesses in South Africa. What does the ANC do? Nothing! In fact, it was actually the DA that made the recommendation for the Auditor-General to start verifying local content. [Interjections.] That was a DA proposal, hon Fubbs. You forgot to mention that.

Let's move to the National Regulator for Compulsory Specifications, NRCS. The NRCS is an institution that has the

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ability to speed up market access, or it can be an incredible hindrance for customers to gain goods and services within South Africa. Great progress had been made in dealing with this entity and the backlogs of the letters of authority that were piling up after Minister Davies decided to extend the application process from 21 days to 120 days overnight. The DA proposed that a risk-based management programme be implemented that would rate goods on a risk-based system, and those with less risk would be fed into the market a lot quicker. This was agreed to by the NRCS. Unfortunately, they have now reneged on that process, and the letters of authority are piling up once again - all to the detriment of South African consumers and businesses at large.

There can be no mistake: The ANC is the biggest enemy to businesses in South Africa. I thank you. [Applause.]

Ms E N NTLANGWINI: House Chairperson, Chairperson of the committee, we can agree that our state entities are dragging their feet in procuring locally. What does that say? Don't they believe in their own policies?

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We are going to poke the bear on our inquiry that we are going to do. We need to stand firm as a committee and not be scared of the Guptas appointees that will come and protect what we will find in that inquiry that we are going to have as a committee.

In 2015, Mr Zuma and the Minister of the unnecessary Department of Small Business, which should have not been graded, made an announcement of 30% set aside of state procurement for small business. Three years later, such a simple and straight forward target could not be achieved because there is no original and genuine plan for state-led industrial or efforts to support manufacturing. To that aspect, local public procurement without manufacturing sector is not only unrealistic but is also setting up government for failure.

Even more concerning is the fact that South African Bureau of Standards, SABS, doesn't know the exact role as to what they must play and they don't have the capacity to validate, verify and monitor everything. There is also lack of clarity in terms of roles and responsibility. While reports of the oversight trip and the colloquium recognise that South Africa has a problem of

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almost extinct manufacturing sector, it is diagnosed recommendations that are ill-advised and must be rejected. The EFF has long-time called for a state-led industrial protection of infant industries and its state subsidies.

If co-ordinated properly, the government must buy garments, linen, waskom [basin] for hospitals, clinics, correctional services, defence force and police uniforms. Yes, waskoms [basins]. You must buy it in South Africa. It's so shocking that the whole chief of ... Doesn't know what is a waskom [basin]. It is only then that localisation and local public procurement and industrialisation will be connected to ethics to grow the economy, create sustainable jobs and improve the material living conditions of workers of South Africa. It's time that we start a South African Industrial Revolution.

Everything must be bought in South Africa. It shouldn't be that you invite Transnet and they don't even know how to explain the term localisation. They think localisation is when a person touches down here in South Africa from abroad - that's localisation for them. We must teach them what localisation is.

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It is time, chief, that you learn and read about some of the EFF's policies and then we can direct you as to what true localisation is to grow this economy. I thank you. [Applause.]

Mr J A ESTERHUIZEN: House Chair, in local procurement, one of the companies mentioned that it was supposed to cost train wheels as was promised a contract amounting to R35 million and R900 million in tax incentive but never received the orders from Transnet. They had to close down the whole plant and change everything to manufacture wheel drums for trucks after the failure by the state entity.

Hon Chairperson, the National Regulator for Compulsory Specifications' mandate is to promote fair trade policies. Also in our visit, the importing dumping of sub-standard cement from Pakistan and China was queried. The NRCS said that those have been investigated and no noncompliance was found. This raise a question marks. Pretoria Portland Cement Company, PPC, has taken the matter to court and the cement still continues to be dumped in South Africa.

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Last year, about 650 000 tons of cement was imported from Pakistan and over 400 000 tons from China. The fact of the matter is that we seem to have no control of a substance import. That's maybe why bridges and shopping malls are collapsing. How do we know that the little of authority from the NRCS had imported cement is in fact compliant with the SA Compulsory Specifications.

The NRCS and the SABS were formerly accepted by South African end users. There is a sign of reliable quality that we have to drive for globalisation and adoption of International Electrotechnical Commission, IEC, specifications. All has now changed for the worse.

Local industries had hoped that controlling bodies, such as the NRCS and SABS, which regulate the importation of sub-standard products ... but what actually happen, is that there is a reduced presence in a market place of these controlling bodies, so much that there is a serious doubt about the fitness of compulsory specification regulations.

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The regulatory bodies such as the SABS and NRCS ensure that only safe and quality products enter South African market place.

These standards bear minimums which must be upheld for the benefit of our people and the country. I thank you.

Mr A M SHAIK EMAM: Hon House Chair, on my way here I wanted to confirm with my colleague from the EFF and I found that the hair is indeed locally produced. I think what is very important in this particular discussion and report ... [Interjections.]

Ms E N NTLANGWINI: On a point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, will you just take your seat, please. Why are you rising, hon member?

Ms E N NTLANGWINI: I just want to check with you, hon Chairperson, is it correct for the hon Shaik Emam to make such a sexist statement on the person's hair? It doesn't matter what hair I wear and how I wear it. Don't ever make that statement in here.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member.
Hon Shaik Emam, will you withdraw that remark, please.

Mr A M SHAIK EMAM: House Chair, withdrawn. It was the tint not
the hair, Chair. But thank you very much, I have withdrawn that.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Shaik Emam, you must
just unconditionally withdraw.

Mr A M SHAIK EMAM: Yes, I have withdrawn, Chair.

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

Mr A M SHAIK EMAM: Chair, you know, what is very clear and
understandable is that ...

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

Mr A M SHAIK EMAM:... one need to ... In the South African
context, in order to create jobs to boost the economy, one must

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encourage especially state-owned entities to purchase locally made products.

Now, I heard one of my colleagues talk about products from China and Pakistan. Yes, I think we import too much. But let me also tell this House that even what you import from America and from the UK, comes from China and Taiwan because they don't make it because it is the same quality. So, anything that we are importing from all these countries, even the worst still is manufactured in China and still manufactured in Taiwan. So, the quality is no different as these aren't manufactured in these western countries.

However, Chair, I think we must welcome the initiative by this particular committee together with the entire role-players and the relevance stakeholders. I think they have been very sincere about it - what they have done? They have identified challenges which they want to deal with. They want to find solution so that we could ensure that the state procures locally, which will boost the economy and also create jobs. So, I don't understand what the argument and the farce is rather than encouraging any

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of our relevant department that is taking the initiative to boost the economy. That's what we suppose to be doing. But I am hearing my colleagues spending more time here condemning and criticising rather than welcoming and commending the Department of Trade and Industry.

Now, let me give you another good example, Chair, and I said in this House ones before on behalf of the NFP that you have very capable people even in different political parties. I think one of my colleagues says here, that he suggested in terms of the Auditor-General's role. So, then we must commend him. There is nothing wrong with that. Like the NFP has repeatedly said to the Minister of Police and all the others that they must bring in the SA Defence Force to help the police beefed-up so that they can assist. Exactly the same thing, we must commend people for their roles that they play and their initiative and their intellect.

So, in a nutshell, the NFP is very encouraged by the stance that has been taken by the Department of Trade and Industry, this initiative that they fought for. We are quiet certain that if

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fully implemented can only benefit the local industry, the economy as a whole and ensure that we create jobs and create economic development. The NFP support. So, I thank you.

Ms J L FUBBS: Hon Chairperson, the ANC has always believed that we need to utilise sharp instrument to implement policy. One of the critical instruments has been identified as public procurement. So, long before the DA even knew the name public procurement possibly, we were already there. But I want to concur with some of the parties that have comes up here. Indeed, we are going to endeavour to ascertain exactly where the blockages are to realising the objective. What is the objective of public procurement and localisation? The objective is the creation of employment through a massive value chain all along the way.

Related to that objective - because we will be doing that, we will be able to generate economic development and acceleration of our trajectory here. But it won't be an unsustainable acceleration of our economy and strength. It will be based on utilising manufacturing as a key component. It's not true, I

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must say, I find it astonishing sometimes when I sit here and I hear all kinds of claims. I am just wondering if we shouldn't keep a track on these claims because some of the claims made here are totally outrageous. It would assume that the Chairperson was sleeping in the committee. I am one of the few people that don't sleep in a committee meeting.

So, another issue here is that one of the critical interventions of Industrial Policy Action Plan, IPAP, which was underlined in the colloquium, is local public procurement.

Another point though that we need to spell out very clearly is that the Department of Trade and Industry in the IPAP expressed the fresh imperative - that is to shift from consumption-driven sectors of the economy to the productive sectors, and because of that, we know that it is essential, if we are going to transform our economy then, it is important that we train and skill up our population. Why do we then have the Black Industrialist Programme? It is to ensure that our people, the majority of the population have the skills to actually produce. They have the skills to own companies, manufacturing companies, productive and

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processing ones. Hon Chairperson, agriculture too is part of this programme.

What is imperative is the enquiry we are about to embark on was not something that we short from the hip. This has been a process of two-year's fact-finding on-site visits. We said unlike perhaps some others, it would be important to bring such stakeholders into a room and say this is our goal. This should be your goal. No doubt, they will agree. These are the measures that had been identified to achieve that goal.

Now, you are here. You have to help us work together with us to find out why we are not achieving this. We are not assuming corruption. I have never assumed that thing in my life. So, what we are doing, let's get the facts, look at them and see whether or not ... And this is a statement that the ANC has repeated at every meeting or almost every meeting. That is, we may be able to address such broad language, like, here is a tender on an as and when you can supply us - as if any company can survive on that. So, that is not corruption, as and when, but it tells you

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that that is the sort of phrase that should not be in a contract.

So, we hope to work together there, identify these venues and to say these are the issues we want in the contract or whatever. This is the way we want you to do things. So, I believe hon chairperson, and I really do - going through this now for me has been a 10-year journey, of course for a few other members, possibly two years. But for me, as Chair of Trade and Industry for the second term, I have seen the process involving. I really do believe that the entities we engage with will, most of them at least realise that this is a great opportunity to set right some of the things they have done wrong, produce wrong, carried out wrong and put themselves in the right direction.

The ANC has always tried to welcome people and work with people and to say, let's work together. We may have made mistakes in the past, let's fix those mistakes. All of us sitting in this House have not yet been overtaken robots - we are humans. Humanity and humans make mistakes. That's what makes us so

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interesting. The ANC totally support this report of cause and everything in it. Thank you. [Applause.]

The CHIEF WHIP OF THE MAJORITY PARTY: House Chair, we move that the report be adopted by the House. Thank you very much.

Motion agreed to.

Report on Visit to National Regulator for Compulsory Specifications accordingly adopted.

Report on Colloquium on local public procurement and its linkages to industrialisation drive accordingly adopted.

THE CRIMINAL JUSTICE SYSTEM - PROFESSIONAL, RESOURCED AND SKILLED, SERVING COMMUNITIES, SAFEGUARDING LIVES, ACTING AGAINST CRIME AND RESPECTING PEOPLE'S RIGHTS TO EQUALITY AND JUSTICE

(Subject for Discussion)

Mr J J MAAKE: Hon House Chairperson, today we're going to look at the criminal justice system; check whether it is

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professionally resourced and skilled; is it serving the communities regarding their lives, acting against crime and respecting people's rights; to equality and justice.

I am going to try and trance the work of bodies designed to deal with corruption and crime that have a negative impact on our economy and general corrupt economic practices in our economy; so as to ensure our democracy is protected and its values and ethos reinforced; respecting people's rights and equality and justice, thereby ensuring a future society that is more equitable, just and stable.

Corruption threatens sustainable economic development - it's a fact - ethical values and justice; it destabilises our society and endangers the rule of law. It undermines the institutions and values of our democracy. Because public policies and public resources are largely beneficial to poor people, they suffer the harmful effects of corruption most grievously. To be dependent on the government for housing, healthcare, education, security and welfare makes the poor most vulnerable to corruption since it stalls service delivery. Delays in infrastructure

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development, poor building quality and layers of additional costs are all consequences of corruption. Many acts of corruption deprive our citizens of their constitutional and human rights.

Corruption and international perceptions to corruption in South Africa has been damaging to the country's reputation and has created obstacles to local and foreign direct investment, economic growth and has ultimately distorted the development and upliftment of our people. Corruption creates fiscal distortions and redirects money allocated to income grants, eligibility for housing or pensions and weakens service delivery; it is usually the poor who suffer most. Income inequality, unemployment, poverty has increased in our country because of high levels of corruption.

More than R80 billion is estimated to be leaving South African borders to foreign jurisdictions in illicit financial flows at an annual basis. Our economy has for a long time suffered decades of transfer pricing and other forms of illegal capital flight by multinational companies, corruption affects us all.

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Corruption threatens sustainable economic development and ethical values and justice; it destabilises our society and endangers the rule of law, it also undermines the institutions and values of our democracy. Poor people suffer the most harmful effects of corruption. Corruption and bad management practices eat into the nation's wealth, channelling money away from such projects and the very people that dependent on government for support. Corruption threatens the very existence of our constitutional democracy and that effective laws and institutions to combat corruption are therefore essential. The Constitutional Court therefore has the duty to ensure that legal mechanisms against corruption are trustworthy and enjoy legitimate divisions within the police like the Hawks help to fight corruption.

The ANC Government established the National Crime Prevention Strategy and established a programme committee to work on corruption. By 1997, the Code of Conduct for the Public Service had become part of the regulations for every public servant. The programme committee's work resulted in Government's approval of a National Campaign against Corruption in 1998. The first step

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involved a Public Sector Anti-corruption Conference in November of 1998. Its resolutions addressed such issues as defining corruption, restoring a public service ethos, the role of civil society, the responsibilities of public sector managers, financial management and controls, and co-ordination of anti-corruption structures.

Fundamental to the fight against corruption was the involvement of all stakeholders. A National Anti-corruption Summit was convened in April 1999 involving government leaders, organised Business, organised religious bodies, the NGO sector, donor countries, the media, organised labour unions, academic and professional bodies and the public sector. The National Anti-corruption Summit created a powerful platform for the National Campaign against Corruption in that it recognised the societal nature of corruption, and that the fight against corruption requires a national consensus and co-ordination of activities.

National Government has introduced and promoted various pieces of key legislation such as the Protected Disclosures Act, Promotion of Access to Information Act, Financial Intelligence

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Centre Act, Promotion of Administrative Justice Act and the Prevention and Combating of Corrupt Activities Act.

Establishment of strong institutional capacity at national level to complement the basic police work, with such institutions such as the Public Protector, the National Prosecuting Authority, The Special Investigating Unit, the Public Service Commission, the Financial Intelligence Centre and the Auditor-General. These institutions, individually and collectively, are reaching levels of maturity and efficiency that have provided the country with strong anti-corruption capacity. The money laundering work of the Financial Intelligence Centre is compliant with the highest international standard for combating money laundering, namely the Forty Recommendations of the Financial Action Task Force on Money Laundering.

Government commissioned a study into all agencies involved in anti-corruption work with a view to increasing efficiencies and impact. The ability for law enforcement and related oversight agencies to coordinate work at operational level has increased significantly.

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The use of multi-agency task team to investigate and deal with allegations of corruption has proved to be partially successful. Examples of such operations include the report of the strategic defence proc... [Time expired.] Thank you very much.

Mr W HORN: Chair, the reality is that a well-functioning criminal justice system is, at best, a dream deferred, despite the best efforts of those role players in the criminal justice system who serves our nation diligently.

Today, we firstly want to honour those members of the SAPS, the NPA and Correctional Services who keep the criminal justice system from crumbling under their feet, by displaying professionalism, commitment and energy.

In honouring these modern day heroes, we must however also point out that, for the large part, the criminal justice system is failing in significant ways.

Afrikaans:

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Net vanoggend moes die Suid-Afrikaanse Polisie diens bieb, dat hulle steeds nie bereid of in staat is om statistieke rondom plaasmoorde te verskaf nie. Die komediant, wat ook die rol vertolk van Minister van Polisie, se enigste reaksie op dié kwessie, waarvan hy waarskynlik nie belang stel om die omvang te begryp nie, was om boere te waarsku om nie onwettige immigrante en misdadigers in diens te neem nie. Hoe pateties, en ongelukkig aanduidend van hoe onbevoeg hierdie regering is om misdaad en veral die moordpandemie in ons land vas te vat.

English:

We are living in a society where it is estimated that as little as 10 percent of rape cases are reported to the police and of these, a significant percentage do not end in the conviction. The exact numbers are not known because the NPA only reports on the conviction rates of sex crimes, in general.

The #MeToo movement, which is also gaining momentum from day to day in South Africa, is clearly illustrating that we as a society, and specifically us as men, are yet to fulfil the

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positive role we can in dealing with and preventing sexual misconduct.

Our chauvinistic dominance in the criminal justice system is still deterring many women from reporting sexual crimes. Let's change this.

It must be said that our criminal justice system as a whole is not trusted by South Africans. In the case of the NPA, we are dealing with an institution with a credibility crisis. On the one hand, the NPA reports that it is mostly meeting the targets it's setting for itself annually. But yet, these targets have, in material respects, been lowered over the last years.

While we, as a Parliament, are annually informed of the ever dwindling amount of time spent by prosecutors in our courts, the NPA, as of this year, will no longer report on the number of cases finalised each year. We must rather be satisfied with the information that a 93% conviction rate is maintained. And in the absence of an independent review body looking into decisions not

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to prosecute, we can only speculate whether the NPA cherry-picks the cases it enrolls.

We also need to reflect on the independence of the NPA. The political meddling into the affairs of this institution over the last 15 years has proven that, going forward, when a new government that is committed to the rule of law and the Constitution takes over in 2019, it will be of paramount importance to strengthen the independence of the NPA, by amending the manner in which the National Director of Public Prosecutions, NDPP, is to be appointed.

For us to assure that an NDPP do not defend and protect up to the Supreme Court of Appeal, rather than prosecute important politicians facing, let's say, 783 charges of corruption, we simply must ensure in future that NDPPs are not only able but also hell-bent on dispensing justice without fear, favour or prejudice.

The reality is that the future credibility of, and public confidence in the NPA will ultimately fall on the manner in

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which it, in the next few weeks, deals or fails to deal with those high profile cases about corruption, and that special brand of corruption, which has infested South Africa - state capture. It would have been good to also hear about state capture in the introduction of this motion by the hon Maake.

Hopefully, the NDPP will not take his lead from one of the new role players in the security cluster, the new Minister of State Security, who is of course, and importantly so, given his new job to protect our constitutional sovereignty, a state capture denier himself.

The hon Bongo, who earlier today took his newly appointed seat - I think, we can now call it the Saxonwold bend on the government benches - in a very cloak and dagger manner, also do not believe that any of our constitutional entities like the NPA should be allowed to operate independently from government, because he argues constantly in the committee meetings that government funds them.

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However, the current NDPP has a small window of opportunity to demonstrate to the nation that he is not, like a true cadre, only willing to proclaim that he is independent, but that he, in fact, is.

He has a small window of opportunity to announce, without considering the impact it may have on politicians, political parties and political conferences that no one is above the law and that a strong case of corruption against any citizen is to be prosecuted without fear, favour or prejudice.

He has a small window of opportunity to take the magnitude of evidence, already referred to him more than a year ago by the Public Protector in the state of capture report, and prosecute those implicated.

Making use of this small window of opportunity will go a long way to restore the trust and confidence of the nation. Failure to do so will ensure the confinement of the scrap heap, exclusively reserved for those who failed South Africa when our country needed them most. In that case, the restoration of the

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credibility of the criminal justice system will be postponed for a little bit longer, until somewhere in 2019. I thank you.

Mr N S MATIASE: House Chair, our criminal justice system is anything but a justice system. Access to a fair justice system, executed without fear or favour is only a luxury enjoyed by the rich in this country.

As we speak, it is easier in this country to arrest people who speak the truth than it is to arrest those who break the law. People like Mduduzi Manana assault women and are never arrested for their actions. Ubaba ka [the father of] Duduzane has been evading justice for more than a decade.

The state was very quick to arrest and persecute Fees Must Fall activists, but it is not as quick when required to arrest men who rape women and children in our society.

However, is it also naive to think that we can deal effectively with crime without dealing with the underlying causes of crime, which, in the main, in this country remain poverty and

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underdevelopment. The lasting solution to criminality is economic emancipation of our people.

Over the past 10 years, we have also witnessed a deliberate dumbing down of other institutions of the criminal justice system. The police, who are at the coal face of fighting crime, have become factionalised and despondent. They are overwhelmed by the extent of crimes in our society. More disturbingly, they are used to take sides in ANC factional battles. For this reason, they are unable, to this very day, to investigate and arrest anyone in relation to political killings in KwaZulu-Natal.

The National Prosecuting Authority has been limping from one leadership crisis to another.

Ubaba ka [the father of] Duduzane has a penchant of appointing people he thinks he can control, to prevent any possibility of ever accounting for his criminal actions. He stuffed the NPA like Nomgcobo Jiba and Lawrence Mrwebi with his acolytes, to frustrate any attempts to prosecute him.

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He appointed Mxolisi Nxasana, hoping that he will be his lapdog. As soon as Mr Nxasana showed he was a man of integrity who will not break the law, ubaba ka [the father of] Duduzane fired him and replaced him with an ineffective and grossly incompetent person in the form of Shaun Abrahams.

At the Hawks, he forced the appointment of Berning Ntlemeza, despite his integrity being under serious question. He then unleashed Ntlemeza and Moyane on Pravin Gordhan and any other person he thought of as an enemy.

As a consequence, apart from the judiciary, every other arm of the criminal justice system has been captured by the corrosive influence of ubaba ka [the father of] Duduzane, and is used to fight his own factional battlers, leaving millions of South Africans vulnerable to pervasive criminality.

The result is that we have millions of South Africans in Cape Town, for instance, utterly hopeless, waiting to be victims of hijackings and waiting to be shot by criminals in Nyanga and in the gang heartlands that the Cape Flats have become.

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We need to recapture our institutions of criminal justice from the criminal network sponsored by ubaba ka [the father of] Duduzane and his gang. We need to have a head of the NPA whose integrity is beyond reproach.

We need to have a head of police whose capacity and integrity and commitment to ridding our society of crime is beyond question. We must start by showing that no one is above the law, even ubaba ka [the father of] Duduzane himself. Parliament should be seriously interested in whether Shaun Abrahams will reinstate the 783 counts of corruption, money laundering and racketeering against ubaba ka [the father of] Duduzane. If he fails to do so, we might just as well stop prosecuting anyone and open up our country to the rules of the jungle, where the powerful escape any scrutiny of their actions. Thank you so much.

Mr L K B MPUMLWANA: You see, there is something that is usually said in English that empty vessels make the most noise.

[Applause.] I know that sometimes like any other farmer ...

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IsiXhosa:

... kuye kuthiwe makhe sikhangele ukuba le mbewu besiyityalile ihamba njani na kwaye iziqhamo zayo zithini - ndizakuzama ukwenza njalo.

English:

The South African legal system, similar to the structure of our economy and the design of our education system, just to mention a few, still carries with it, the baggage of the apartheid era. This is more apparent in the criminal-justice system where the capacity of the police in investigating complex and sophisticated crimes is often lacking, the courts are battling with heavy cases of backlogs and untenable overcrowding in correctional centres. These challenges are not new, but are indicative of a system that was designed to serve the interest of the white minority to the detriment of the larger black majority.

The government has devised and implemented aggressive programmes and measures to address the imbalances perpetuated by the legacy of inequality of the past across the justice-value chain. These

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measures derive from the seven-point-plan which was approved by the Cabinet and the plan was culminated in various Acts of Parliament which sought to transform the criminal-justice system. Amongst these Acts one can mention the Superior Court Act, the Legal Practice Act and the Amendment with Criminal Procedure that make it more difficult for the accused to get bail.

There are also significant milestones that were realised in relation to the following:

Firstly, Legal Aid South Africa, for example was established. Before then, it was to assist poor whites. Today, a lot of money has been put in there to assist a lot of people who are poor. Since 1994 over a billion has been channeled towards the Legal Aid South Africa;

Secondly, there are all sets of construction of new courts to increase access to justice to previously marginalised society.

During his address to this esteemed House during the budget debate of the department, Minister Masutha alluded to the

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establishment of normal building at least two new courts per year to address the huge backlog of courts particularly in rural villages. The 58 courts constructed since 1994 underscore government's commitment to access to justice; and lastly, finalisation of the rationalisation of courts and jurisdictional boundaries, the rationalisation project has been completed in four provinces, namely: Gauteng, North West, Limpopo and Mpumalanga. This is transformation. When we talk, we act. We are here for transformation.

However, to monitor the perception of the public, regular victims of crime; we have also instituted, amongst others, statistics. These surveys indicate that challenges' declining trust and confidence in the police and the courts and this is being addressed in the interventions by the Cluster. In respect of crime investigation, there has been a notable improvement in crime scene management. So, we have decreased the backlog in the courts. We have increased the number of successes in the courts that is the convictions. We have reduced overcrowding in the prisons. This is our success. We know what to talk about. We are in government and we are busy transforming the society. That is

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exactly why the African National Congress must always lead.

[Applause.]

There are people or political parties who do say if they were governing, they would probably do better. I understand the independence that the hon Horn has been talked about. If you don't tow their line, then you are not independent. You must be under the Zuma government, but if you are in their line then you are independent. That is their understanding of independence. They want to dictate. I don't know why the EFF is also in this disease of Zuma phobia. Every time when they come here, they are just attacking the President. Every time, there is nothing else to talk about.

Mr T RAWULA: Order, Chair! Order, Chair!

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

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Mr T RAWULA: He, himself attacks Zuma. The member is attacking Zuma himself. He must not accuse the EFF for Zuma phobia. He has got the Zuma phobia himself. He does not ...

Mr L K B MPUMLWANA: The National Prosecuting Services attained its target for a number of criminal cases finalised with the verdict ...

Mr X MABASA: Point of order, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mpumlwana take your seat. What's the point of order, hon member?

Mr X MABASA: I rise on a point of order. According to Rule 82, it is supposed to be hon President or Mr President or Mr Zuma, not just Zuma. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. I think members are reminded. Continue, hon member.

Mr L K B MPUMLWANA: A total number of 341 360 cases against a target of 330 000 cases have been finalised. As can be seen from what have been indicated the efforts to transform our legal

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system and the measures that have been put in place are starting to make a difference on the quality of the lives of our people, and in ensuring greater access and efficiency in the criminal justice system as part of the broader social transformation of the structures and systems in our society. There is a big difference between prior to 1994 and post 1994 until now. I agree with everybody, including the opposition who believed that they had been part of the liberation. [Interjections.] I think that it is very important for everybody to be objective that there is a difference the ANC has brought into this country after 1994. That is why everybody should vote the ANC. Thank you very much. [Applause.]

Prof C T MSIMANG: Hon House Chair, the term Batho Pele is all encompassing and succinctly spells out in an uncomplicated manner the vision of the way in which services should be rendered by government to the people. Justice and access to justice is a very important component of this system. It not only regulates and provides real sanction and redress against contravention of the law of the land, but also provides safety and security to the law-abiding citizens of our country. It is

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therefore of the outmost importance that justice is not only seen to be done, but is also done.

The National Prosecuting Authority's, NPA, Strategy 2020 about how to deal with crime and to provide justice so that people can live in freedom and security will remain nothing but a pipe dream unless and until the NPA begins to prosecute without fear or favour. The success of the rule of law and its ability to deliver on its promise to all South Africans remains heavily impeded by prosecutorial discretion as the latter becomes a loophole with which to evade criminal sanction if the NPA is compromised. It is a question that must be asked.

Besides the high profile matters that are not being prosecuted, there are other matters in our provinces in which our courts and the prosecution appear to be compromised. These must also be investigated.

In KwaZulu-Natal, there is a matter on the role involving the alleged rhino horn poaching kingpin of Zululand, Dumisani Gwala. The matter is being heard at Ngwelezane magistrate's court. This

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matter has been postponed 16 times already. The trial is yet to begin. I don't think anyone in the country will disagree that we are currently at war for our rhinos and yet possibly the biggest rhino horn court case currently before us since fraud with irregularity and possible complicity on the part of justice.

Now, without casting any aspersions and being mindful of the sub judice agreement, I simply request that the hon Deputy Minister of Justice takes a considered look into these proceedings. [Time expired.]

Mr S C MNCWABE: Hon Chairperson, a criminal justice system which is professionally resourced and skilled, that serves communities by safeguarding lives, which acts against crime while, at the same time, respects the rights of people to equality and justice is an ideal to which we should aspire. It is also an ideal which the people of South Africa deserve to see implemented and becoming a reality.

Since our birth as a fully fledged democracy in 1994, South Africa has been plagued by crime which seems to increase year on

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year. While our new democracy should have thrown all available resources into the fight against crime to protect our hard-won liberty, we were, sadly, negotiating an arms deal. With that, we lost a valuable opportunity to cement the fibre of a new social dispensation.

Results of a recent survey of victims of crime released by Statistics SA shows that there is a steady decline in the public's confidence in the criminal justice system. The results show that household satisfaction with police declined from 64% in 2011 to 57% currently. Moreover, statistics released earlier today by the Minister of Police, shows a general decline in crime but also reveals that violent crimes such as armed robbery, vehicle hijacking, farm attacks and home invasions are on the increase.

In an ideal world which has an ideal criminal justice system, occurrences such as mob justice, gang violence, and the rampant rape and murder of our women and children will have no place. In reality, these takes place in South Africa everywhere and everyday. This needs not be so. The NFP agrees with the call of

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the Minister of Police that communities must assist in the fight against crime but, at the same time, it is important that there should be co-operation and synergy between the police, the prosecuting authority, the judiciary and correctional services.

We do, however, have to bear in mind that combating crime is the first line of defence between the people and lawlessness. But the other components of the system have equally important roles to play in bringing our criminal justice system closer to the ideal.

Above all, the NFP believes that we need political willingness to commit government and the maximum resources available to it towards the improvement of our criminal justice system.

Finally, the NFP believes that government must lead by example to ensure that criminal activities such as corruption and fraud within its departments and entities are rooted out. Thank you very much. [Time expired.]

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Mr M L W FILTANE: Chairperson, from suspect to convict is a long road and that's the space that is supposed to be managed by the justice system. Today, the Minister of Police released crime statistics for 2016-17. We are distressed by the increase in murder, aggravated robbery, sexual assault, cash-in-transit robberies and hijacking, to name but a few. We are also outraged over the fact that the Eastern Cape and Western Cape have recorded the highest murder ratio in the country. These increases are of a serious nature, and not just petty theft.

Government is not doing enough to protect and provide security to its citizens. Take that seriously! The people of South Africa have no reason to even hope for what the National Development Plan, NDP, envisages as a safe environment free of crime by 2030. If government does not address these statistics and achieve a drastic reduction in crime for the next fiscal year, government is likely to set itself up for failure, come 2030.

Unfortunately, this failure will greatly affect the most vulnerable in society: the rural poor, women and children, and the defenceless. The UDM calls on government to give necessary

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attention to these crimes and come up with an effective yet efficient plan to deal with this matter or step aside.

The criminal justice system has a combination of responsibilities by a number of departments and institutions. The combined expenditure on the criminal justice system for the financial year 2016-17 amounted to R126 billion, which is 9,68% of total government expenditure. Yet, the expense does not correspond with the return on the investment. [Interjections.] For instance, although the NPA achieved 93% of convictions in 2015-16, the number of cases finalised that year was 22% less than the number finalised in 2003-04.

The NPA, in its tardiness, seems to have elected to decline to prosecute some of the cases. Why? While the police may succeed in arresting many suspected criminals, some of those do not get to the courts and are never convicted of crimes they committed, showing that government and criminals are alike are not accountable for their actions.

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In 2015-16 this department received 3% of the total national Budget. Given the contraction of the economy, we expect this share of the budget to reduce even further, resulting in less capacity.

Crime scares potential investors away. Violence against women and children is still a great and urgent challenge. Many policies and programmes for fighting crime and violence against women and children have not resulted in any sustainable and effective way of dealing with crime.

Only when government values all societal stakeholders, will it finally be able to understand and eradicate crime. Government must seek guidance from community based organisations, public representatives, institutions of learning, traditional leaders, religious organisation and many others in order to secure the nation. Thank you. [Time expired.]

Afrikaans:

Dr P J GROENEWALD: Voorsitter, die regering van die dag is die sondebok wat die mense van Suid-Afrika in die steek laat as ons

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praat van die strafregstelsel in Suid-Afrika. Die rede is baie eenvoudig – die aantal vrot appels wat in die kas is, word nie verwyder nie. Dan word daardie lede wat in die polisie is, wat in justisie is, wat hard werk, wat hulle beste lewer om goeie diens aan die mense van Suid-Afrika te lewer, besoedel deur die vrot appels. Die regering tree nie na behore op om daardie vrot appels te verwyder nie, en nou moet die goeie werkers ook die slegte naam dra van daardie vrot appels.

Kom ons kyk wat sê die agb Minister van Polisie vanoggend. Vir die 2016-17 boekjaar is 2,1 miljoen misdade geklassifiseer as ernstige misdade ...

English:

... 2,1 million serious crimes reported in South Africa. If you look at the police services, there are only 27 000 investigators. How on earth can we only have 27 000 detectives investigating dockets to ensure that justice prevails?

Afrikaans:

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Die Minister het erken. Hy het gesê die laaste keer dat Suid-Afrika 'n behoorlike Kommissaris van Polisie gehad het, was onder George Fivaz. [Tussenwerpsels.] Die Minister het dit gesê. Moenie vir my sê "iyoh" nie.

English:

You must say "iyoh!" to the Minister. The Minister admitted.

Afrikaans:

So, wat die agb Minister erken, is dat nie een van die kommissaris se daarna op standaard was nie. Wie stel die kommissaris aan? Dis die President wat die kommissaris moet aanstel, maar politieke oorwegings is swaarder as die oorwegings van wat in die beste belang is van die mense van Suid-Afrika.

Ek wil vandag hier sê alvorens daar nie weer 'n bevoegde Nasionale Kommissaris van Polisie aangestel word, uit die geledere van die polisie, om te verseker dat hulle gehalte diens kan lewer nie, sal ons nie die misdaadsituasie kan regruk nie.

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Slegs ongeveer 20% van misdade word suksesvol in ons howe vervolg. Dit beteken 'n misdadiger het, as gevolg van ons strafregstelsel, 'n 80% kans om weg te kom met misdaad. Ek dank u.

English:

Mr W M MADISHA: If one considers a notion of justice in the South African context, then terms such as abuse, inequality, unfairness, favouritism, partisanship and injustice come to mind. We do not have a proper criminal justice system; we have, rather, a justice dysfunction.

According to 2016-17 Statistics SA victims of crime survey, South Africans are dissatisfied with the criminal justice system. As former Statistician-General, Lehohla, put it and I wish to quote, "In a million crimes, when you only secure 6000 prosecutions, it means that 99% of the time criminals win."

According to Statistics SA, the best place to start to turn the situation around would be to appoint a professional leadership in all criminal justice systems in all the departments and to

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stop the damaging political interference that has characterised the current administration.

There is a common threat and a common order - and that is a compromised and rogue President, Zuma and his party. In this instance I will give examples: The appointment of field police commissioners; Commissioner Cele, Phiyega and Phalane. Secondly, the appointment of field and failing National Directors Of Public Prosecutions, NDPPs, Simalane, Jiba, Abrahams; the dissolution of the Scorpions; the establishment of the defanged Hawks and the unlawful appointment of Ntlemeza.

How can it be that South Africans must place their faith in the Federal Bureau of Investigation, FBI, and British authorities to investigate how our state and our resources have been captured by an elite that includes our country's President and foreigners? Statistics SA should have gone further to indicate the root and that President Zuma should not be the President of South Africa. [Time expired.]

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Rev K R J MESHOE: Chairperson, it is heartening to note the judgements in a number of high profile cases that have come from our courts recently which clearly demonstrate that our justice system is able to act without fear or favour. That being said, there can be no doubt that there are some serious concerns about the challenges in our justice system.

The police are the first link in the justice chain; if they fail the system fails. Today's Huffington Post posted the results of an online survey conducted on their readers' experiences of crime. Let me mention just one response and I quote, "My mother and I were attacked in our home. The reaction from the police was swift but they quickly bungled the case by accepting bribes from the people who attacked us."

Many respondents indicated in their lack of faith in the police to act on reported crimes. When asked if they felt safe, most of them gave a resounding "no". They are not alone in this; many South Africans still feel unsafe in their communities, their streets and some even in their homes.

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Perceived apathy and corruption in our police force is further exacerbated by reports that police in many of our poorer crime-ridden communities have less capacity to deal with crime than those in more affluent communities.

Declining experience levels within the detective service and inadequate training has reportedly also placed a greater burden on prosecutors with some claiming that the police hand them documents that are not sufficiently court ready. In addition, it is alleged that prosecutors are under a lot of pressure to get convictions and this is causing them to overlook certain cases.

It was reported that in 2012, prosecutors signed performance contracts in which they committed to achieve about 69% conviction rate of serious cases and also to finalise 15 cases a month. This, it seems, has made them less likely to take on complex cases particularly rape cases of children and disabled people which take longer to prosecute as they are less likely to get convictions. The ACDP believes that this is a travesty of justice.

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Let me end with sobering words of a Wits law Professor that were reported recent. He said, and I quote: "What is left of the rule of law in South Africa? The truth is, I have completely given up on the justice system."

Lawlessness has increased because there seems to be a reluctance to prosecute some politically connected individuals. The ACDP therefore calls on the National Prosecuting Authority, NPA, to reinstate the 700 criminal charges against President Zuma to show that they are not bought and they are serious about keeping South Africans safe. Thank you.

Mr L M NTSWAYISA: Hon Chairperson, perhaps we should preface our contribution on this debate in the following terms: What is the function of moral decay and crime syndicate in this country? The functional justice system can only be amplified by a responsive and a creative government which underscores the role of young people in advancing democracy and the rule of law.

The majority of South Africans are young, agile and able. For the majority, the ideal dream of democracy is a mere pipedream.

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This debate confronts us to empower our communities by ensuring that the organs of state and local functionaries, which are properly poised to deliver services to the poor, fulfil their constitutional functions efficiently.

We are called upon to demand justice with the view to advance the rights of poor when the state fails to promote, protect and advance the rights in the Bill of Rights.

Hon Chairperson, the nexus of this debate reinforces the idea of strengthening our justice system to serve our communities and combat acts of criminality in our communities. The South African paradox has been defined many times without proper examination. The criminal justice system has its work cut out to dispense justice to the downtrodden and poor. These are the South Africans who are often trapped in the cycles of grinding poverty and despair. I wonder if it is proper now, according to Plato when he says, and I quote: "Equal amounts to equals and unequal amounts to unequals." The mere Marxist slogans cannot, however, deliver just and equipped society to the majority of our people.

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The AIC calls upon government to sanction voluntary conscription. Young people, as soon as they have completed their Grade 12, must be enlisted in the military. This will prepare them to develop discipline, moral fortitude and the ability to take responsibility. South Africans can no longer afford to pit its nation against one another.

The NPA, the Hawks and various law enforcement agencies must be apolitical. The Department of Justice and Correctional Services has an important role to play in advancing our democracy. The Rehabilitation and Reparations Unit under its watch has not been impactful. There are victims of apartheid who still languish in dire poverty and squalor. Collectively, these issues should rally us all to fight for justice and equality.

People always complain of people that have been arrested and the following day they are seen walking free. These are some of the issues that should be taken serious so that these people who are doing bad things should be taken to jail for good. Thank you very much.

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Mr L N RAMATLAKANE: Hon Chairperson, quickly, if I can just say to my colleagues who have just left the podium, that many of the things that you are raising is the issue we are grappling with that we have been discussing even in a study ... standing committee today.

On the issue of appointment of the national commissioner, we all agree and the Minister reported on this particular matter, how important this matter is and that the President is seized with the matter to appoint the national commissioner by the end of the year. We have discussed that issue.

Minister, I agree that much more must be done. We all agree that much more must be done.

On political killings, I think the Minister was very clear that nobody is above the law. Political killing must be stopped.

[Inaudible.] ... put the team in KwaZulu-Natal to deal with this particular matter.

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On the farm killing and the farm approach, I think the Minister has indicated even in a committee that he has ... that there is a joint team that is dealing with this matter together with the farmers. So there's a serious ... [Inaudible.] ... that is paid in dealing with all crime that affects South Africans, black and white.

There is no doubt about that issue. I think the hon Groenewald was part of that discussion.

I think it's now well-known that the statistics are out. The statistics have been announced and that, of course, the crime has gone down by 2,4% in terms of the contact crime, that other serious crime similarly has gone down by 3,3%, that property crime has come down by 0,5%, and other serious crime by 2%.

But again, much more still needs to be done in addressing this.

It is well-known that in last 10 years, that the crime [Inaudible.] ... seventeen ... community reported crime category has come down by 1,8%.

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And of course, the robbery is however the one that is a stubborn crime that must be dealt with. Aggravated robbery continues to increase ... is a crime that the Minister has spoken about this morning. And the Minister agrees that much more needs to be done to address these challenges.

It is clear that the police, in terms of these statistics that have been announced today, need to be focussing on the murder, attempted murder, aggravated robbery and car-hijacking, residential robbery and street robbery, including the crime affecting women and children.

We must, as this House, support the police ... the work that the police are doing. They are doing a thankless job to ensure that South Africans feel and are free wherever they are.

We know that the relationship of co-operation of communities ... of support is a key to success. We all know that the community are the best repository of information that would guarantee convictions in crime.

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Our Constitution, Act 108 of 1996, provides the framework for a democratic system that is both representative and participatory ... a challenge faced by genuine democracies, to bring government closer to the people. Hence the role of citizens in participating in decisions that affect them is a most desirable and intended goal of the post-1994 South Africa.

The various legislative frameworks and policies on safety and policing in particular, builds on our democracy, by operationalising the obligations as contained in our Constitution based on the tenets of a participatory and representative democracy.

The South African Police Services Act strengthens this notion of policing and clearly defines the responsibility of provincial executive members to promote relationship between the police and communities.

The National Crime Prevention Strategy is a policy framework which makes provision and provides guidance to all government departments to address the problem of crime in our communities

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in an integrated fashion. To increase this platform, to revive and lead the participation of ... fight against crime.

When the ANC was still the governing party in the Western Cape for the period 2001 till 2009, crime and drug-related crime in particular was comparatively lower as opposed to the drastically increased levels under the current DA-led provincial government. Crime under the then ANC-led provincial government was stabilised, whereas, under the current DA government, violent crime, particularly gang violence, is out of control!

An HON MEMBER: It's a national ... [Inaudible.]

Mr L N RAMATLAKANE: We believe that the current DA provincial government is unable to ...

Mr M WATERS: Chairperson ... chairperson ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, please take your seat.

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Mr M WATERS: Chairperson, will the hon member take a question?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, are you prepared to take a question?

Mr L N RAMATLAKANE: The DA has a speaker to respond.

The HOUSE CHAIRPERSON (Mr C T Frolick): He's not prepared to take a question. Please take your seat.

Mr M WATERS: Yes, he's scared. He knows crime is a national ...

[Interjections.] [Inaudible.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Take your seat, please!

Mr M WATERS: ... not a provincial competence ...

[Interjections.]

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

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Mr L N RAMATLAKANE: ... underlying causes of drugs and related crime and other violent crimes on the Cape Flats. Particularly, the communities of Nyanga, Manenberg, Hanover Park ...

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members!

Mr L N RAMATLAKANE: Close ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order!

Afrikaans:

Mnr L N RAMATLAKANE: Maak jou bek toe want jou tong raak koud!

[Tussenwerpsels.]

English:

Particularly, the communities of Nyanga, Manenberg, Hanover Park, Elsies River, Khayelitsha, Delft and Worcester are affected by this crime. [Interjections.]

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In the past, in 2009, the ANC was successful in bringing down crime and stabilising violent crimes in the province through the Bambanani Against Crime crime-fighting strategy. Bambanani Against Crime was an integrated problem-solving approach to policing through uniting communities and the police to fight crime.

However, as from 2009 when the DA took over, it broke that trust of community police relations in the province ...

[Interjections.] ... in which has resulted in the spike of crime rates in the last eight years. They have systematically begun the work with the white neighbourhood watch to abandon the black communities like Nyanga, Khayelitsha and Brown's Farm. Many of them who have cause ... many of those who have been killed through gang violence were innocent bystanders caught in the crossfire between rival gang members.

With the recent killing of the police and period of time, it is clear that serious violent crime has reached a crisis proportion in Manenberg and Hanover Park ... violence in Nyanga, with

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brutal killing of family members ... part of communities.

[Interjections.]

An HON MEMBER: Brain dead.

Mr L N RAMATLAKANE: I did say ...

Afrikaans:

Maak jou bek toe want jou tong waai koud!

English:

Being part of the province, let me say it is important that a citizen understands the constitutional responsibility of the DA provincial government and the city whom they voted into power in 2009. They should be held accountable for their promises that they made that they say increase safety and create opportunities for all.

Sections 127 and 133 of the Constitution clearly spell out the powers and functions of the Premier and the accountability of the provincial government that they serve.

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Section 206 of the Constitution clearly states the province's responsibility to oversee the effectiveness and efficiency ...

[Interjections.]

Let me get to this point. [Interjections.] Let me get to this point.

An HON MEMBER: You were useless ...

Mr L N RAMATLAKANE: In 2015, DA provincial government ... city of western ... jointly launched what they call safety kiosk project. They said they launched 40 of them and they are going to be deployed in all Hanover Park, Manenberg, Grassy Park, Delft, [Inaudible] Estate, Wesbank and Mitchells Plain.

[Interjections.]

We need to ask: Today, where are these safety kiosks being deployed? Where are they visible? [Interjections.] What resources are they allocated to the community-ridden crime communities? What budgets were allocated to fight communities in this area?

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The answer is zero. [Interjections.]

Let me get to you ... [Interjections.] You see ...

[Interjections.] ... you see ... [Interjections.] You keep talking as I'm talking and I did say you must keep quiet and listen; you learn a little bit. [Interjections.] You will learn.

For this gains to be made ... eradicating of drugs ...

[Interjections.]

You see, when the people are dying in the community of Khayelitsha ... Marikana ... the DA MEC is busy fraternising with gangs. [Interjections.] He's busy defending gangsterism against the national government. [Interjections.] He's busy saying, gang, I have nothing to do with this thing. Instead of fighting crime ... [Time expired.]

Mr L R MBINDA: Hon Chair, it is important that we draw a clear distinction between a criminal justice system and the criminally injustice system. What we should be addressing today is how we shift from what is to what it should be. This country has no

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criminal justice system, all it has it's just a criminally injustice system. As against serving communities, we are busy victimising the already victimised and calling them criminals whilst praising the real criminals of which many of whom are the supposed lawmakers.

Today you are talking about safeguarding lives and respecting people's right to equality and justice - what a contradiction. In as much as the PAC acknowledges the recent release of its cadre and Azanian People's Liberation Army, Apla, veteran, Sipho Mbeki, who has been in prison since 1992, it is rather absurd that freedom fighters are still languishing in jail for fighting against forces advancing crime against humanity.

Could it be that this government is suggesting that these freedom fighters should be kept in prison in the so-called democratic South Africa or should they have to wait for a liberated Azania? Are they together with the people who have been deprived of opportunities outside prison being safeguarded and having their rights respected? What rights are you really talking about here, is it a protected right to be a victim of

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officialised crime? When you use alternative means to try to survive, you get sent to prison. Is it a protected right to be kept in jail by the same people whose offices they enjoy as a result of your sacrifices?

The most pertinent is when this system change and create opportunities for all. To deliver services that will raise the dignity of the African. When the liberation fighters are freed by those who now claim to be liberators, the majority of the indigenous Africans are the ones affected by this injustice system. Thank you.

IsiZulu:

Mr Z N MBHELE: Ngiyabonga Sihlalo ...

English:

... let me start by dealing with the hon Ramatlakane. Hon member, you point to the overall decrease in crime statistics, but let's look at the real picture in the crime situation - murder is up, attempted murder is up, cruel crimes have increased, cash-in-transit heist are on the up again for the

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first time in many years, illegal firearm trafficking is up again and goes on and on, violent and organised crime is running rampant.

Let's turn to your heavily tired and distorted narrative about the Western Cape. The understaffing and the under-resourcing in the Police Service in the Western Cape have worsened since 2009 with the province having suffered the worst shortages extension level of all the provinces. Now, because policing is purely a national competency, those crime increases you point to, are completely and solely the fault of the ANC-led government.

[Applause.] May I say shame on you for making the murders in Nyanga, the gang shootings in Hanover Park a political football to score cheap points? Shame on you! It is just as well the ANC lost the Western Cape because heaven forbid what the crime situation would have looked like had you continued as the safety MEC. [Applause.]

I must confess that it is quite surprising that the ANC would put forward such a motion for debate coinciding with the release of today's disastrous crime statistics because it does nothing

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but puts a big bull's eye targets on ANC-led government. It shines a glaring spotlight on your under-performance and failures of leadership when it comes to policing and fighting crime.

In fact, the only way it makes sense to me for the ANC to have chosen this motion, is if it's a way for the Ramaphosa camp in the ANC to undermine the Zuma camp by opening up the field to attacks on the Zuma administration for its shortcomings. Should this be the case, it shows how the ANC's internal factional fighting is continuing to spill over into state institutions. Ultimately, the ANC cannot be trusted to govern in the interest of the people because it runs the state in the interests of ex-politicians. Nevertheless, with the field having being opened up, and the ANC inexplicably scoring an own goal, we will happily pick up the ball and run with it.

The Criminal Justice System as a whole and the SA Police Service in particular, is anything but what the debate topic outlines. For many, it is more of a criminal injustice system and a police disservice. The SA Police Service, SAPS, is neither professional

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resourced nor skilled to an adequate standard. Most police stations are failing to serve communities and safeguard lives properly. Finally, police leadership in management is hopelessly underperforming in acting against violence and organised crime to tackle and effectively reduce it.

The question is how did we end up with this shoddy state of affairs? Well, we ended up with this crime crisis because we have an ineffective and inefficient dysfunctional SA Police Service due to the ANC-led government failing to run the police and getting the basics right as they failed to do for the past 23 years. Under ANC's misgovernance instead of looking at fitness for purpose in leadership is about cadre deployment. Under ANC misgovernance corruption triumphs competence creating conditions for cronyism and making it get impossible to enforce accountability. Under ANC misgovernance policing and the Criminal Justice System is about political capture to serve narrow party's interests and not about serving the public interest.

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So, what it is to be done in order to have an effective, efficient and professional Police Service? The DA proposes three pillars of police reform. The first is professionalization - this means having competent management who get the basics right. It also means having strong accountability, selection and promotion on merits and adequate training support for skills development. The second pillar is specialisation - meaning dedicated units or task teams to address crimes that require expertise. The third pillar is localisation - means delegated authority and devolved budgets for stations and clusters to run their precincts with more autonomy, to form local Community Policing Forum, CPF, partnerships and device customised policing strategies.

That is international best practice but the fundamental problem we face as a country in effectively tackling criminality is a lack of political will in the ANC national government to do the things that are required to turn the Police Service around to fight crime effectively.

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We can no longer rely on the ANC to fix the problem. The only solution to stand a chance of having safer streets and safer homes is for the ANC to be voted out of power in 2019 and bring a DA-led government that will fix the fundamentals in the police. Thank you. [Time expired.] [Applause.]

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): House Chairperson, hon members, the criminal justice system is a bit like a large extended family. You have got the police who deal with the initial investigations. You have got the prosecutors who bring the matters to court. You have got the court staff, the clerks of the court and so on, under that would also include interpreters and there is an increasing need for foreign language interpreters as our country becomes more cosmopolitan. Then you have got the judicial officers, the magistrates, the judges on the bench and then you have got correctional services if the accused is found guilty and sentenced to imprisonment. In addition you have also got other role-players such as social workers, intermediaries and medical practitioners. So it is a lot of different players and ensuring that they are working in a co-ordinated way is obviously quite

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complex. But nonetheless, the system is working and obviously someone from the DA or from some other opposition party would have to say that it is not but in terms of the statistics we have, for example, in terms of I think the National Prosecuting Authority, NPA, report to Parliament, the number of the conviction rate is increasing and the number of cases being finalised is increasing.

So, in the last financial year 2015-16, the conviction rate in the district courts where most of the court cases are held, 94,5% conviction rate in the last financial year, 95,6% ... [Applause.] but an increase in cases, so 263 377 cases in the district court in 2015-16, in 2016-17, 295 013 cases in the district court so it is working, obviously it needs to be improved and that is what we are trying to do. So, in the process, what we have done as government, well, we built more police stations, we built more courts. We have revamped courts and re-established sexual offences courts and is ... so is that Ms Kohler Barnard screaming at me?

AN HON MEMBER: Yes!

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The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): Hon Kohler Barnard, okay, I am surprised that you can talk on this issue but ... the Chief Justice has set up a National Efficiency Enhancement Committee with the judiciary to look at improving the functioning of the courts, to set up norms and standards for judges and magistrates about the amount of hours they should be sitting in courts. We established forensic laboratories and passed legislation in that regard. We then amended legislation, made bail laws tighter; in a serious require an accused to show why they should get bail, not the other way around.

We have also targeted specific crimes so this House specifically passed legislation on the theft of ferrous and nonferrous metals and making those penalties more serious. We have passed other laws relating to human trafficking. We have the Cybercrime Bill before Parliament, before this House. We have established victim-friendly rooms in police stations and so on and so on. Obviously as I have said there is more that can be done but let us not turn this into a political football. Let us look at

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working for the people of South Africa to ensure ...

[Interjections.]

Ms L MATHYS: House Chair!

The HOUSE CHAIRPERSON (Mr C T Frolick): Why are you rising, hon member?

Ms L MATHYS: House Chair, on a point of order: Will the Deputy Minister take a question on how many victims ...

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No! Hon member, you are not allowed, no, you are not allowed to take the question.

Ms L MATHYS: I am asking if he would take a question about how many actual victim-friendly rooms he has put into place.

The HOUSE CHAIRPERSON (Mr C T Frolick): No! Hon member! Hon member, take your seat please. Hon Deputy Minister, are you prepared to take a question?

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The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): No, I have a speech to deliver rather than being distracted.

Ms L MATHYS: You did not ask him that he wants to take my question.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, he is not prepared to take a question.

Ms L MATHYS: Ah! Of course he does not want to because there is zero for women violence in this country.

The HOUSE CHAIRPERSON (Mr C T Frolick): Take your seat please. Take your seat please. Continue hon Deputy Minister.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): So what I am pleading for is let us not turn this in to too much of a political football. [Interjections.] Let us ensure that we work for the people of the country. One of the issues and hon Mbhele came here to say, no, policing is a

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national competency, it is not, it is in Schedule 4 of the Constitution and if you look at Chapter 11 of the Constitution it reads:

206(3) Each province is entitled to (a) monitor police conduct, (b) to oversee the effectiveness and efficiency of the police services including receiving reports on the police services, (c) to promote good relations between the police and the community, (d) to assess the effectiveness of visible policing and, (e) to liaise with the Cabinet member responsible for policing with respect to crime and policing in the province.

So, have you done that? [Interjections.] A provincial executive is responsible for policing functions ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Deputy Minister, will you just take your seat. Why are you rising, hon member?

Mr Z N MBHELE: Chairperson, on a point of order: Will the hon Jeffery take a question? [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Deputy Minister, are you prepared to take a question?

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): As I have said, I would like to finish my speech please ... [Interjections.] and then I can take questions if I have enough time. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Unfortunately not.

Mr Z N MBHELE: As you can let them know ... [Inaudible.] running the police.

The HOUSE CHAIRPERSON (Mr C T Frolick): Continue, Deputy Minister.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): I mean I would like to ask you a question, did you not read Chapter ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Deputy Minister,

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The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): Ja. [Yes]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order hon members! Order! Order hon members! Continue, Deputy Minister.

AN HON MEMBER: What is the question?

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): Ja, [Yes] my question to you would be, have you read the Constitution? Okay, as I was saying, a provincial executive is responsible for policing functions vested in it by this chapter.

Mr M WATERS: Chair, on a point of order: Would the Deputy Minister like an answer to his question because, we have read the Constitution. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Waters! Hon Waters, take your seat.

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The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): I was actually asking that to hon Mbhele because he said policing is a national competency which it is not.

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Why are you rising, hon member?

Mr Z N MBHELE: Chairperson, on a point of order: I am rising to respond and indicate I am happy to answer to the question now.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member, hon Deputy Minister ... [Interjections.]

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): I am sorry a speech to complete.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Deputy Minister, this is not the time for questions to members in the House. Please continue with your speech.

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The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): Okay, my apologies. So there is responsibility at a provincial level. There is also responsibility at a local level. That is why most of the metros, including the metros that the DA runs, have municipal police.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, why are you rising, hon member?

Ms N V MENTE: Chair, on a point of order: I am calling a point of order on you Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Why?

Ms N V MENTE: You cannot say it is not the time for questions. Every time a speaker is in the podium they must know that question will come their way. It is up to them to say, yes or no. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member, you are completely missing the point. The speaker in the podium is not

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supposed to ask questions to individual members in the House. That can be dealt with in a different forum.

Ms N V MENTE: No, but he must be able to take questions.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes of course he is prepared to take questions but not to ask questions to individual members in the House. Continue hon Deputy Minister.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): Thanks. It is interesting seeing this alliance between the DA and the EFF in practice ... [Interjections.] as they try to undermine a ANC or government speaker.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order hon members! Continue Deputy Minister.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): So there are responsibilities on all levels of government. There is metro police at a municipal level and then as I have outlined from the Constitution these responsibilities

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for provincial governments in terms of what needs to be done. I am interested, in terms of the DA, that, you know, hon Mbhele gave us some of their proposals but from looking at the DA's ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order hon members! Order hon members!

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): ... safety, crime and justice policy one reads the following, what they say they want is, "An integrated criminal justice system." We have got one already.

AN HON MEMBER: No you do not.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): Then they say they want, "court rationalisation and expansion programmes." We have done that already, we were in the process of doing that. They want to expedite the redemarcation and rationalisation of magisterial districts. That is work in progress, four provinces being done, two about to be finalised,

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three left over. Then they want to, reduce backlogs in courts. We are doing that already together with the Chief Justice. They want us to make appropriate use of alternative dispute resolution processes we are doing that already in court-annexed mediation. They want to increase the monetary jurisdiction of small claims courts from R12 000, we have done that already, it is now R15 000. So, all they seem to be doing in terms of their own plan is to borrow from what the ANC is already doing. They also do say, and I would like without asking a specific question to a member in the House, that they say in the same document, delays by the Minister in appointing magistrates after receiving recommendations from the Magistrates Commission should be avoided. I would like to know, when were there delays between the Magistrates Commission submitting names to the Minister and the Minister making those appointments?

AN HON MEMBER: What is the answer now?

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (Mr J H Jeffery): As I have said, I was not asking unfortunately for an answer now. So, those are the things that have happened.

Responding to some of the other speakers, the hon Matiase had

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spoken about justice being only for the rich. What you ignore is the enormous resources being put into Legal Aid South Africa in ensuring that people who cannot afford to get a lawyer can get access to justice and that does need to be appreciated. With regard to rhino poaching from the hon Msimang, I will follow up on that issue. Obviously it is important to ensure that those people charged with rhino poaching do appear in court and are properly dealt with. In closing, I think I have got to near enough to the end that the criminal justice system is working as I have spoken from the statistics. Some see the police statistics released today as the hon Mbhele said, disastrous statistics, but obviously you are a pessimist. If you look at a glass half full of water it will be half empty for you. Some statistics have gone up others have gone down. Even some of the statistics that have gone up for example, statistics that required active policing involvement, it is actually good that they have gone up. Things like detection of drugs and stuff like that.

So, the system is working. We can always do more unlike the naysayers here who just want to see everything as going badly.

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It is a pity that we cannot work more closely in ensuring better policing in the Western Cape. [Interjections.] Well, why do you not ask your MEC? So, we can always do more to improve. We are, for example, next week, having a meeting with different government role-players from different government departments and then civil society on the operation of the Sexual Offences Act because we want to ensure that Act works better. So, a lot has been done. This is not something that we need to play around with the people of South Africa, we need to do more and we will do more. Thank you. [Applause.]

Mr J J MAAKE: Hon Chairperson, if I were to quote the Minister in the portfolio committee today, he said something like: "Is criminality a South African citizen?" That is a question. The question is: Must we allow it to be a member of our society?

AN HON MEMBER: You've lost me.

Mr J J MAAKE: You are very slow. [Laughter.] Crime is crime. No one likes crime. Crime is not something to grandstand about. No

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one likes crime. Those who have experienced crime won't stand here and grandstand about it.

In relation to state-owned enterprises, SOEs Cabinet approved the Protocol on Corporate Governance in September 2002. Amongst various good governance arrangements the protocol obliges SOEs to combat corruption through mechanisms such as risk management and fraud prevention plans; do full disclosures of losses as a result of fraud and theft; and implement codes of ethics for board members and staff.

Regarding restructuring processes, a restructuring oversight mechanism has been established as well as governance in restructuring processes policy which sets out minimum requirements including conflict of interest declarations, confidentiality requirements as well as monitoring of transactions by an independent auditor. As part of its ongoing reform programme for public entities, government has commissioned a study into the structure and governance arrangement of these entities, and is currently considering

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proposals to improve the governance arrangement of these entities.

In the area of local government, government has introduced the Municipal Finance Management Act in order to bring greater accountability and transparency into municipal operations. This Act also introduces risk management and fraud prevention as statutory requirements in local authorities. Structures have been created with the provincial and local government departments to initiate and implement an anticorruption campaign in local government. The implementation of the anticorruption is taking place within the ambit of Project Consolidate. Government's initiative to support 136 municipalities ... Thank you, Chairperson. [Time expired.]

MOTION OF CONDOLENCE

(The late Mr Joe Maila)

Ms N R MOKOTO: Chairperson, I move without notice:

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That the House -

- (1) notes with sadness the death of Mr Joe Maila, the spokesperson of Health Minister Aaron Motsoaledi, on Friday, 20 October 2017, at the age of 48;
- (2) understands that Maila died in a freak shooting accident in Silverton in Pretoria;
- (3) acknowledges that Joe Maila was a true professional and an extremely competent individual;
- (4) remembers that he contributed to creating an informed citizenry as he communicated Government's Health Policies and programmes to the public;
- (5) recalls that in his daily work, he always viewed the media as a partner to address the health challenges we face as a country;

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- (6) acknowledges that Joe Maila practised his craft with passion and he honed his craft from serving across various departments over the years;
- (7) believes that his death is a loss to the department and the country as a whole; and
- (8) conveys condolences to his family, colleagues in government and to the media fraternity in general.

Agreed to.

INVESTIGATIONS ON STATE CAPTURE BY FOREIGN LAW ENFORCEMENTS

(Draft Resolution)

Ms N W A MAZZONE: Chairperson, I move without notice:

That the House -

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- (1) notes the recent public announcements that the Federal Bureau of Investigation in the United States and the Serious Fraud Office in the United Kingdom launched full-scale investigations into state capture in South Africa;
- (2) acknowledges that the help of international crime fighting counterparts will hopefully expose and uncover all the players and rot that exists in South Africa, with over R100 billion being purportedly stolen from South Africans via the Gupta channels;
- (3) welcomes the intentions of these international crime fighting organisations and wishes them well as they work to uncover Gupta and state capture links to overseas entities; and
- (4) encourages local law enforcement agencies, including the HAWKS and National Prosecution Authority, NPA, to take notice and follow suit by taking the investigations into

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state capture seriously and ensuring that every cent gets returned to South Africans.

Agreed to.

MOTION OF CONDOLENCE

(Draft Resolution)

Ms N P SONTI: Chairperson, I move without notice:

That the House -

- (1) notes with sadness the murders of Mvelisi Biyela, Thobekile Dlunga, Zingisa Mzendana, Mpeke Nonyana, Magwaca Maseko in Marikana, Lonmin Mine;
- (2) recognises that the murders of AMCU shop stewards are happening in the same place where more than 34 mine workers were massacred five years ago;

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- (3) notes that the killings of shop stewards started three months ago and they continue, and the SA Police Service have to date fail to take this as a serious matter;
- (4) acknowledges that if these killings continue, more and more breadwinners, fathers, husbands and activist will lose their lives;
- (5) further acknowledges that in Lonmin Mines, the brutal nature of capitalism carries death with it;
- (6) calls for all stakeholders to work with each other in a much more peaceful way to resolve differences before we witness another massacre; and
- (7) sends its condolences to the families of these activist and may their souls rest in revolutionary peace.

Agreed to.

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JUDGEMENT IN AHMED TIMOL'S CASE

(Draft Resolution)

Mr X MABASA: Chairperson, I move without notice:

That the House -

- (1) welcomes the North Gauteng High Court judgment conclusion that comrade Ahmed Timol did not commit suicide but that he was murdered in the custody of the apartheid security;
- (2) notes that this judgment affirms the long-held view of the progressive forces and the freedom loving South Africans that comrade Ahmed Timol was murdered;
- (3) believes that the judgment paves the way for justice to run its full course, and that those found capable to be held accountable in accordance with the rule of law;

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- (4) trusts that the verdict will lead to the National Prosecuting Authority prosecuting former members of the police, who sought to evade justice through perpetuating lies; and
- (5) supports the Timol's family accession to continue with the campaign so that it focuses on a wider programme that seeks justice for other political activists who disappeared whilst in the custody of the apartheid regime.

Agreed to.

MOTION OF CONDOLENCE

(Mrs Inka Mars)

PRINCE M G BUTHELEZI: Chairperson, I move without notice:

That the House -

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- (1) extends its deepest condolences on the sad passing of former Member of Parliament, Mrs Inka Mars;
- (2) notes that Mrs Mars served South Africa through the Inkatha Freedom Party for more than 40 years, of which 15 were in the National Assembly, notably on the Portfolio Committees on Social Development and Home Affairs;
- (3) further notes that during apartheid, Mrs Mars worked as Director of the South African Red Cross in Zululand, assisting struggling families;
- (4) acknowledges her immense contribution to the well-being of South Africans, to the struggle for liberation and the strengthening of democracy;
- (5) further acknowledges her work in strengthening good relations between South Africa and other countries, as she represented Parliament in international forums; and

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(6) expresses its appreciation for the loyal service she gave to our country. She will be remembered with deep admiration.

Mr N SINGH: Sorry Chairperson, you didn't put the motion to the House.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you hon Singh. If there are no objections I put the motion. No objections.

Agreed to.

FIRE CAUSES DEATHS IN PHILLIPI

(Draft Resolution)

Mr M L SHELEMBE: Chairperson, I move without notice:

That the House -

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- (1) notes that six people, including three children, died during a fire which broke out in Phillipi near Cape Town on Monday evening;
- (2) further notes that the inferno, which broke out soon after 11 o'clock in the night in Better Life informal settlements in Phola Park, also destroyed three homes and a spaza shop;
- (3) acknowledges that one person was seriously injured and has been hospitalised;
- (4) Wherefore, we call upon this honourable House to convey its condolences to the families and loved ones of those who had lost their lives during the fire in Phillipi on Monday night; and
- (5) encourages all local government agencies to find innovative ways to reduce the occurrence of fires in informal settlements.

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Agreed to.

STATISTICS SA APPOINTS MR MALULEKE AS DR LEHOHLA'S SUCCESSOR

(Draft Resolution)

Mr X MABASA: Chairperson, I move without notice:

That the House -

- (1) welcomes the appointment of Mr Risenga Maluleke as the new Statistician-General and Head of Statistics South Africa on Friday, 20 October 2017;
- (2) acknowledges that Maluleke, whose term will commence on 1st November 2017 is replacing Dr Pali Lehohla, whose tenure expires at the end of October 2017;
- (3) understands that Maluleke served within Statistics SA for 20 years, having joined Stats SA as a manager at the Limpopo provincial office in 1997. Whilst welcoming

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Mr Maluleke, we wish to take this opportunity to thank the outgoing Dr Pali Lehohla for the sterling work he did in serving South Africa as a Statistician-General;

(4) further understands that Mr Maluleke has served within Statistics SA for 20 years having joined as a manager at the Limpopo Provincial Office in 1997;

(5) further understands that he is currently a Deputy Director-General for Statistical Collections and Outreach and is responsible for Provincial Offices, International Statistical Development as well as Communications, Marketing and Stakeholder Relations;

(6) believes that he is a strong and well-grounded leader who will do justice to the important task he has been delegated; and

(7) congratulates Mr Maluleke on his appointment and wishes him well in the position of immense responsibility.

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Agreed to.

40TH ANNIVERSARY OF THE MURDER OF STEVE BIKO

(Draft Resolution)

Mr N L S KWANKWA: House Chair, I move without notice on behalf of the UDM:

That the House -

- (1) notes that Tuesday, 12 September 2017, marked the 40th anniversary of the brutal and senseless murder of one of South Africa's outstanding leaders, Steve Bantu Biko at the hands of the apartheid security police;
- (2) further notes that the apartheid government tried without success to cover up the torturous and abusive conditions that Biko and many other struggle icons were detained at the time, were subjected to;

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- (3) believes that his unquestionable contribution to the realisation of the freedoms that we are all supposed to equally enjoy today, should be an inspiration to all citizens, particularly public representatives, to put South Africa first in everything we do both in word and deed;
- (4) remembers him for his courage and the monumental contribution to our freedom as well as the legacy of black consciousness he left behind;
- (5) calls on all of us to continue to declare loyalty to the republic and the Constitution in honour of Steve Biko and those who were willing to pay the ultimate price for the freedom we now enjoy.

Agreed to.

DEATH OF 141 LIFE ESIDIMENI PATIENTS

(Draft Resolution)

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Ms B S MASANGO: Chairperson, I hereby move on behalf of the DA:

That this House -

- (1) notes that according to Dr Ernest Kenoshi, the Acting Head of the Gauteng Health Department, at least 141 patients died due to the Gauteng Health Department's decision to move Life Esidimeni patients to a number of unlicensed NGOs;
- (2) further notes that the Director General of the National Health Department has now informed the Life Esidimeni Arbitration hearing that there were still 59 patients unaccounted for;
- (3) also notes that seven of these patients who passed away have not been identified and their families have not been traced;

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- (4) acknowledges that during the Life Esidimeni Arbitration hearing, it is now becoming clear that there is still no complete certainty as to how many patients really died;
- (5) further acknowledges that at this stage, there has been no accountability for people implicated in this unnecessary disaster;
- (6) reiterates its sincere condolences to the families of all who lost family members during this ordeal; and
- (7) calls on government to recommit itself in ensuring that all steps are taken to prevent a similar tragedy from occurring in future.

Agreed to.

53RD ANNIVERSARY OF THE INDEPENDENCE OF ZAMBIA

(Draft Resolution)

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Ms M O MAKAUSE: House Chair, I hereby rise on behalf of the EFF:

That the House -

- (1) notes that today marks the 53rd anniversary of the Independence of Zambia;
- (2) takes this opportunity to celebrate with the people of Zambia on this day;
- (3) acknowledges that the independence of the people of Zambia marked a turning point in the struggle for a decolonised Africa, inspiring millions of people and a generation of freedom fighters on the African continent;
- (4) commends the people of Zambia for understanding that freedom means little without economic freedom, and that this is why they nationalised their copper mines to the benefit of all Zambians and not a local and international white elite;

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- (5) remembers that during the struggle against apartheid, the people of Zambia opened their homes to our freedom fighters in exile at great personal cost and danger to their own lives; and
- (6) as the current generation of EFF we draw inspiration from the people of Zambia and the millions they inspired. We vow to live up to this legacy and fulfil our generational mission of economic freedom in our lifetime for Africa and the oppressed world.

Agreed to.

**PROTEAS VICTORY AGAINST BANGLADESH IN THE SECOND ODI AT
BOLAND PARK IN PAARL;**

(Draft Resolution)

Ms N R MOKOTO: Chair, the ANC moves without notice:

That the House -

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- (1) notes that on Wednesday, 18 October 2017, the Proteas sailed to a comfortable victory against Bangladesh in the second ODI at Boland Park in Paarl;
- (2) understands that this victory resulted in the Proteas edging past India to top the ODI rankings;
- (3) remembers that South Africa and India are both on 120 points, with the Proteas currently ahead on decimal points;
- (4) recalls that the Proteas' star batsman AB de Villiers also climbed back to the number one position of the ICC ODI batsmen rankings for the 14th time in his career;
- (5) acknowledges that other Proteas' batsmen to make a move in the rankings include the opening pair of Quinton de Kock, who moved up three places to fifth and Hashim Amla, who slots into the top 10 of the batting rankings climbing up two places to ninth; and

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- (6) further congratulates the Proteas on this wonderful performance and wish them well in their forth coming matches. I thank you.

Agreed to.

**KAIZER CHIEFS AND ORLANDO PIRATES GOALLESS DRAW MATCH AT THE FNB
STADIUM**

(Draft Resolution)

REV K R J MESHOE: House Chair, I move without notice on behalf of the ACDP:

That the House -

- (1) notes that the Soweto soccer giants, Kaizer Chiefs and Orlando Pirates, played to another goalless draw in their recent match at the FNB Stadium on Saturday;

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- (2) further notes that, while the derby results became somewhat predictable, the match in itself was highly entertaining and far from boring;
- (3) cautions against complacency and contentment towards goalless draws when sports fans want to see goals and winners;
- (4) calls on Kaizer Chiefs and Orlando Pirates to bring back some spark to the game and brighten their next encounter by not only playing entertaining soccer, but also by scoring goals and having a clear winner; and
- (5) congratulates both teams for a highly entertaining match that has given sports fans value for their money.

Agreed to.

The HOUSE CHAIRPERSON (Ms M G BOROTO): It's nice to hear that from the Minister of the church. [Laughter.]

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PASSING AWAY OF MR GOVAN REDDY

(Draft Resolution)

Ms N R MOKOTO: Chairperson, the ANC moves without notice:

That the House -

- (1) notes with great anguish the passing on of a 74-year old Mr Govan Reddy, in the early hours of Friday, 13 October 2017, after battling a long illness;
- (2) further notes that he was one of the most outstanding South Africans media executives and an anti-apartheid activist who was imprisoned and exiled in the 1970s and 1980s;
- (3) acknowledges the pivotal role he played in the transformation of the public broadcaster, the SABC, in

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his position as a senior executive at the SABC in the 1990s;

(4) recalls that he is also credited as one of the founding fathers of the SABCs' flagship station, SAFm;

(5) further recalls that he served on the boards of the National Lotteries Commission, the Centre for Indian Studies at University of Witwatersrand and the Institutional Forum at UNISA with distinction;

(6) believes that he has left an indelible legacy especially in the media forum, as well as embracing and believing in good journalism, which is what he nurtured at the SABC;

(7) further believes that his legacy will continue to burn and produce more journalists of his calibre at the public broadcaster; and;

(8) conveys its condolences to the family and friends.

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Agreed to.

SIBANYE PLATINUM DOWNSIZES LABOUR IN MARIKANA

(Draft Resolution)

Mr L M NTSWAYISA: Madam Speaker, on behalf of the AIC I hereby move without notice:

That this House -

- (1) notes and takes cognisance of Sibanye Platinum's decision to place in abeyance its initial plans to downsize labour in the Marikana area in Rustenburg;
- (2) further implores the Rustenburg Chamber of Mines and the Rustenburg Mining Association to support the efforts of Sibanye Gold Mine in the area;
- (3) further implores Sibanye to work tirelessly with all the stakeholders in the Marikana area to keep the lid on for

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the purpose of ensuring that a semblance of stability prevails in that area; and

- (4) to engage with the trade union leaders in the area in an attempt to safeguard cordial and sustainable employer-employee relations.

Agreed to.

COMMEMORATE MEDIA FREEDOM

(Draft Resolution)

Mr X MABASA: The ANC moves without notice:

That the House -

- (1) notes that 19 October has been set aside as a day to commemorate media freedom;

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- (2) further notes that this day is also commonly known as Black Wednesday, due to South Africa's apartheid regime banning of three publications and outlawing 17 antiapartheid groups during the one-day crackdown in 1977;
- (3) recalls that the struggle for freedom of the press in 1977 was part and parcel of the hard-fought struggles, which played an instrumental role in the attainment of democracy;
- (4) believes that freedom of the press still has a pivotal role to play in moving South Africa forward;
- (5) further believes that communication was one of the most powerful weapons that was used to dismantle the apartheid government and liberate South Africans;
- (6) recognises that South Africans today enjoy a media industry which is key to a healthy and vibrant democracy;

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- (7) acknowledges that the Constitution explicitly protects media freedom, and recognises it as playing a critical role in the advancement of national unity and equality for all; and
- (8) continues to support media fraternity in commemorating the anniversary of Media Freedom Day, and believes that media industry will significantly contribute in shaping and moving South Africa forward.

Xitsonga:

Ndza khensa.

English:

Agreed to.

UNIVERSITIES SET THEIR OWN FEES

(Draft Resolution)

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Prof B BOZZOLI: I hereby move on behalf of the DA:

That the House -

- (1) acknowledges the principle of university autonomy and the right of universities to set their own fees after internal consultation;
- (2) notes, however, that in the past two years, the government has, after consultation with universities, given guidance as to recommended fee increases and assisted universities to make good any shortfalls they might be experiencing owing to this guidance;
- (3) further notes the lack of communication on the part of the national government with respect to its stance on university fee increases for the 2018, causing widespread uncertainty regarding next year's fee payments;

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- (4) recognises that this poses a serious challenge for universities which need to manage their income and balance their budgets;
- (5) sympathises with students and their families who cannot plan financially for the coming academic year, causing unnecessary distress; and
- (6) calls on the new Minister of Higher Education and Training to urgently communicate a decision on fee increases to bring some much needed stability to the sector.

Agreed to.

DR CHRISTOPHER MICHAEL DUNCOMBE RAE DIES

(Draft Resolution)

Mr X B MABASA: The ANC moves without notice:

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That the House -

- (1) notes with sadness the death of an ocean scientist and senior researcher in the Department of Environmental Affairs, Dr Christopher Michael Duncombe-Rae, who passed away on a flight to the United States, USA, early on Wednesday, 11 October 2017;
- (2) remembers that Dr Duncombe-Rae was a specialist scientist in physical oceanography and data management in the Oceans and Coast branch of the Department of Environmental Affairs;
- (3) further remembers that he was a key member of the departmental team that compiled the 2014 State of the Oceans around South Africa report;
- (4) recalls that at the time of his death, he was enroot to Washington to spend a few weeks with the National Oceanic and Atmospheric Administration colleagues, and to interact with them on how to improve the data and

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information systems in support of research and the government's Oceans Economy Strategy, Operation Phakisa: Oceans Economy;

(5) believes that he was instrumental in initiating the process and building the current system;

(6) acknowledges that Dr Duncombe-Rae was a proud South African and well-respected scientist in his field nationally and internationally; and

(7) conveys its condolences to his family, friends and colleagues.

(8)

Xitsonga:

Ndza khensa, Mutshamaxitulu.

English:

Agreed to.

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UNVEILING OF O R TAMBO STATUE

(Member's Statement)

Mr H M Z MMEMEZI (ANC): Chairperson, the African National Congress welcomes the tribute paid to ANC President Oliver Reginald O R Tambo through the unveiling of a statue in his honour at O.R Tambo International Airport. The statue was unveiled in a ceremony at the airport in Ekurhuleni, Gauteng by His Excellency, President Jacob Gedleyidlekisa Zuma on Thursday 19th October 2017. As we have stated, this month marks the centenary of the birth of this legendary statesman and great internationalist. The ANC has declared 2017 to be the year of O R Tambo and has throughout the year, driven a series of campaigns to draw attention to his illustrious legacy.

The occasion of the unveiling of the statute offers an opportunity for all South Africans to give pause and reflect on the life of this great leader, who exemplified the values upon which the ANC was founded. The ANC believes that more South Africans, especially the younger generation, should have greater

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exposure to the history of O R Tambo's life; and to this end, the unveiling of the statue will both keep his memory alive and encourage more citizens to learn more about his life and what he stood for. Instilling a sense of ... [Time expired.] Thank you, Chair.

**FAILURE BY ANC-LED GOVERNMENT TO CAPACITATE SAPS TO PERFORM
DUTIES**

(Member's Statement)

IsiZulu:

Mnu Z N MBHELE (DA): Ngiyabonga Sihlalo,

English:

Today's release of the annual crime statistics shockingly revealed that violent and organised crimes tragically continue to increase. There has been an average of 52 murders, 109 rapes and 46 hijacking victims on the daily basis in South Africa. This is in large part, a direct result of the chronic, undertraining, understaffing, underresourcing and underequipping

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of the Saps at station level. A sad and the shoddy state of affairs that was seen during our oversight visit to the Nyanga Police Station by the DA this past Sunday. At the station, we found that the post for Sector Commander remains vacant and the station is unable to have at least two crime prevention vehicles per sector on patrols. There are delays with police vehicles coming out of the Saps garages and most concerning is that some detectives have caseloads of more than 200 dockets even up to 230. Police Minister Fikile Mbalula is ultimately responsible for the allocation of Saps resources, but the ANC national government has long shown that it lacks the political will to do the things that are required to turn the police service around. We can no longer rely on the ANC to fix the problem. The only hope for the reduction of crime and an effective police service is for the new DA-led government to be elected in 2019 that will have the political will to fix the fundamentals in the police. [Applause.]

LACK OF SUPPORT AND INFRASTRUCTURE FOR HAWKERS BY GOVERNMENT

(Member's Statement)

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IsiZulu:

Nk M S KHAWULA (EFF): Sihlalo siyi-EFF kunezinto esicela incazelo ngazo ezenzeka phansi kubantu bakithi abamnyama. Laphaya phansi abantu bakithi basahlukunyezwa ikakhulukazi laba abayizisulu zokuziphilisa ukuze ibhodwe likwazi ukuya eziko nabafundisa izingane kanjalo nokuthi izingane zabo zikwazi ukuthi ziqgoke. Lo hulumeni ohlangene nomasipala namakhansela akukho okubonayo ukuthi uyabacabangela abadla imbuya ngothi. Kunoma kuthuthukiswe abantu ukuze bakwazi ukuxosha ikati eziko ulwisana nabantu abazidayiselayo emigwaqeni. Njengalaphaya nje eBridge City kunomama abazidayiselayo ngaphambi kwenkantolo iNtuzuma nasemgwaqeni ongena khona kwixaxathela yezitolo eBridge City kodwa laba bantu akukho ukubaxhasa ukuze bakwazi ukudayisa uma izulu lina noma kunomoya. Le nto ishiya umbuzo wokuthi kanti yibaphi labo somabhizinisi abaxhaswa yilo Mnyango Wezamabhizinisi Amancane. Siyi-EFF sicela nilusukumele lolu daba ngokushesha. Kumanje kuzokwakhiwa isibhedlela laphaya kodwa besizojabula ukuthi nibanike bakwazi ukuthi nabo bafake amakhethini namashidi nokuthi baphekhe ekhishini ... [Kwaphela isikhathi.] Hhayi kodwa awungiyeyeke kancane, mfethu. [Uhleko.]

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USUHLALO WENDLU (Nk M G Boroto): Ngikuyekile, ungaba nalapha phambili bazongishaya. Ngikuyekile mama.

Nk M S KHAWULA (EFF): Hawu!

**BY-ELECTIONS CONTINUE TO AFFIRM THE PEOPLE'S CONFIDENCE IN THE
ANC**

(Member's Statement)

Mr L RAMATLAKANE (ANC): Once again the people of South Africa have demonstrated that the African National Congress remains the only hope for them to improve their lives and make South Africa a better place to live in. [Interjections.] The ANC welcomes the results of the municipal by-elections held on Wednesday, 18th October 2017 in the Free State, KwaZulu-Natal, Mpumalanga and Northern Cape. The people of South Africa displayed the unwavering support in their movement as the ANC successfully retained five of the contested wards in the by-elections and continue to affirm the people's confidence in the African National Congress. The ANC is humbled with the support and urges

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the ANC leadership in the wards to work closely with their respective communities to ensure the improvement of the lives of their people.

Whilst we appreciate their support, we continue to get in Ward 01, Dr Pixley ka Isaka Seme Municipality, in Mpumalanga, the ANC is concerned with the loss of that ward to an independent contestant. The loss of the ward will not deter the work of the ANC from advancing the interests of the vast majority. We will learn lessons from this setback and work hard to right the wrongs in order to regain the confidence of our people. We congratulate the IEC for delivering the credible, free and fair elections. We equally thank members, supporters and volunteers of the ANC for working tirelessly to ensure this victory for the people. Thank you. [Applause.]

BEST WISHES FOR 2017 MATRICULANTS

(Member's Statement)

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Mr X NGWEZI (IFP): Hon Chairperson, the IFP would like to wish the class of 2017 all the best for the matric final examination that are currently under way. We wish to remind them to study very hard, do their absolute best and not to be too hard on themselves. It should be borne in their minds of all candidates that these examinations, mark the very end of their secondary education careers and ushers in the rest of their lives. It is therefore accurate to state that these are perhaps the most very important examinations they will ever have to sit for. With that said, it is equally as important to warn candidates against cheating in the National Senior Certificate Examinations. The IFP wishes to remind pupils that cheating in these examinations can result in serious consequences that have been banned from writing the NSC examination. Criminal prosecution could also be imposed should it be found that a learner is involved in a leakage of any examination question paper. A case in point, the 2014 matric-class of KwaZulu-Natal High School who were accused of cheating on their exams have still not received their results despite all efforts that they have been to attain them. This has surely delayed most of their lives and we wish for the pupils to consider this moving forward. Thank you.

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HIGH LOOTING OF GOVERNMENT PURSE

STATE CAPTURE

(Member's Statement)

Prof N M KHUBISA (NFP): House Chairperson, our country is bleeding profusely. There are so many socioeconomic ills that occur, perhaps on the daily basis. Women and children are abused and raped daily. The gross violation of basic human rights continues to occupy the centre stage in an unprecedented manner. The economic gains we have made in 1994 continue to shrink and amiss this economic decline, the looting of the government purse is happening unabatedly. It is time for all of us to stand up and say it is enough. If we are really patriotic about our country we must be able to speak of these things as they are and we must be able to say state capture must be nit in the bud.

House Chairperson, we are reminded of the late icon of our liberation Oliver Tambo, who said that the struggle against apartheid must be fought on all fronts. Today, we can apply this same advice in our fight against corruption and say that

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corruption, graft and nepotism must be fought on all fronts. The looting of the state purse must be stopped in all its tracks or our descending economic chaos will accelerate. Chairperson, corruption and state capture are enemies to the National Development Plan and unless we combat them. Poverty level will continue to grow alarmingly and our economic stagnation will become a cesspool of social dissatisfaction. Our country seems to be a theatre of many socioeconomic ills. Our student anger is being fuelled again and we request President Zuma to release the report of the Commission of Higher Education. The delay in this regard, will compound the problems which are already there in higher education. Finally, among the social ills, Chairperson, is the violation of human rights that we face today the matter of life Esidimeni ... [Time expired.]

THE ANC OPENS NEW LIMPOPO BRIDGE

(Member's Statement)

Ms N K BILANKULU (ANC): The ANC infrastructure programme is aimed at improving the lives of our people, and help to create

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an inclusive economy and unlock opportunities. We therefore commend the Limpopo government's massive infrastructure development in the form of three bridges built in Botlokwa. These bridges are made up of one-road bridge and two-pedestrian bridges on the N1 between Polokwane and Makhado. The opening of the bridges has brought some relief to the local community, as they will be able to cross the busy N1 with ease, especially since crossing the N1 was a nightmare and many people were involved in accidents by speeding vehicles when they attempted to cross the freeway to the other side. Children were the major fatalities.

These bridges are a tangible testament to the ANC's commitment to deliver strategic infrastructure that will transform the economy, create jobs and stimulate opportunities for growth. More importantly, this project also demonstrates that the ANC does respond to and cares for the needs expressed by communities. I thank you.

JERUSALEM AND OCCUPATION OF PALESTINE

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(Member's Statement)

Rev K R J MESHOE (ACDP): Thank you Chairperson. The ACDP wishes to congratulate Defend Embrace Invest (in) Support Israel, Deisi, International for hosting a very successful South African night to honour Israel event, which was held this past Sunday in Boksburg. Three important things were noted at the event:

Firstly, it was noted that throughout history Jerusalem has never served as a political capital of any other nation except the Jewish nation and that in the year 1004 Before Christ, BC, King David declared Jerusalem the capital of the Jewish kingdom;

Secondly, Jerusalem appears 675 times in the Old Testament and 142 times in the New Testament. In total, Jerusalem appears 817 times in the Bible; and

Thirdly, according to Deuteronomy chapter seven verses two and three, the land that the Israelis are living in today belonged to the Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites and Jebusites.

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The ACDP therefore argues that the false claim perpetrated by some nations of the world that the people of Israel are occupying Palestinian land undermines the truth of the Bible which is God's word. [Interjections.]

The ACDP therefore appeals to government and all political parties in this House, particularly the ANC, to stop facilitating attempts to rewrite the history of the land of Israel and thereby making the Bible out to be a lie.

Mr N M PAULSEN: Chair, on a point of order: Israel is an emerging state. There's no state of Israel. It is Palestine. It is only Palestine. Israel is an emerging state.

The HOUSE CHAIRPERSON (Ms M G Boroto): No hon member, no. We are not here to debate the statement. Okay, we are not here to debate the statement. I think you can go and sit with the rev and talk about that.

Mrs C DUDLEY: Chair, on a point of order: The EFF drowned out the Rev Meshoe as he was speaking. Would he be able to ...

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, this is a House. I didn't hear any drowning. There were just some sounds. Thank you.

Mrs C DUDLEY: Well, I couldn't hear the statement. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, thank you very much. Thank you. Hon members, we continue with Members Statements. The ANC?

Ms E N HLANGWINI: Chairperson, on a point of order: I would've thought that that member who has been serving in Parliament since 1994 should know the rules. You object when the incident is happening, not after the thing. One would've thought she would've learnt by now.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much hon member. I think you must give her that lecture. The ANC?

PREMIER ZILLE'S BULLYING LEADS TO CHIEF DIRECTOR'S RESIGNATION

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(Member's Statement)

Mr X MABASA (ANC): Premier Zille is a bully, says ex-policy chief Rosa. The ANC notes with serious concern the allegations made by Ms Solange Rosa, former chief director for policy in Premier Helen Zille's department, about being bullied into resigning because she was not a DA member and for her standing firm against Zille's autocratic style and unlawful interference.

Such intolerance as conducted by a leader whose party claims to embrace policies of fairness and opportunity for all ...

[Interjections.] ... merely demonstrates the superficiality of their pronouncements.

Premier Helen Zille victimised Ms Rosa by allegedly regularly bullying, abusing, threatening and insulting her on a number of occasions in public and in private, and eventually she resigned in September 2015. [Interjections.]

Most concerning to the ANC is the silence of the DA on this matter. The ANC calls upon the leader of the DA, Mmusi Maimane,

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to address this issue and hopefully demonstrate that they are not merely a party of hollow words but a party of action.

GOVERNMENT ABUSE OF SECTION 54 OF MINE HEALTH AND SAFETY ACT

(Member's Statement)

Mr J R B LORIMER (DA): So who were the Department of Mineral Resources officials who visited and closed parts of Royal Bafokeng Platinum's operation last week? Is it true that they were inspectors not from the North West regional office of the Department of Mineral Resources? Were they safety hit men sent by Minister Mosebenzi Zwane to punish the company for ending a contract with a Gupta-owned contract mining company? Were they the same inspectors who were sent to harass Glencore when it initially refused to sell the Optimum coal mine to the Guptas?

In all cases these inspectors use the infamous section 54 of the Mine Health and Safety Act, the poorly defined clause which is the club this government uses to punish mining companies it doesn't like.

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The courts have found its use as inappropriate and the way this section is used means that entire mines are closed for unclear reasons and it costs billions of rand in lost production every year.

This government only pretends to care about legislative certainty. It misses any opportunity to clarify section 54. There are many questions about the closure of the Royal Bafokeng Platinum's shafts. We know from experience that this government will not give answers. Instead, it will deny, duck and dive and the prospects of the industry and thousands of jobs will disappear as a result.

BUTTERWORTH HOSPITAL COLLAPSES

(Member's Statement)

Mr M M DLAMINI (EFF): Thanks Chairperson. Butterworth Hospital in the Eastern Cape is one of the hospitals that have totally collapsed, like many other hospitals in the country. It is a symbol of negligence and corruption that continues to destroy

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public health care in the country. The hospital is supposed to serve over 200 000 people in the surrounding areas but it is dysfunctional. Patients have to wait for about 14 hours before they can get any attention from the hospital's personnel.

The problem is that the hospital is led by a group of lazy and incompetent ANC cronies whose only interest is to loot the state and hospital resources. Last month the hospital ran out of water in such a way that the personnel had to walk into the township to collect water because there is no planning in the hospital.

One of the EFF's cardinal pillars talks to the issue of free quality health care. Come 2019 when we take power we will ensure that all South Africans get quality health care.

NEW SPECIAL NEEDS SCHOOL IN GAUTENG

(Member's Statement)

Mrs J V BASSON (ANC): Thank you Chair. The ANC is of the view that increasing the enrolment of the number of children with

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disabilities and their progress through the school system will assist many with disabilities to become more productive and remove them from conditions of poverty.

Through this enrolment drive, the ANC welcomes the unveiling of the Nokuthula learners with special educational needs, LSEN, school for learners with severe intellectual disabilities by the ANC Gauteng provincial government. The school will cater for learners with severe intellectual disabilities, severe to profound intellectual disabilities, autism spectrum disorder, as well as those with mild to moderate intellectual disabilities.

The school will officially open to learners from 2018 and will accommodate 560 learners, with 80 accommodated at the boarding facility. Learners at this school will have access to a general certificate of education as well as technical occupational curriculum. The school therapist and doctors will be available at the facility.

ZUMA ADMINISTRATION A SYMBOL OF STATE CAPTURE

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(Member's Statement)

Mr M A PLOUAMMA (AGANG): Thank you hon Chair. The Zuma administration has become the symbol of state capture.

[Interjections.] The continuation of this Presidency is a Gupta victory. The ANC must bow their heads in shame for allowing this unethical leadership to continue.

We need to ask ourselves questions. Whose interest is our President serving? What lies behind this paranoia of reshuffling? Whether his state of mind is still stable and up to the task.

This is my assessment of this compromised President. His moral conscience has been mutilated by greed. His love for money is on steroids and has taken precedence over the country's progress. The ANC has given us a vampire Presidency. All it does is to suck blood out of the coffers of the nation. Immorality and dishonesty has become the hallmarks of this Presidency. It will forever be an indictment on the National Assembly for failing to remove this assassin of honest and moral leadership. [Applause.]

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PERSECUTION OF ROHINGYA MUSLIMS IN MYANMAR

(Member's Statement)

Ms S P TSOLELI (ANC): The ANC adds its voice to the growing international condemnation of the violence directed against the Rohingya Muslim people. The actions of the Myanmar military that have resulted in the displacement of about 500 000 Rohingya Muslims from the northern Rakhine state to Bangladesh should be condemned.

The Rohingya Muslim ethnic group is not considered one of the country's official ethnic groups, despite having lived in the country, formerly known as Burma, for centuries. The claim by the Myanmar government that the Rohingya are illegal immigrants from Bangladesh has effectively rendered them stateless. As a result of systematic discrimination, they live in deplorable conditions, essentially segregated from the rest of the population. Thousands of them are fleeing large-scale violence and persecution in Burma and crossing into Bangladesh. More than half a million people are already living in squalid and

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overcrowded camps, where they lack access to food and health care.

We call on the Myanmar government to immediately put a halt to the refugee crisis by allowing the Rohingya people who have fled to return to their places of birth, and grant them nationality. The ANC urges all South African government departments, led by the South African Department of International Relations and Co-operation, and South African humanitarian organisations, to contribute generously towards humanitarian relief efforts.

EFFECTS OF COMMUNISM

(Member's Statement)

Mr R W T CHANCE (DA): When we mark the anniversary of the Russian Revolution today, we should remember how it opened the doors to over 70 years to murderous repression. More than 100 million people were killed in the last century by communist-caused famines, genocides, mass forced removals, imprisonments, beatings and torture.

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Communism, which promised equality and promotion of the rights of the working classes, instead caused poverty, misery and death on an industrial scale. It achieved this through a succession of a particular type of brutal tyrant, each more efficient and paranoid than the one that preceded it.

From the murderous thuggery of the Ukrainian Holodomor to the maddened excesses of Mao's Red Guards, the smashing of humanity in the Gulags and the killing fields of Pol Pot, all its proponents claim to be bettering humanity.

Tragically even today, people who steadfastly airbrush the past, claim that communism will improve the condition of humanity. It's is delusion that has inevitably been followed by repression and suffering.

As a country which has seen the damage caused by ideological excess, we of all people should heed the lessons of history. The fatal deception was that those who stood strongest against oppression always became the perpetrators of an even more pernicious brutality. Thank you. [Applause.]

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SWAZILAND RAIL LINK PROJECT

(Member's Statement)

Mr T M NKONZO (ANC): Thank you House Chair. The ANC, in ensuring that job creation is a priority of the infrastructure programme, looks forward to the construction of the Swaziland Rail Link project. The project is expected to create more than 9 000 direct jobs in South Africa and Swaziland during the construction of the rail link.

For many years South Africa did not have a direct link between these two countries, even though Swaziland trades more with Mpumalanga and Gauteng and most of the flow of trade in imports and exports come from these provinces.

The Swaziland Rail Link entails the construction of a 150km new railway line from Lothair in South Africa to Sidvokodvo in Swaziland, and the revamping of two existing lines in both countries. It has been designed to carry 150 general freight wagons at a time and will be operated as a seamless service

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without stopping at any of the borders either into Swaziland or out of Swaziland.

The ANC believes that the Swaziland Rail Link project will reduce rail and road traffic congestion, and will have positive spin-offs such as improving people's lives and support regional integration in the Southern African Development Community, SADC.

**FAILURE BY ANC-LED GOVERNMENT TO CAPACITATE SAPS TO PERFORM
DUTIES**

(Minister's Response)

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chair, let me acknowledge very positive contributions from various members. However, hon Mbhele, you just do not relent. You had an opportunity earlier on to put your case. You failed during the debate, and you are taking a second bite. [Interjections.] You couldn't even give some acknowledgement to the current Minister of Police for the efforts to be visible on the ground here in

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the Western Cape and turn around the crime situation.

[Interjections.]

The reality is there are underlying socioeconomic conditions in the Western Cape, especially in the black townships, which are fuelling this kind of violent crime. What have you done since you took over government in this province, other than for your Premier to praise the apartheid legacy and say there's everything good about it. Shame on her! Shame as you, as a political party - you seem to be lost.

Which South Africa do you come from? Go to Soweto. We built a beautiful Johannesburg. We built a beautiful Pretoria. You took them over. [Interjections.] I am sure in five years' time, you shall have reversed everything that the ANC has achieved in those cities - the same way you have done in the Western Cape. [Applause.] [Interjections.] I bet you the ANC will come back to power in the next local government elections in those cities because people will realise the hypocrisy behind your political party.

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It is about time you told the truth and stopped harping on about the how ANC has failed when you had been in government this long and have done nothing to address the socioeconomic conditions in the so-called coloured communities in the Western Cape. Thank you. [Time expired.]

**BY-ELECTIONS CONTINUE TO AFFIRM PEOPLE'S CONFIDENCE IN ANC
JERUSALEM AND OCCUPATION OF PALESTINE**

(Minister's Response)

Sepedi:

TONA YA PUŠOTIRIŠANO LE MERERO YA SETŠO: Modulasetulo ...

English:

I think it is important we acknowledge that voting is an important right that is provided for in our inaugural Constitution. Beyond that, it is a right through which the voiceless is given an opportunity to make their voice heard but also to register their choice of leadership at local government level, where it matters most. [Interjections.]

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Sepedi:

Modulasetulo ...

English:

We want to commend all political parties for their peaceful conduct during the recent by-elections but also congratulate those who have won those by-elections.

Let us also convey our gratitude to the Independent Electoral Commission, IEC, for the sterling work it has done during the by-elections. Of course, it is appropriate to commend the outgoing chief electoral officer of the IEC, Ntate Moepya, and welcome the newly appointed chief electoral officer, Ntate Sy Mamobolo. We wish him all of the best with the daunting task he is expected to perform on behalf of our nation. [Interjections.]

Secondly, I listened very attentively to the hon Moruti Meshoe when he articulated a biased and one-sided view on the issue of Israel and Palestine. I think, if the hon Ntate Meshoe by now hasn't learned a lesson, it will be important for him to take some lessons from the recent action by some of the renowned

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chefs in South Africa who had decided to boycott the Israeli-sponsored round table culinary festival. I think that will provide him with better lessons. Thank you. [Time expired.] [Interjections.]

GOVERNMENT ABUSE OF SECTION 54 OF MINE HEALTH AND SAFETY ACT

(Minister's Response)

The DEPUTY MINISTER OF MINERAL RESOURCES: Chairperson, the Department of Mineral Resources is very concerned about the number of accidents - and fatal accidents - taking place in the mining industry. The statistics shows that we have surpassed the number we had this time last year. On 12 October, we already had 69 deaths in the mining industry. Most of them are in the platinum and gold sectors. We have since written to the Chamber of Mines to request an urgent meeting to discuss this, so the route I am going is that this is not a matter that the country should take lightly because we talk about the lives of people.

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In the legislation, section 54 was intended exactly to prevent these types of accidents. To now come and stand here as a Member of Parliament and ridicule the application of the law that is passed by this Parliament in such a biased manner and to start painting it in a different way of how the hon member has taken it, I would suggest that this Parliament condemn these types of mine accidents. Some of these mines are taking shortcuts, and there is no law or rule that says we cannot apply section 54. There is no such a ruling. [Interjections.] So, to be misled deliberately by a Member of Parliament is wrong.

Lastly, the point I am trying to make here is what is happening in the mining industry should concern all of us in a way that doesn't take the shortcuts that are happening now. I suggest we need to focus on these matters, take them seriously, and not these types of shortcuts the DA is taking. Thank you.

[Applause.]

EFFECTS OF COMMUNISM

LACK OF SUPPORT AND INFRASTRUCTURE FOR HAWKERS BY GOVERNMENT

ZUMA ADMINISTRATION A SYMBOL OF STATE CAPTURE

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(Minister's Response)

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Chair, the reason black people sit here is because of the contributions by the Soviet Union. [Applause.] [Interjections.] It is as simple as that. The hon member may say what he says, assuming that, because we were oppressed, we are going to be oppressors. You heard the DA member, right?

We are democrats. [Interjections.] Oliver Tambo ...

[Interjections.] ... just listen to the excerpts from Oliver Tambo, and you will understand who we are. [Interjections.]

Secondly, I like what the hon Khawula said and the hon the professor, there. Hon Khawula, you know, on the day the Women's Parliament was here, we were meeting with rural women on hospitality, designs, and arts and crafts - rural women, across the country. They were establishing a co-operatives bank for women. They were here. Their headquarters is in Newcastle, KwaZulu-Natal. [Interjections.]

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We are busy now with the National Rural Youth Service Corps, Narysec, so I like what the hon Khawula was saying. Indeed, we care for the people.

IsiZulu:

Nks M S KHAWULA: Ngiyezwa ephatha igama lami, isibongo sami ikakhulukazi. Manje angimuzwa ukuthi uthini, ngicela akhulume isiZulu. Khuluma isiZulu mfowethu, yisona engifuna ukusizwa kahle ngoba abantu bafuna ukwakhelwa izindlu.

IsiNdebele:

USIHLALO WENDLU: (Kkz M G Boroto): Mhlonitjhwa uKhawula, ngibawa uthathe intwanyana naso uyibeke endlebeni, inesiZulu.

IsiZulu:

AMALUNGU AHLONIPHEKILE: Ayisebenzi?

USIHLALO WENDLU: (Nks M G Boroto): Ngizacela uNgqongqoshe, kodwa bekakhuluma kahle, ngizacela ukuthi mhlawumbe akubizele eceleni akhulume nawe uma sekuphelile.

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English:

The HOUSE CHAIRPERSON (Ms M G Boroto): Minister, were you done?
You still have 31 seconds.

IsiXhosa:

UMPHATHISWA WEZOPHUHLISO LWAMAPHANDLE NOHLENGAHLENGISO
LWEZOMHLABA: Ndimvile kakuhle umama uKhawula. Ndiyayithanda le
nto ugqiba ukuyithetha nam ndiyavumelana nawe. Kaloku thina
sesiqalisile ukuyenza le nto uthi mayenziwe ngurhulumente.
Oomama basezilalini bebelapha eKapa siphehlelela ibhanki yabo
yookopolotyeni enekomkhulu layo eliseNewcastle, KwaZulu-Natal.
Ngoko ke ndiyayithanda kakhulu le nto.

English:

Lastly, state power, 2019 - there is this story that says come
2019, come 2019, we will still be the majority in this House.
Thank you. [Interjections.] [Applause.]

IsiZulu:

The HOUSE CHAIRPERSON (Ms M G Boroto): Mama uKhawula isiZulu
bathi sisesiteshini sobuhlanu.

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AMALUNGU AHLONIPHEKILE: Ayisebenzi

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): Ayisebenzi? [It's not working?] Okay, thank you. Alright.

JERUSALEM AND OCCUPATION OF PALESTINE

THE ANC OPENS NEW LIMPOPO BRIDGE

PREMIER ZILLE'S BULLYING LEADS TO CHIEF DIRECTOR'S RESIGNATION

(Minister's Response)

Setswana:

TONA YA TSA MERERO YA TIKOLOGO: Jaanong re mo mathateng fa didiriswa tse re di dirisang go ulwa dipuo tsa rona di sa diri. Ke ne ke tla kopa maloko gore ba dirise tsona gonne ke itsi Setswana fela.

MODULASETILO (Mme G Boroto): Di a dira, mma!

Setswana:

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TONA YA TSA MERERO YA TIKOLOGO: Ke ne ke rata go tlhagisa dintlha di le pedi fela. Tona Rre Masutha o buile ka diphetogo tse di diragetseng mo go tsa mafaratlhatlha, le gore ga re a ka ra amogela re le Ntlo eno gore ... [Tsenoganong.] Fa o ka reetsa o tla tlhalefa go le sennyane! Ke ne ke tlhagisa go nna teng ga mafaratlhatlha a leloko la kwa Limpopo le buileng ka ona. O tlhagisitse gore re tswelela pele go aga setšhaba, ebile re tla dira jaalo mang a rata kgotsa a sa rate.

Le fa batho ba ka bua ka makgetlho a le mantsi ka bobodu jo bo leng teng, rona re itse fa re tsepame gape re neelana ka ditirelo mo bathong ba rona ba Aforikaborwa. [Legofi.] Gompiano jaana, go na le polelo e e kayang gore, kwa Gauteng, segolobogolo mo Masepala wa Johannesburg, maemo a ona a theogetse kwa tlase, go tswa mo palong ya 50 mo gare ga 60.

Palo ena ile kwa tlase tota, gape re nkgelwa ke leswe le fa re tsamaya teng. Seno se bontsha fa re se na bokgoni jwa go busa, ka jaalo, a re se ka ra tla mo Ntlong eno go tla go bua ka Soviet Union. Rre Nkwinti o bua nnete fa a re batho ba ile ba swela kgololosego. Ka jaalo, ga re batle go rutiwa ka Soviet

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Union, segolobogolo fa re itse gore motho yo o re rutang e ne e le o mongwe wa puso ya tlhaolele, e e bolaileng batho ba rona ba le bantsi mo nageng eno ya rona.[Legofi.] [Tsenoganong.] Ka re batho ba sule mo tlase ga puso ya tlhaolele!

Mme M S KHAWULA: Ga e tsamae. Go na le go re e tsamaye, e eme.

IsiZulu:

USIHLALO WENDLU (Nks M G Boroto): Qha mama leyo akuyona i-point of order.

English:

You still have 15 seconds.

Setswana:

TONA YA TSA MERERO YA TIKOLOGO: Leloko le fetsa nako yame. Ke ne ke rata gore, Lekgotlapeomolao la Kapa Bophirima le latelele kgang ya go lelekiwa ga motho wa rona mo tirong. A kgang eno e se ka ya tlhagisiwa jaaka tshisinyo ga felela fao.

[Tsenoganong.] Rra, o tlhagisitse ditshisinyo makgetlho a le mantsi ... [Nako e fedile.]

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EFFECTS OF COMMUNISM

JERUSALEM AND OCCUPATION OF PALESTINE

(Minister's Response)

IsiXhosa:

UMPHATHISWA WEZOLIMO, AMAHLATHI NEZOKULOBA: Enkosi Sihlalo, ndiza kucela ilungu elihloniphekileyo liye kufunda imbali yelizwe lehlabathi. Xa kwakuvalwa iMfazwe yeHlabathi yesiBini...

English:

... it was the Red Army of the Soviet Union that liberated Germany, not the apartheid one or the other countries.

[Applause.] [Interjections.] You may not have benefited under the ... but many people who trained to defend our country.

Today, others have acquired higher education. They were trained in the Soviet Union when in this country they were regarded as nonhuman beings.

You may dislike it, as we don't agree with capitalism, but can we live understanding we have different views?

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Setswana:

Rre Moruti ka tlhompho, ke kopa gore o tle o bale gore Zionism ke eng, gape le gore ke mokgatlho o o ntseng jang. Ga se Modimo yo o faneng ka morafe wa Isiraele ...

English:

... to the Israelis. It was a faction of the big powers, the Allied Forces, that gave that country to the Israelis under a policy of Zionism. It was not Christianity. No! It was not. I don't want us to debate which clause of the bible you believe in ... which one. I don't want us to mix the bible with history because we will find many faults.

Setswana:

Kwa kerekeng ke laetswe gore ...

English:

... you don't add to what the bible contains or you subtract. So, please ...

Setswana:

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Ka tlhompho ke kopa gore o se ka tlisa se se buiwang kwa kerekeng mo Palamenteng.

NOTICES OF MOTION

Ms J V BASSON: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates the development of a comprehensive intervention programme through partnerships amongst law-enforcement agencies, communities and decision-makers in society, to eradicate sexual violence in schools and to put measures in place to strengthen the safety of learners in schools.

Mr C MACKENZIE: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House debates the critical need for the curricula of Technical and Vocational Education and Training, TVET, colleges to be urgently revised and updated, after a lack of updates

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over the past 30 years, in order to equip college students with the skills needed in a modern economy.

Ms S S THEMBEKWAYO: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the use of state resources by the executive for the cases that are of no value or priority to the taxpayers, in the light of the abuse of court processes by Mr Zuma and Ministers on causally cases that do not benefit South Africans but are intended to hide corruption and delay justice.

Mr L RAMATLAKANE: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates the provision of greater support for the South African Police Services, especially to combat the attacks on its members, including through introducing legislative measures to protect law-enforcement officials in the execution of their duties.

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Mr X NGWEZI: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the IFP:

That the House debates the illegal occupation of property in the major cities around the country.

Mr A M SHAIK EMAM: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the NFP:

That the House debates the need for the introduction of a state bank of South Africa.

Ms N K BILANKULU: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates intensifying efforts to restore investor confidence as well as to promote investment.

IsiXhosa:

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Mnu N L S KWANKWA: Sihlalo weNdlu ohloniphekileyo, ndenza isaziso sokuba, xa le Ndlu ihlala kwakhona, ndiza kwenza isiphakamiso egameni lombutho wam ongenamasela i-UDM:

Sokuba le Ndlu -

ixoxe ukuzama ukuqinisa amandla eKomishoni yoLingano ngokwesini, ingakumbi iingxaki eziqubisene noomama kule mihla;

iqinisekise ukuba indima yale komishoni iyacaciswa phakathi kwayo neSebe loMama kuBongameli, ingakumbi xa kuphuhliswa imigaqo-nkqubo emalunga nolingano ngokwesini eMzantsi Afrika ukuze bayeke ukunyathelana kwiinzikinzane.

Enkosi.

Ms T GOADA: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House debates the high level of corruption and irregular expenditure by the Department of Energy that is

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undermining the roll-out of the multimillion rand solar water programme.

Mr N M PAULSEN: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the process to be followed that would lead to the severing of diplomatic and trade relations for the apartheid state of Israel, in the light of 2 November being exactly 100 years since the Balfour Declaration robbed Palestinians of their statehood.

Mr H M Z MMEMEZI: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates ways to improve the running of municipalities' electrical utilities.

Ms S P TSOLELI: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

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That the House debates the strengthening of special institutions to fight corruption, with firm action taken against corrupt public servants, public representatives and private-sector companies. [Interjections.]

Xitsonga:

Nkul X MABASA: Hi ku yimela ANC, ndza susumeta:

Leswaku eka ntshamo lowu nga ta landzela Yindlu yi njhekanjhekisana hi ...

English:

... combating private-sector corruption, collusion and wrongful profiteering.

Ms C V KING: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House debates the recent breach of the private data of millions of South Africans and the effectiveness of South Africa's cyber security system.

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Mr T M NKONZO: Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates building a developmental state that is capable to lead efforts to overcome unemployment and poverty and reduce inequality.

The House adjourned at 18:55.