

**THURSDAY, 9 FEBRUARY 2017**

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***PROCEEDINGS AT JOINT SITTING***

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Members of the National Assembly and the National Council of Provinces assembled in the Chamber of the National Assembly at 19:00.

The Speaker of the National Assembly and the Chairperson of the National Council of Provinces took the Chair.

The Speaker requested members to observe a moment of silence for prayers or meditation.

Mr N F SHIVAMBU: Hon Speaker and Chairperson ...

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

Mr N F SHIVAMBU: Speaker and Chairperson, may I please have your attention? I am rising in terms of the Constitution to seek your protection and the protection of the Constitution.

Both sections 58 and 71 of the Constitution say that, as Members of Parliament and delegates of the NCOP, we have privileges and are not subject ... we cannot be arrested, and we cannot be criminally charged. [Interjections.]

But we have it on good authority that 21 members of the SA Police Service, SAPS, have joined the parliamentary protection services today with the intention of arresting members of the EFF. They even have these cable ties which they want to use to tie members of the EFF down here in Parliament. [Interjections.]

Besides that, they have injections as well. [Interjections.] They want to inject EFF Members of Parliament with biological contents that are going to deactivate them for the rest of the day.

So we are standing up in the House to seek protection. In the proceedings of this House today, we do not want to be subjected to harassment, as that would be in contravention of both sections 58 and 71 of the Constitution of South Africa.

We want to raise these issues with you. We have told you in advance that there are issues that we want to raise with you.

Ms P D MANANA: Point of order, Speaker!

Mr N F SHIVAMBU: But can you please guarantee protection for today.

Ms P D MANANA: Point of order!

Mr N F SHIVAMBU: Can you guarantee that we are going to respect the Constitution ...

Ms P D MANANA: Point of order!

Mr N F SHIVAMBU: ... and make sure that everything else happens as per the Constitution? This is up to you, Speaker and Chairperson. [Interjections.]

The SPEAKER: I would like to recognise the member raising a point of order. [Interjections.]

Ms P D MANANA: Speaker, this is a joint ... [Interjections.] According to the Joint Sitting of this House ... joint House ... of this House ... [Interjections.] In chapter 2, this is a ... [Interjections.] This is a ... [Interjections.] This is a ... [Interjections.] This is a Joint Sitting that has been called by

the President to deliver the annual or special address to Parliament.

Another thing, Speaker ... [Interjections.] That hon member was not recognised. [Interjections.] Thank you.

An HON MEMBER: What's your point of order?

The SPEAKER: Yes, hon member. Hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, may I address you in terms of Rule 14(u) (b) of the Joint Rules of Parliament.

Madam Speaker, let's get back to the people's business in this House. I would like, as this is the first sitting of this House since the tragedy of Edumeni ... of the Edumeni 94 ...

[Interjections.] ... which we recognise today as the greatest human tragedy in this country since Marikana, that I believe it would be appropriate for this House to mark this occasion and this tragedy and show some respect for those families and those members who lost their lives in this massive tragedy.

Mr B T BONGO: On a point of order, Speaker ...

The CHIEF WHIP OF THE OPPOSITION: By allowing this House to take a moment of silence ...

Mr B T BONGO: On a point of order, Speaker ... [Interjections.]  
Speaker, on a point of order.

The SPEAKER: Yes, hon Bongo? What is the point of ...? But, hon Bongo, let me finish listening to this point of order, then I will take yours.

Mr B T BONGO: Okay.

The SPEAKER: Please continue, hon Steenhuisen.

The CHIEF WHIP OF THE OPPOSITION: The request is that we believe it would be appropriate for this House to recognise this tragedy and suffering and to mark it with a moment of silence, and to reflect on the fact that it should never happen in South Africa again. I believe it would be appropriate and I am requesting you, madam Speaker, to allow us this opportunity to do so.

The SPEAKER: Hon Bongo, what point of order do you want to raise?

Mr B T BONGO: Speaker, this is a Joint Sitting convened by the President in terms of Rule 42(1) of the Constitution, read with the Joint Rules, chapter 2(17)(a). This simply means that the President may convene such a sitting in terms of the Rules and the Constitution to address the sitting on special business, which, in this case, is the state of the nation address.

So, in this sitting which was convened by the President, there is no provision whatsoever that we have to consider any other item except the item for which the President has called us together in terms of the Constitution. [Applause.]

The SPEAKER: Hon members, I have taken your points of order, although it is quite unusual on an occasion such as this for us to raise points in the way that we have.

We all know that, according to the Rules of this House and the Constitution, the occasion of a Joint Sitting for the purpose of receiving the President's state of the nation address is a very specific and special one.

On the issue raised by hon Steenhuisen, I want to say, hon Steenhuisen, that I agree with you, but would like to suggest

that we put a hold on that point until we start the debate next week. [Interjections.] [Applause.]

Hon members, the President has called this Joint Sitting ...

Mr M WATERS: Madam Speaker ...

Mr N F SHIVAMBU: Speaker ...

The SPEAKER: Hon members ... Hon Waters, let me ...

Mr M WATERS: Madam Speaker, may I address you?

The SPEAKER: Let me listen to hon Shivambu. He actually rose before you.

Mr N F SHIVAMBU: Hon Speaker, I rose in terms of the Constitution to seek protection and assurance that the events of this House are going to be protected by this book, by this Constitution. [Interjections.] I have drawn your attention to the fact that, as part of the protection services here at Parliament, we have members of the SAPS. We have got a fresh judgment from the Constitutional Court that state security, particularly the SAPS, must not be involved in keeping so-called

security here in Parliament ... or security in Parliament. We have dealt with that separately, but there are members of the SAPS who have been assessing everything that we do here.

[Interjections.]

We know it is part of their plan to come with these cable ties. That is a valid point which you must entertain and assure us as Members of Parliament that, when we proceed today, we are not going to have the SAPS invading the House, violating the Constitution, and undermining the Constitutional Court.

You have done that on many occasions. Please give us the assurance today that you are not going to allow the violation of the Constitution and the Constitutional Court ruling on this particular issue. Can you assure us about that? What is difficult about that?

The SPEAKER: Hon Shivambu, this House cannot work on the basis of hearsay. [Interjections.] You are now telling us something we are not aware of. So all we, as presiding officers, can say to you is that we will do everything according to the Rules to make sure that everything we do in this House is based on the law, and not based on suppositions or rumours. [Applause.]



Hon Waters?

Mr M WATERS: Madam Speaker, this House is a people's Parliament, and it should reflect the wishes of the people.

Now, 94 people were massacred in Gauteng by the Health department. [Interjections.] What? [Interjections.]

Disabled people were massacred. [Interjections.] All the hon Steenhuisen is asking for is a moment's silence to reflect on that and to respect those 94 people who were massacred and their families.

I am sure that, if you ask the President, he would not mind if we had a moment's silence before his speech. [Interjections.] I think 94 people being massacred is worthy of a moment's silence here in Parliament. I urge you, Madam Speaker, to reconsider your ruling, and that we have that moment's silence now and not next week. Thank you. [Applause.]

The SPEAKER: Hon Waters, as I said earlier on, we agree with the spirit of what Hon Steenhuisen and you have raised. I suspect even the President himself might deal with that issue.

[Interjections.] However, allow us to proceed with this Joint Sitting according to plan.

We will indeed entertain the matter when we start the debate on the President's state of the nation address.

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

The SPEAKER: Hon Steenhuisen, I am ... I ... [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, I would like just to say to you that this is the opening of the state of the nation. This is the appropriate time to mark the tragic loss of lives. You can't put a marking of tragic loss of life on hold for a week. It makes it completely cheap and makes a mockery of the loss of lives here. I am sure the President won't mind if we take 30 seconds to a minute and express this House's solidarity and condolences with those who lost their lives in this tragedy which was, in fact, a government's error. I think that it would be appropriate for this House mark that occasion, and don't put it on hold. [Applause.] Please, it's a heartfelt pain.

THE SPEAKER: Hon Steenhuisen, we appreciate your views and we would like to be allowed to proceed with conducting the

business. I am sure there are many time when hon members had different views from the presiding officers, but the issue is that now we would like to proceed with the business as planned. I see hon Malema has raised his hand.

Mr J S MALEMA: Madam Speaker, we are raising a simple matter that we took this cable tier from a security guy outside. And all of us should enjoy your protection. So, a carrying speaker who is concerned about all Members of Parliament and their safety would have immediately sanctioned that some brief investigation be made on the cable tier.

The second thing is that there are 21 policemen, SAPS, in white shirts, who came in here through police vehicles. The Constitutional Courts made clear pronouncements with regard to that. And if such allegation is made it would be correct for the speaker to say, we sanction our table to ensure that indeed there is complaisance with the law, as you say.

It is not just an allegation. Our security and safety is important and it should be a concern of a carrying speaker who is not a partisan. It should not be a roomer just because it came from the opposition. It is a serious issue raised by a Member of Parliament and we need you as our head to assure us

that no cable tiers would be used against Members of Parliament, including injections.

They are having injections and if there is a possibility of pushing people out here, people are going to be injected with biological weapons here which are brought by these security people here. So, please reassure us that we are indeed safe in this Parliament and we are going to give our concerns and our issues without any fear or favour from the security apparatus.

THE SPEAKER: Hon Malema, I have already ruled on that matter. And I now intend to proceed.

Mr M WATERS: Hon Speaker, may I address you, please. Given your ruling that you will only consider the moment of silence next week, would you mind giving the DA 30 seconds to stand for the moment of silence for the 94 people? Thank you very much.

THE SPEAKER: Hon members of the DA, I have not given you your chance to observe a moment of silent which you will observe along with all other hon members. Therefore, your standing is your business and not according to the ruling of Chair.

Hon members, the President has called this joint sitting of the National Assembly and the NCOP in terms of section 84(2)(d) of the Constitution of the Republic of South Africa; read with joint rule 7(1)(a) in order to deliver his state of the nation address to Parliament. I now call upon the hon the President to address the Joint Sitting. [Applause.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: The Speaker of the National Assembly, the Chairperson of the NCOP, the Deputy Speaker of the National Assembly and the Deputy Chairperson of the NCOP ... [Interjections.]

Mr G A GARDEE: Madam Speaker, Chairperson of the NCOP, I rise in terms of the Joint Rules 14(1)(a), 14(s)(1), 14(u)(B), read together with the Constitution ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon President, please take your seat. Hon Gardee ... [Interjections.]

Mr G A GARDEE: Sit down President - Mr Zuma.

The CHAIRPERSON OF THE NCOP: No, hon Gardee, you are on a point of order. What is your point of order?

Mr G A GARDEE: Read together ... Madam Speaker, and madam Chairperson of the NCOP, I rise in terms of the Joint Rules 14 (1) (a), 14(s) (1), 14 (u) (b) ... [Interjections.]

Mr B T BONGO: On a point of order, please! No.

The CHAIRPERSON OF THE NCOP: Hon Gardee, just hold your horses. Hon member, I have recognised hon Gardee, he is still on a point of order. You therefore, cannot interrupt a member on the floor who has been recognised. Hon Gardee, please continue.

Mr G A GARDEE: Let me start afresh so that he can hear me well. Madam Speaker and madam Chairperson of the NCOP, I rise in terms of the Rules of the Joint Sitting, Rule 14(1) (a), 14(s) (1) and 14 (u) (b), read together with the section 2, 87, 49(2) and 51 paragraph a and b of the Constitution, read together with the judgement of the Constitutional Court on 31 March 2016, which held that the failure by the National Assembly to hold the President accountable by ensuring that he complies with the remedial action taken against him ... [Interjections.]

Mr B T BONGO: On a point of order, Chair!

The CHAIRPERSON OF THE NCOP: Hon Bongo, take your seat, this member is on the floor.

Mr G A GARDEE: ... is inconsistent with its obligations ...  
[Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Bongo, take your seat. We recognised this member. We will rule on the matter. Please proceed, hon Gardee.

Mr G A GARDEE: He didn't go do his populace and the articles.

The CHAIRPERSON OF THE NCOP: Don't concentrate on him. You are on a point of order.

Mr G A GARDEE: The failure by the National Assembly to hold the President accountable, by ensuring that he complies with the remedial action taken against him is inconsistent with its obligations to scrutinise and oversee the executive action and to maintain oversight of the exercise of executive powers by the President, and in particular to give urgent attention to or intervene by facilitating his compliance with the remedial action.

The Constitutional Court, therefore, issued an order that the resolution absolving the President from compliance with the remedial action taken by the Public Protector is invalid and set aside. The Constitutional Court, therefore, went further to say the President has failed to uphold, defend and respect the Constitution as the supreme law of the land. And accordingly, both the President and the presiding officers are in contempt of the Constitutional Court provision ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Gardee, what is the point of order?

Mr G A GARDEE: The point of order is that the President is in breach of his oath of office, failed to uphold, defend and promote the Constitution. Accordingly, he cannot address hon members, including the presiding officers, whom, they themselves have failed to hold the President accountable. Accordingly, Parliament is in contempt of the Constitutional Court, just as President Zuma is. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Gardee, you are addressing the House and not making a point of order.



Mr G A GARDEE: You have heard me, madam Chairperson of the NCOP. I will await your ruling. Thank you.

The CHIEF WHIP OF THE MAJORITY PARTY: Chair, on a point of order!

The CHAIRPERSON OF THE NCOP: Hon Chief Whip of the majority party!

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Chair, section 89 of the Constitution of the republic says this Parliament can remove the President from office by a substantive motion that can be brought before this Parliament. Indeed, hon Chair, Substantive motions have been brought before this Parliament for the removal of the President, not only on the basis of section 89, but also on the basis of section 102 of our Constitution - vote of no confidence in the President.

This Parliament has decided not remove the President on the basis of what the hon member is raising today. We can't go back to that motion that has not been properly put before this House. It was put before this House; the motion was defeated in this House. I, therefore request that you rule that we continue with

the business of this House and reject this frivolous intervention by this hon member. Thank you very much.

Mr J S MALEMA: Hon Chair of the NCOP!

The CHAIRPERSON OF THE NCOP: Hon Malema, I have yet to rule on this motion.

Mr J S MALEMA: But you gave him the opportunity to speak before you even ruled on hon Godrich. [Interjections.] The procedure is such that you must rule on Godrich before you give hon Mthembu. You broke your own Rules. So, allow me to proceed.

The CHAIRPERSON OF THE NCOP: Proceed.

Mr J S MALEMA: Yes. Chairperson of the NCOP, sitting in front of us here, is a man who is incorrigible ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Are you on a point of order?

Mr J S MALEMA: An incorrigible man, rotten to the core and that has been found by the Constitutional Court. The story that your majority vote allowed you to keep him ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Malema!

Mr J S MALEMA: ... it doesn't make him a legitimate President.

[Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Malema, it is not a point of order.

Mr J S MALEMA: Listen to me, Chairperson.

The CHAIRPERSON OF THE NCOP: Yes, but that is not a point of order.

Mr J S MALEMA: What was Jackson's point? [Interjections.]

The CHAIRPERSON OF THE NCOP: Can I rule?

Mr J S MALEMA: No, let me speak. What was Jackson's point? We are all equal here. Jackson did not rise on any point in the Rules. I am following what he did. So, I am saying, the fact that majority voted against the Constitutional Court decision, it doesn't make the majority right. You voted against the Nkandla Report, which was declared by the Constitutional Court that you were in breach of the Constitution by voting against

the Nkandla Report. You are repeating the same mistake. Mr Zuma has collapsed his own right to address us here.

The CHAIRPERSON OF THE NCOP: Can you allow us to rule on this matter?

Mr J S MALEMA: Mr President, 441 soldiers will never protect you. Your problem is not outside, your problem is here.

[Interjections.]

Ms T J MOKWELE: On a point of order!

Mr B T BONGO: On a point of order!

Mr J S MALEMA: There is no soldier here. Here we are elected. You want soldiers to defend you. Let soldiers form a political party and come in here. They won't come in here. So, we are not going to allow the President to address us. [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Malema, please, take your seat? Hon members, allow us to rule on this matter. Hon Gardee rose on a point of order, I actually ruled and said what he was doing was addressing the House and that it was not a point of order. I then allowed the Chief Whip of the majority party to speak. In

the first place I want to say that the matters of the hon members of the National Assembly have nothing to do with the business of today, it has nothing to do with the Joint Sitting because the NCOP is not empowered to elect or to impeach.

[Interjections.]

Ms T J MOKWELE: On a point of order!

The CHAIRPERSON OF THE NCOP: I am on the floor. I am addressing this House. You will take your seat. [Interjections.]

Ms T J MOKWELE: You must recognise me.

The CHAIRPERSON OF THE NCOP: And therefore, this point that the joint sitting must now address the business, which belongs solely to the National Assembly, cannot be viewed as a serious point of order by this joint sitting, and therefore I wish to dismiss all these points of orders.

Ms H O HLOPHE: Madam Chair, let me just remind you; when hon Gardee stood up, he cited section 14 of the Joint Sitting Rules, he didn't go with the rules book of the NA. We have a rule book that is called a Joint Rules Book, 14c, and he quoted so many

sections in that Rule Book; and he combined it with the section in the Constitution.

We would like to stress that, Madam Chair, since this Parliament has not taken the advice of the Constitutional Court that ruled that the President has violated his oath of office; therefore, the President cannot address this House until you ...

[Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Hlophe, that is not a point of order ... [Interjections.]

Ms H O HLOPHE: ... until you, Presiding Officers, you pronounce on the procedures to discipline the President ...

[Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Hlophe, that is not a point of order. I have ruled on this matter; please allow us to continue with the business of the day.

I want to urge hon members not to stand up and repeat what is really not a point of order. If members of the NA wish to carry on with this matter, please do it when it is your own sitting at your own time.

Ms T J MOKWELE: Ke a leboga, Modulasetilo. Ke ema jaana ke go gakolola gore ka ... [Thank you Chairperson. I would like to remind you that on ...]

... 25 October 2016 you allowed Mr Zuma to address the NCOP. And we made a point to you, hon Chair, to say this man ...

[Interjection.]

The CHAIRPERSON OF THE NCOP: Is that a point of order, hon Mokwele?

Ms T J MOKWELE: It is a point of order ... [Interjection.]

The CHAIRPERSON OF THE NCOP: That is not a point of order ...

[Interjection.]

Ms T J MOKWELE: How did you reply? You said this is not the business of the NCOP. Let me remind you that Parliament is made up of two Houses, the NA and the NCOP. Therefore, the President ... [Interjection.]

The CHAIRPERSON OF THE NCOP: Hon Mokwele, please take your seat. That's not a point of order.

Ms T J MOKWELE: It's a point of order. Listen to what I'm saying. You even allowed him to speak; we're not going to allow this man to address us. He's not honourable; I've taken my oath ... [Interjection.]

The CHAIRPERSON OF THE NCOP: Hon Mokwele, take your seat. That is not a point of order.

Hon members, the business of the NA and the business of the NCOP and the mandates as per the Constitution that you're talking ... [Interjections.]

Ms N V MENTE: Chairperson, Chairperson of the NCOP ... [Interjections.]

The CHAIRPERSON OF THE NCOP: I am speaking, please take your seat.

Hon members, we will not allow the business of this House to degenerate or not to start, simply because you are raising issues which purportedly are points of orders which are not points of orders in this sitting.

I would want to ask the President to continue. [Applause.]



Ms N V MENTE: Chairperson of the NCOP.

Ms D CARTER: Hon Speaker, hon Speaker, I have respectfully been trying to get your attention. I was standing up on a point of order. My leader has been standing up, right from the beginning even before you recognised hon Gardee, and therefore I'm asking you in terms of Rule 14s, you have to recognise my leader on his point of order.

The CHAIRPERSON OF THE NCOP: I did not see him. Hon members, order. Hon members, I did not see hon Lekota, no, I did not see his hand, and I have no reason why I would not recognise him.

Hon President, please take your seat.

Hon Lekota, a point of order!

Mr M G P LEKOTA: I rise on a point of order, Madam Speaker. I rise on a point of order ... [Interjections.]

The CHAIRPERSON OF THE NCOP: You're covered, you're protected sir, please proceed. You're on a point of order.

Mr M G P LEKOTA: In terms of section 48 of the Constitution, none of us can be a member of the NA or of Parliament without taking an oath under schedule 2.

We, as Cope, want to place it on record; we pointed out in the last SONA that the gentleman before you has broken his oath of office, he admitted that. Subsequently, the court found that he has discharged himself from the oath of office. He can't be a Member of Parliament when he has discharged himself ...

[Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Lekota ... [Interjections.]

Mr M G P LEKOTA: Section 48 requires that. Madam Speaker

The CHAIRPERSON OF THE NCOP: Hon Lekota ... [Interjections.]

Mr M G P LEKOTA: In English it is called a scoundrel. In our mother tongue it is called *lemenemene*.

The CHAIRPERSON OF THE NCOP: Hon Lekota, that is not a point of order.

Mr M G P LEKOTA: Now, we cannot hold *lemenemene* [scoundrel] as a role model ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Lekota, that is not a point of order.

Mr M G P LEKOTA: ... that the youth of our country must follow or emulate ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Lekota, that is not a point of order. Please take your seat.

Mr M G P LEKOTA: Therefore, we cannot become part of a President ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Lekota, that's not a point of order.

Mr M G P LEKOTA: You are making ... no, we have not broken our oath of office. Now, you want to make us implicit in the breaking of the oath of office? We have not broken ours, he broke his. He broke his oath of office; we did not break our oath of office. So, we can't ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Lekota!

Mr M G P LEKOTA: Yes?

The CHAIRPERSON OF THE NCOP: Please take your seat, that's not a point of order. Hon members, we have ruled on this matter. We have ruled on this matter and I wish to reiterate that we must allow the President to continue with his speech.

Mr N F SHIVAMBU: House Chairperson, can we have the microphone on please?

The CHAIRPERSON OF THE NCOP: You have been putting matters, you have been addressing the House, not on points of orders, but we now wish to proceed with the business of the day.

Mr N F SHIVAMBU: Chairperson, I'm speaking for the first time on this point here.

The CHAIRPERSON OF THE NCOP: Hon President, please proceed.

Mr N F SHIVAMBU: Chairperson, can you please allow me speak first?

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: The Deputy President, Cyril Ramaphosa ... [Interjections.]

Ms M S KHAWULA: Uxolo. [Ubuwelewele.] [On a point of order ... [Interjections.]]

Ms T J MOKWELE: Speaker ... [Interjections.]

Ms M S KHAWULA: ... uxolo lapho weSihlalo. [Ubuwelewele.] [... on a point of order, Chairperson. [Interjections.]]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... Former President, Thabo Mbeki ... [Interjections.]

Ms T J MOKWELE: On a point of order ... [Interjections.]

Mr N F SHIVAMBU: House Chairperson ... [Interjections.]

Ms T J MOKWELE: Chair ... [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... Chief Justice, Mogoeng Mogoeng ... [Interjections.]

Ms T J MOKWELE: Speaker, Chair, on a point of order ...

[Interjections.]

Mr N F SHIVAMBU: House Chairperson, on a point of order ...

[Interjections.]

Ms T J MOKWELE: Chair ... [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... and all esteemed members of the judiciary ... [Interjections.]

Mr N F SHIVAMBU: House Chairperson, on a point of order ...

[Interjections.]

Ms T J MOKWELE: ... please recognise us. [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... Ministers ...

[Interjections.]

Mr N F SHIVAMBU: Speaker, on a point of order ...

[Interjections.]

Ms T J MOKWELE: ... on a point of order ... [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... and Deputy Ministers ... [Interjections.]

Mr J S MALEMA: National Chair, please recognise ...  
[Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... Premiers ...  
[Interjections.]

Mr J S MALEMA: Chairperson of the NCOP ... [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... and speakers of ... [Interjections.]

Mr N F SHIVAMBU: Can you please recognise us when raising points of order? [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... provincial legislatures. [Interjections.]

Mr J S MALEMA: Chairperson of the NCOP, you cannot allow a situation to continue like this.

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: Chairperson of Salga ... [Interjections.]

Mr J S MALEMA: It is out of order. [Interjections.]

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... the heads of Chapter 9 institutions ... [Interjections.]

Mr N F SHIVAMBU: It's within the Rules to raise points of order. [Interjections.]

Mr J S MALEMA: You have to listen to us. You must give us the opportunity to speak here.

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... Chairperson of the National ... [Interjections.]

Mr M Q NDLOZI: Just because you are standing for President of the ANC you are avoiding things here. [Interjections.]

Ms T J MOKWELE: Speaker ... [Interjections.]

AN HON MEMBER: On a point of order, Chair ... [Interjections.]



Ms T J MOKWELE: Hei, helang basadi ... [Interjections.] [Hey, ladies ...]

Mr M Q NDLOZI: We are not in prison here to be addressed by criminals.

The PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA: ... members of the Diplomatic Corp ... [Interjections.]

Mr M Q NDLOZI: This is not a cell. This is not a prison or a rehabilitation [Interjections.]

The SPEAKER: Hon members, order! [Interjections.]

The SPEAKER: Hon President, please allow us to just focus on how to calm these hon members down. [Interjections.]

Mr M Q NDLOZI: Thank you.

Ms T J MOKWELE: Sit down Zuma! Please sit down!

The SPEAKER: Hon members, we have been patient with you. We have been trying to give you an opportunity to express yourself but we believe that, in actual fact, the freedom of expression of

the members of this hon House is definitely being abused by yourselves ... [Interjections.] ... because all hon members who are here in this House have come to listen to the state of the nation address. South Africans are here in the gallery ... [Interjections.]

Mr N F SHIVAMBU: But how do we abuse the freedom of speech before we even speak?

The SPEAKER: South Africans are sitting at home waiting eagerly to listen to the state of the nation address. [Interjections.] We would like to assure you hon members that we will respect your freedom of speech ... [Interjections.]

Mr N F SHIVAMBU: Please do!

The SPEAKER: ... your freedom to raise points of order. However, we are not going to allow you to obstruct the business of the House and to continue to abuse all of us on the basis that you have the right to raise points of order. So, we would like to say to you, hon Shivambu that we are not going to sit here the whole night listening to you raising points of order ... [Interjections.]

Mr N F SHIVAMBU: But the rules allow us.

The SPEAKER: ... upon which we have ruled. We have ruled upon the issues you have been raising. [Interjections.]

Mr N F SHIVAMBU: But you have not yet ... [Inaudible.]

The SPEAKER: We have ruled and we don't intend wasting endless time because you have the right to raise a point of order.

Mr N F SHIVAMBU: Hon Speaker, there is nowhere in this Rule book where it is allowed that you'll refuse a point of order that is raised by legitimate members of Parliament.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Shivambu you have not been recognised. Please take your seat!

Mr N F SHIVAMBU: I am rising to be recognised on a point of order.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: We have listened to numerous points of order from you. [Interjections.]

Mr N F SHIVAMBU: It is allowed in terms of Rule 14(s) and 14(u) of the Joint Rules. Please recognise me on a point of order!

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Shivambu, please take your seat!

Mr N F SHIVAMBU: Are you going to recognise me after I have sat down? [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Shivambu, please take your seat!

Mr N F SHIVAMBU: But I am pleading with you that when I sit down, you are going to recognise me because I am doing a legal, legitimate and constitutional practice of raising a point of order in terms of these rules. Can you please allow me to do that?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Shivambu, please take your seat! Sir, you raised your hand.

Mr J S MALEMA: But hon Chairperson of the NCOP, our Chief Whip raised his hand before the Leader of the DA. The lease you can do is to give him the opportunity to speak and then make a

ruling. What type of criteria is this? Give him a chance to speak to speak. Let us not have an attitude against Members of Parliament.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Malema, nobody recognised you. Nobody gave you the space. Please, take your seat!

Mr J S MALEMA: Let's give the Chief Whip of the EFF the opportunity to speak. He raised his hand.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Malema, please take your seat! There is an hon member who is on the floor. Please proceed!

The LEADER OF THE OPPOSITION: Speaker and Chairperson, I rise on Rule 14(b). First of all, and this is absolutely critical. We saw earlier today army members even here in the precinct.

[Interjections.] Hold on. The fact of the matter is that the Constitution has been violated, which is something that even P W Botha would have been proud of. The leader of the ANC who is here, has violated the Constitution. What doesn't change is the fact that South Africans voted for him. We are not here tonight to debate that question. What we are here to debate tonight, is

the people of South Africa and the fact that many do not have work. Can I request that today we proceed with on matter ...

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Maimane ... [Interjections.]

The LEADER OF THE OPPOSITION: ... so that we can talk about the people's business and the South Africans who are left behind while we have this discussion. Can I request that we debate that, please? [Applause.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Thank you, sir!

AN HON MEMBER: On a point of order.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: You rose on Joint Rule 14(b).

The LEADER OF THE OPPOSITION: It is Joint Rule 14(u).

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon members, can we do the right thing and allow the President to proceed with his speech? [Interjections.]

Mr M Q NDLOZI: I don't want to interrupt the President, Chair. I have been raising my hand here.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon members ... [Interjections.]

Mr M Q NDLOZI: I have been doing the hon thing Chair.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: ... we have heard points of order which we have ruled on.

Mr M Q NDLOZI: I am speaking for the first time.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon members, you'll not hold this sitting to ransom. [Interjection.]

Mr M Q NDLOZI: I am not trying to do that, Chair.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: We want to continue with the business of the day. [Interjections.]

Mr M Q NDLOZI: Can you just hear me out?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat!

Mr M Q NDLOZI: Hon Chairperson, I am rising on a point of order. It has nothing to do with what has been said.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: What is your point of order?

Mr M Q NDLOZI: Thank you very much. First of all, those two people there at the door don't belong in the House. They must leave the House. Give that order. Everybody that is in here must have this card and must have been sworn in, in terms of his oath of office. Those guys must leave the House. They don't belong in the House. They are in breach of the ... Even the Justices are sitting on the other side. We have two people there. I don't know them and I didn't vet them. This is my House. Those two people there must leave. That's number one. I don't know them. Do you know them? You look shocked even but you say this is your House. There are two guys standing there. Who are they? Do they have this? They must go. That is the first point of order, hon Chairperson of the NCOP.



The second thing is a fundamental mistake here. We are all, first and foremost, citizens of South Africa and we are not allowed, according to the Constitution, to stand for any office if we have a criminal record. The Constitutional Court - it doesn't matter whether it is NCOP, legislature or even a council of councilors of a township, are not allowed to hold public office if they are found to be in breach of the Constitution. If you want to listen to a person that has breached the Constitution, go do it elsewhere, somewhere in the prisons there where criminals speak.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Ndlozi, please make your point of order.

Mr M Q NDLOZI: I have a duty, together with other Members of Parliament who have taken an oath of office, to protect this House in terms of the Constitution. Mr Zuma, please leave, Baba! You don't belong here. You are a constitutional delinquent. You have to leave, then we can proceed with the business of the House. I am sure each and every one of us is competent to can deliberate on the state of the nation.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: hon Ndlozi ... [Interjections.]

Mr M Q NDLOZI: But Mr Zuma is a delinquent! He breached the Constitution. He doesn't belong here. It is him that should leave not us!

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Ndlozi ... [Interjections.]

Mr M Q NDLOZI: You are wrong not to protect us. You are protecting him to stay here as a criminal.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: You are not making a point of order.

Mr M Q NDLOZI: It is appoint of order.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: It is no longer a point of order.

Mr M Q NDLOZI: How do you call this House in session when people have invaded it?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: You are making a speech.

Mr M Q NDLOZI: Mr Zuma together with those two guys don't belong in here!

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: hon Ndlozi, please take your seat!

Ms M S KHAWULA: Sihlalo, weSihlalo, Sihlalo Womkhandlu Kazwelonke Wezifundazwe [Chairperson, Chairperson of the National Council of Province]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: I want to rule on this matter.

Nk M S KHAWULA: ... kungani mangabe umuntu ephakamisa isandla ehlonipha ningamvumeli? Ngiyacela nje nami ngoba ngilana ngiyilungu lalana. (*Translation of isiZulu paragraph follows.*)

[... why don't you recognise a person if she is raising up her hand, showing some respect? I also wish to be given an opportunity to speak as a member of this House.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Is it a point of order mam?

Ms M S KHAWULA: Uyabona lento yephuzu lesincomo angiyikhulumi ngoba ngithi ngiyacela. [Ubuwelewele.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Umuntu ucela iphuzu lesincomo noma iphuzu lelungelo

Ms M S KHAWULA: Yebo, kungaba iphuzu lesincomo, kungaba akulona, ngifuna ukukhuluma.

USIHLALO WOMKHANDLU KAZWELONKE WEZIFUNDAZWE: Khuluma ma!

Nk M S KHAWULA: Sihlalo lapho ngaphambili, ngiyanibingelela onyakeni omusha nobabili. Kunento ebuhlungu la. Kufike kuthiwe la njengoba silana sizosebenzela abantu baseNingizimu Afrika. Akushiwo la ukuthi sizosebenzela abantu esibathandayo nesignabafuni. Ngifuna ukwazi ukuthi, njengoba uhlezi lapho ngaphambili, yini uma singena nikwazi ukusibona ukuthi sizolwa sibe singalwi? Kungani nibone sengathi uMongameli asimthandi? Ngikushiswa yini na? Ngisho ukuthi kuyimanje uMongameli niyazi ukuthi unamacala ... *(Translation of isiZulu paragraphs follows.)*

[Ms M S KHAWULA: I don't take note of this point of order thing, I would not say it because I am asking for a permission to speak.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: A member must ask for a point of order or a point of privilege.

Ms M S KHAWULA: Yes, whether is it a point of order or not, I want to speak.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Speak ma'am!

Ms M S KHAWULA: Chairperson, I greet both of you in the new year. There is something sad happening here. It is said that, we are here to serve the interests of South Africans. That does not mean that we are here to serve the interests of the people that we like only, also of the ones that we do not like. I would like to ask, as you are sitting there in the front, why do you assume that every time we enter this House, we are here to fight even when we are not fighting? Why do you assume that we do not like the President? The reason why I am saying this is because even now, you all know that the President is charged ...]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member that is not a point of order.

Ms M S KHAWULA: ... kodwa manje nimatasatasa niyamvikela. [... but you are busy protecting him.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat!

Ms M S KHAWULA: Akaphume, akahambe ayohlala ekhaya. Makungene omunye kulesiya sihlalo ... [He must step down, he must retire. Let someone serve in his position ...]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: That is not a point of order. Please take your seat!

Ms M S KHAWULA: ... asimudingi futhi kuyimanje kuthiwa sizojova kodwa noma kunjalo anginandaba. [... we do not need him and we are told that we are going to be injected, even if that is the case I do not care.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat!

Ms M S KHAWULA: Nisaqhuba bona ubugebengu enibenzayo. Sikhathele yindaba yobugebengu benu. [You are still carrying on with the crime that you are doing. We are sick and tired of your crime.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat. That is not a point of order.

Ms M S KHAWULA: Angikuzwa ukuthi uthini mina, awusho kahle. [I cannot hear what you are saying, please say it clearly.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member ... [Interjections.]

Ms M S KHAWULA: Ngamutshela nje umhlonishwa ilungu elihloniphekile. [But I did tell the hon member.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member, please take your seat!

Ms M S KHAWULA: Uthini? [What are you saying?]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat!

Ms M S KHAWULA: Angikuzwa! [I cannot hear you!]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat!

Ms M S KHAWULA: Siyasinda lesi sihlalo ngizosithwala ekhanda. [This chair is heavy, how can I carry it on my head?]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat!

Ms M S KHAWULA: Hhayi kodwa uyangichwensa ngikuthanda kanjena. [Why are you insulting me when I love you so much?]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat. Hon members, we have been patient. We have listened to you. We have also advised you to refrain from these continuous points of order which are frankly very spurious. We have also advised that you should not abuse the Joint Rules. We want to ask you to take your seats, to allow us to continue with the business of this House, or if hon members are really not interested in the business of the day to please leave this House. [Interjections.]



Mr M M DLAMINI: No, no, no ... [Inaudible.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: I will not recognise any other point of order. I will not recognise any point of order.

Mr M M DLAMINI: You are making a terrible mistake. You are making a terrible mistake because ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member, take your seat or leave this House. [Interjections.]

Mr M M DLAMINI: ... Mr Zuma has destroyed the glue that binds the people of this country. He has violated the Constitution. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member, take your seat or leave this House.

Mr W M MADISHA: Hon Chairperson, you are out of order yourself. [Interjections.] Eh, you have got to ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Madisha, I did not recognise, please take your seat.

[Interjections.]

Mr W M MADISHA: You are not following the rules. You are out of order yourself. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: If you do not want to take your seat, sir, please leave this House.

Mr W M MADISHA: Chair, Chair, Chairperson ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Your have ... [Interjections.]

Mr W M MADISHA: Chairperson ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Take your seat or leave this House.

Mr W M MADISHA: You are wrong. You are wrong, Chairperson ...

[Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Madisha, please leave the House. [Interjections.]

Mr W M MADISHA: ... because you cannot take ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Usher of the Black Rod, please help hon Madisha to leave the House.

Mr W M MADISHA: Is wrong of you to take, I want to emphasise, what we believe is a thief from the streets and say that he must come and address Parliament. Even the ... [Interjections.]

Chairperson ... [Interjections.] That is the kind of organisation we have before us.

An HON MEMBER: Manana Xipikara! [Madam Speaker!]  
[Interjections.] Manana Xipikara! [Madam Speaker!]  
[Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member, I have asked hon Madisha to leave the House and he has refused. I am therefore calling on the Protection Services of Parliament to help hon Madisha to leave this House.

Mr W M MADISHA: I am going out, but ...

An HON MEMBER: Manana Xipikara [Interjections.] ... [Madam Speaker] [Interjections.]

Mr W M MADISHA: ... you, you have a problem yourselves. You are thieves and we cannot go on like that. I am going out.

[Interjections.]

Mr L G MOKOENA: Chair.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mokoena, you are on your feet and you are recognised, proceed.

Mr L G MOKOENA: Just to reiterate, Chair. We have just seen that cable again now. So, we need a clear undertaking from yourselves that this is not going to happen. We have just seen that cable. Secondly, I think the point that has been made hear is that this entire gathering is unconstitutional because in the first place it should not be addressed by someone who has flouted his own oath office. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mokoena ... [Interjections.]

Mr L G MOKOENA: That is the point that has been made here. The entire gathering here is unconstitutional. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mokoena! [Interjections.]

Mr L G MOKOENA: But can you please at least rule on the issue of the cable ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mokoena ... [Interjections.]

Mr L G MOKOENA: ... so that we can deal with that. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mokoena ... [Interjections.]

Mr L G MOKOENA: Please, Ma'm, we are asking you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: ... the Speaker has ruled on the first point you raised. [Interjections.]

Mr L G MOKOENA: But the cable came inside here. The cable was in here just now. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mokoena ... [Interjections.]

Mr L G MOKOENA: Can you please rule.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: ... the Speaker has ruled on that first point. The second point is not a point of order. [Interjections.]

Mr L G MOKOENA: She has not ruled, Chair, because that cable was in here just now, I saw it myself. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat.

Mr N L S KWANKWA: Point of order, Chair.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Point of order, Chair. Chair, can you recognise me?

Mr L G MOKOENA: Please tell us that there will not be cables or injections used on anybody. We need a ruling from you, and you must be specific.

Mr N L S KWANKWA: House Chair, on a point of order please.

The SPEAKER: Hon Mokoena, as the hon Chairperson is saying, I have ruled on the matter of the Security Forces and the Parliamentary Protections Services. Hon members, the hon Chairperson has also ruled on the matter of these unending supposed points of order. Hon members, we are not taking any points of order.

Mr L G MOKOENA: Speaker ... [Interjections.]

Mr N L S KWANKWA: Hon, Speaker.

The SPEAKER: Hon Mokoena ... [Interjections.]

Mr L G MOKOENA: Can I be recognised?

The SPEAKER: Hon Mokoena, I am not going to recognise because, as I am saying, we are not taking anymore spurious points of order.

Mr N L S KWANKWA: Speaker.

The SPEAKER: We have been carrying on like this for an hour now and we have no intention of proceeding like this beyond this point.

Mr N L S KWANKWA: Speaker.

The SPEAKER: We have, hon members, being very patient with you and cannot waist the time of South African beyond what we have done.

Mr N L S KWANKWA: Speaker.

The SPEAKER: Any hon member who does not want to abide by the rulings of the Chair would have to please leave the House so we can proceed.

Mr N L S KWANKWA: Speaker, hon Speaker, may I be recognised please.

The SPEAKER: Hon Kwankwa.



Mr N L S KWANKWA: On this matter you have not made a ruling, so I think I am within my rights to stand up.

The SPEAKER: On which matter?

Mr N L S KWANKWA: The matter was raised by the leader of the DA about the presence of the two members of the Security Force in the House, and later on it was also raised by the EFF. We are asking you to explain to us the presence of these members in the House. The other question, Speaker, and which I think is more fundamental, is that we need to be treated fairly here as Members of Parliament. You were extremely harsh on hon Madisha. There are Members of Parliament who stood up 50 million times to speak without being recognised, but he said something once or twice and then he was told to leave the House. That is a fact.

The other important matter here, we need to ask ourselves, what kind of leaders are we. Yes, we have political differences; there was a young praise singer here who was drowned out by the noise. We could not even listen and appreciate the talent that the child has. The other issue, Chairperson, whether we like it or not, it's unfortunate that we have to disagree about whether or not we should rise and observe a moment of silence for the

people who have passed away. We shouldn't even be fighting about the matter.

The point of order is on the first matter I said, please explain to the House as to the presence of these members whom we think are members of the Security Force and make a ruling on that.

The SPEAKER: Hon Kwankwa ... [Interjections.]

Mr S J MALEMA: Hon Speaker.

The SPEAKER: ... we have the two members who are ceremonial guards and they are not in the House. [Interjections.] They are not on the floor of the House.

Ms T J MOKWELE: Since when? Since when?

The SPEAKER: Hon member.

Ms T J MOKWELE: Since when?

The SPEAKER: Hon members.

Ms T J MOKWELE: We never agreed on those boys there.

Mr S J MALEMA: Hon Speaker.

Ms T J MOKWELE: We have never agreed on those people.

The SPEAKER: Hon Malema, please we are not taking any more points from you ... [Interjections.]

Mr S J MALEMA: Ah, just a brief point. [Interjections.]

The SPEAKER: ... and therefore if you are not going to co-operating with us, we will peacefully ask you to please leave the Chamber.

Mr S J MALEMA: Yes, I am going to do exactly that. All I am saying is that you so prepare to chase people who violate the rules and keep a man ... [Interjections.]

An HONOURABLE MEMBER: Yes!

Mr S J MALEMA: ... who violates the Constitution.  
[Interjections.]

The SPEAKER: Hon Malema.

Mr S J MALEMA: You are prepared to chase out people ...

[Interjections.]

The SPEAKER: Hon Malema.

Mr S J MALEMA: ... who are protecting the Constitution in the name of the rules. [Interjections.]

The SPEAKER: Hon Malema, please leave the Chamber.

[Interjections.]

Mr S J MALEMA: If there is anyone who must leave is this one.

[Interjections.]

The SPEAKER: Hon Malema, leave the Chamber. [Interjections.]

Mr S J MALEMA: I am not going anywhere, was elected to be here.

[Interjections.]

The SPEAKER: We will assist you to go. [Interjections.]

Mr S J MALEMA: Ah! Wait!

The SPEAKER: We will assist you to go ...

Mr S J MALEMA: Let me tell you. Wait, wait.

The SPEAKER: ... because once you ... [Interjections.]

Mr M Q NDLOZI: We will like you to assist us. You, you, Speaker.

Mr S J MALEMA: That is exactly what made you not to be a candidate of the Women's League, exactly that. Your conduct has failed you to be a candidate for President, because you are irrational, impatient, and partisan. Even your own people have dumped you. After they told you, you are their candidate you went home to do umcimbi [ritual] ... [Interjections.]

An HONOURABLE MEMBER: On a point of order. [Interjections.]

Mr S J MALEMA: ... telling ancestors that you are going to be a president and after that they dumped you because of this conduct, exactly this conduct. How do you chase us for breaking the rules and not chase a man who has broken his own oath of office, his Constitution. [Interjections.]

The SPEAKER: Hon Malema, we are not going to be abused by you. [Interjections.]

Mr S J MALEMA: No, you are abused by Zuma here. You are scared of Zuma. He used you, he dumped you. He used you and promised you that you are going to the President and you went home and slaughtered a cow. He dumped you. He dumped you. We are abused by Zuma here. [Interjections.]

The SPEAKER: Hon Malema, please leave the House. Hon Malema, leave the House. [Interjections.]

Mr S J MALEMA: If you want to kill us, kill us now. You can call soldiers to come and kill us now.

The SPEAKER: May I call the Sergeant-at-Arms to please escort hon Malema out of the House. [Interjections.]

Mr S J MALEMA: Call soldiers to come and kill us now. We are not going to be addressed by a criminal. Go and address prisoners not Members of Parliament.

Mr M M DLAMINI: Bakuthumile e-London. [They sent you to London.]

Mr S J MALEMA: Bloody-crook!

Moradia ke wena! Lehodu! [You crook! You thief!]

Mr M M DLAMINI: Usebenzela imali yase-London. [You are working for the money to London.]

Zuma ke lehodu la mathomo le la mafelelo. [Zuma is a thief of thieves.]

An HONOURABLE MEMBER: The Ruperts' son must go! The Ruperts' son must go!

An HONOURABLE MEMBER: Baleka!

Ms T J MOKWELE: Makoti! [Sister-in-law!]

Mr S J MALEMA: You broke the Constitution and you think we must laugh here. We are not going to laugh at anything here.

Ms T J MOKWELE: Speaker, on a point of order!

Mr S J MALEMA: O a tseba gore ke eng, ke kgethilwe. Ga ke a tla ka sekoloto. Ke kgethilwe. [You understand me very clearly. I was elected to come here.]

I am elected.

Mr S J MALEMA: O rongwa ke ditsotsi tše? O ka theeletša ditsotsi tše? Theeletsana rena. O ka theeletša ditsotsi? [Were you sent by these thieves? Why would you even listen to them? Rather listen to us. Why would really listen to these thieves?]

The SPEAKER: Phakamisa naliya ikhehla. Tat'uButhelezi ...

[Recognise an old man there. Tat'uButhelezi ...]

Do you want to rise on a point of order?

The SPEAKER: Baba uButhelezi, do you want to rise on a point of order?

Prince M G BUTHELEZI: Hon Speaker, hon Chair of the NCOP, Ministers, Deputy Ministers, hon members and members of the judiciary, Mr Ndlozi has suggested that I should leave here because it is going to be quite rough and I don't know where to go.

The SPEAKER: Hon ... Baba uButhelezi, sicela uhlale phansi baba.

[Mr Buthelezi, may you please sit down.]



Mr M Q NDLOZI: Hhayi sizomvikela Somlomo. Sizomvikela ungakhathazeki. [We will protect him, Chair. We will protect him, don't worry.]

The SPEAKER: Hon members, we don't think it's acceptable for an elderly member of this hon House to feel that he must leave the House because it looks like it's going to be rough. It's really unacceptable. Therefore, from the Chair, we would like to ask the hon members of the EFF who have not been behaving honourably, to quietly and peacefully leave the House because clearly they don't want ... [Interjections.]

Mr M Q NDLOZI: No, President Zuma is the one who must leave. We did nothing wrong.

The SPEAKER: We are not going to allow you to have hon members feel threatened because you have a campaign to come and disrupt the Joint Sitting.

Mr N F SHIVAMBU: The gentleman there must go. We are not going anywhere.

AN HONOURABLE MEMBER: Phumani. [get out]!

Mr N F SHIVAMBU: We assure you that we are not going anywhere.

The SPEAKER: Hon Shivambu, the President of this country is going to deliver the state of the nation address. I would like to assure you of that.

Mr N F SHIVAMBU: But we are not going anywhere.

Mr M M DLAMINI: Asisayikumamela isela. Akukho sela eliza kuthetha apha. [We will not listen to the thief. No thief will speak here.]

The SPEAKER: So, we would like you to leave us in peace.

Mr N F SHIVAMBU: We are not going.

The SPEAKER: If you are not going then we have no option, but to ... [Interjections.]

Mr M M DLAMINI: Akaphume uZuma. [Zuma must leave.]

Mr S J MALEMA: Zuma must go. He is the one who must go. He has broken the oath of office. He must address the nation from prison and not from there.

The SPEAKER: We have no option, but to ask the parliamentary protection services to come and assist you or pursue you to leave the House.

An hon member: Shut up "wena" [you] Malema.

The SPEAKER: I would like to ask that we perhaps allow hon Buthelezi to move from that seat for now until we have assisted these hon members to get out.

Mr M Q NDLOZI: You are instituting a *coup* to the IFP.

Ms T J MOKWELE: Zuma is not scared of us. He is scared of your men, and not us.

Ms B T MATHEBULA: Zuma must leave the House.

A ku fambi Zuma ku sungula. [Let Zuma leave first.]

The SPEAKER: I have called the parliamentary protection services to come into the Chamber and assist these hon members. Hon Malema, you are the one who is not prepared to go. I hope these gentlemen will help you.

Mr J S MALEMA: You can kill me it's fine. Kill me. Just kill me. There is no problem, kill me.

The SPEAKER: We can see hon members using their hats to harm others. Order! Hon members, may we please settle down so that we can proceed with today's business. We would like to apologise to our guests for this kind of drama that has in recent times become the hallmark of how we deal with one another when we differ. We would like to ask the guests in the gallery to try to settle down.

The LEADER OF THE OPPOSITION: Madam Speaker, I would like to take a point of privilege, if I may.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, please, take your seats - take your seats. We have a member who wants to make a point of order. I recognise hon Steenhuisen. Hon members in those corners, take your seats. Hon member, please, take your seat. Hon Steenhuisen, you are recognised.

The CHIEF WHIP OF THE OPPOSITION: I would like to take a point of privilege if I may - that relates to the parliamentary precinct. Madam Chair, you and the Speaker were in a meeting with various party representatives this week, around the

deployment of the security services in this precinct. As we speak, there are military personnel with awful rifles and sidearms in the parliamentary precinct in conduct fatigues. There are riot police lining the streets outside and in the precinct right outside this building. [Interjections.]

Our guests that have been invited have been gassed with some form of tear gas. Madam Chair and Madam Speaker, no democracy should have to witness what we are witnessing in this House. This man has broken South Africa ... [Interjections.] ... You are breaking ... [Interjections.]

An HON MEMBER: No, no, no. [Interjections.] No, no, no, no ... [Interjections.] On a point of order! Hey, no, no, fuck you, man! [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: This is a complete disgrace.

The CHAIRPERSON OF THE NCOP: Order! [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: The ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Order!

The CHIEF WHIP OF THE OPPOSITION: ... no South African should have to witness. [Interjections.]

An HON MEMBER: We can't tolerate a racist. [Interjections.]

An HON MEMBER: Rubbish, man! [Interjections.] We can't tolerate this racism from you. [Interjections.] We can't tolerate this racism from you, Steenhuisen. Never! [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: That man has broken South Africa and you have broken Parliament ... [Interjections.]

The SPEAKER: Hon members ... [Interjections.] Hon members! Hon members!

An HON MEMBER: You are a racist!

The SPEAKER: Can we have some order! [Interjections.] Hon members! [Interjections.]

The LEADER OF THE OPPOSITION: I want to make your life ... [Interjections.]

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

[Interjections.]

The LEADER OF THE OPPOSITION: Speaker, can I just address you.

[Interjections.]

The SPEAKER: Hon Maimane, please take your seat.

[Interjections.]

Mr M L W FILTANE: Can I address you ... [Interjections.]

The SPEAKER: Hon members! [Interjections.]

An HON MEMBER: ... [Inaudible.] ... you are a racist!

An HON MEMBER: ... [Inaudible.] ... point of order!

[Interjections.]

The SPEAKER: Hon members. [Interjections.] Hon Maimane?

[Interjections.] Please take your seat, hon Maimane.

[Interjections.]

An HON MEMBER: Racist! Racist! [Interjections.] We cannot tolerate a racist.

The CHAIRPERSON OF THE NCOP: Order! [Interjections.]

The SPEAKER: Hon members of the ANC, please take your seats.  
[Interjections.]

An HON MEMBER: Son of Rupert! [Interjections.]

The SPEAKER: Hon members, please take your seat!

The CHAIRPERSON OF THE NCOP: Hon members!

An HON MEMBER: Point of order, Chair.

An HON MEMBER: Er ... Speaker, Speaker!

The CHAIRPERSON OF THE NCOP: Order members! Order!  
[Interjections.]

An HON MEMBER: Chair, can I address you?

The CHAIRPERSON OF THE NCOP: You will address me. I want to restore order in this bench. Hon members! Hon members, the members who are sitting on these front benches are leaders.  
[Interjections.] Order! [Interjections.]



An HON MEMBER: Point of order, Chair. [Interjections.]

The CHAIRPERSON OF THE NCOP: Order! [Interjections.] Order!

The LEADER OF THE OPPOSITION: Speaker?

The CHAIRPERSON OF THE NCOP: Order! Hon Maimane?

The LEADER OF THE OPPOSITION: Yes, mme. Can I ...if I can ...  
[Interjections.] Speaker, it has become quite clear. Firstly,  
the argument is simple. There has been the military here in the  
precinct, which is against what you agreed with us.

[Interjections.] It developed at the top. [Interjections.] The  
President has broken the law. [Interjections.] This Parliament  
does not stand. We cannot stand for a violation of the  
Constitution by you ... [Interjections.] ... as well ...

[Interjections.] ... and I will request that we ...

[Interjections.] ... to stay in this ... [Interjections.]

An HON MEMBER: Out, out, out! [Interjections.] Out, out, out!

Out, out, out!

An HON MEMBER: F\*ck off! F\*ck off! F\*ck off!

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An HON MEMBER: Azihambe lezinja lezi! [These dogs must go!]

An HON MEMBER: F\*ck off! [Interjections.]

An HON MEMBER: You are a racist and a sellout! [Interjections.]

You are a racist and a sellout, Mmusi Maimane. A racist!

[Interjections.]

An HON MEMBER: Maimane, son of ... [Inaudible.]

An HON MEMBER: ...the DA is using the names of dead people to campaign. You are using dead people to campaign.

[Interjections.] You are using the names of dead people to campaign.

An HON MEMBER: Dead people whom you have killed! Dead people ...

[Interjections.]

An HON MEMBER: You are using the names of dead people for politics. [Interjections.] They are using the names of dead people for politics. You are very cheap! [Interjections.] You are very cheap! You are using the names of dead people for politics! [Interjections.]

An HON MEMBER: Hypocrites!

An HON MEMBER: You are very cheap! [Interjections.] Very cheap!

[Interjections.] Using the names of dead people!

[Interjections.]

An HON MEMBER: Hamba Sathane! [Go, you devil!]

The SPEAKER: Order, hon members! Let us allow the hon members of the DA to leave the House peacefully in an orderly fashion so that we can proceed with the business of the day.

[Interjections.] We also wish to say that it seems there were some problems up in the gallery and our guests were disturbed. We are told that there was also some pepper spray. We will investigate what exactly happened and who was responsible and we will come back with the report. [Interjections.] But we would like our guests to please settle down so that as soon as the hon members who are leaving the House have left, we can proceed. [Interjections.]

Mr M L W FILTANE: Point of order, Chair. [Interjections.]

An HON MEMBER: Balandele, Filtane. Balandele nawe! [Follow them, Filtane. You must also follow them.]

The SPEAKER: Hon Filtane?

Mr M L W FILTANE: Thank you. My chair is wet. Can you please order someone to come and wipe it, please. [Interjections.]

The SPEAKER: Since the place is wet over there, secretary, can you please get the administrative staff to assist with that. [Interjections.] An hon member at the back?

Mr M A PLOUAMMA: Hon Speaker? Hon Speaker?

The SPEAKER: Yes.

Mr M A PLOUAMMA: May I proceed? Hon Speaker, I want to put on record that what had happened today is not democracy at all. [Interjections.] And hon Speaker, before you chase us out also, I want to record that we are sacrificing all the principles we fought for because of our ... [Interjections.] ... because of the President.[Interjections.] ... the whole confusion, the whole chaos in this Parliament is caused by the hon President for not respecting the law.

The SPEAKER: Hon Plouamma, please. It is clear that you are taking us down the same road and we have already said that we no

longer have any time to listen to the same thing on which we have ruled. We have ruled on that matter and please just settle down and listen to the address of the Head of State ...

[Interjections.] ... because hon Plouamma, it does not matter how much you disagree with the person, accept that this is the Head of State of South Africa at the moment ... [Interjections.] ... and we are going to have to give him an opportunity to address us. [Interjections.] Please, hon Plouamma, please take your seat. Take your seat ... [Interjections.] ... take your seat ... Take your seat, hon Plouamma.

Mr M A PLOUAMMA: All I am saying ... is that we should never sacrifice what we fought for just because we are afraid of the honourable President. And it is my right as a citizen to stand up ... [Interjections.]. And also in this House, it is not only your duty, hon Speaker.

The SPEAKER: Hon Plouamma?

Mr M A PLOUAMMA: I will leave. I will also leave. I will also leave, hon President. [Interjections.] I will leave.

[Interjections.]

The SPEAKER: Please leave. [Interjections.]

Mr M A PLOUAMMA: You can remain. You can remain with your dishonest President. [Interjections.]

The SPEAKER: Hon President, could you please address the House.

THE PRESIDENT OF THE REPUBLIC: Speaker of the National Assembly, Chairperson of the National Council of Provinces; Deputy Speaker of the National Assembly and Deputy Chairperson of the NCOP, Deputy President Cyril Ramaphosa, former President Thabo Mbeki, Chief Justice Mogoeng Mogoeng and all esteemed members of the judiciary, Ministers and Deputy Ministers, premiers and speakers of provincial legislatures, chairperson of Salga, the heads of Chapter 9 institutions, chairperson of the National House of Traditional Leaders, the president of the Muslim Judicial Council and all leaders of faith-based organisations, former Speaker of the National Assembly, Dr Frene Ginwala, veterans of the struggle for liberation, members of the diplomatic corps, fellow South Africans, good evening, sanibonani, molweni, dumelang, goeie naand, lotshani, riperile, ndimadekwana.

Ngiyabona ukuthi lento ejikijelwe laphayana nami iyangifica manje. [Uhleko.] [Ihlombe.] [The stuff that was thrown there is also affecting me now.] [Laughter.] [Applause.]

Thank you, Madam Speaker and Madam Chairperson, for this opportunity to address this joint sitting of Parliament.

Bakhona nabakhwehlelayo la, ibatholile nabo. [Uhleko.] [There are some people coughing here, it also got to them.] [Laughter.]

An illustrious son of our country, President Oliver Reginald Tambo, would have turned 100 years old this year, had he lived. This selfless patriot spent his adult life on a tireless pursuit of the liberation of our country and its people. He left a lasting legacy for all South Africans, not only for his organisation, the ANC. In his honour, we have declared the year 2017, the Year of Oliver Reginald Tambo. It is the year of unity in action by all South Africans as we move South Africa forward together. We have the pleasure to host members of the Tambo family this evening, Mr Dali Tambo with his wife Rachel, and their son Oliver Tambo Junior.

We also fondly remember Mama Africa, Miriam Makeba, who made history when she addressed the United Nations in 1963, appealing for action against the apartheid regime. We extend a warm welcome to her grand-daughter Zenzile Makeba Lee and great-grandson Lindelani.

In this 23rd year of our freedom, our mission remains the quest for a united, democratic, nonsexist, nonracial and prosperous South Africa. Guided by the National Development Plan, we are building a South Africa that must be free from poverty, inequality and unemployment. While the global economic environment remains uncertain, indications are that we have entered a period of recovery. We anticipate an economic growth rate of 1,3% in 2017 following an estimated 0,5% in 2016. However, the economy is still not growing fast enough to create the jobs we need. There are some of our people, including youth, who have not worked for years. It is for this reason that we decided to focus on a few key areas packaged as the nine-point plan to reignite growth so that the economy can create much-needed jobs. The focus areas include industrialisation, mining and beneficiation, agriculture and agro-processing, energy, SMMEs, managing workplace conflict, attracting investments, growing the oceans economy and tourism. We also added cross-cutting areas such as science and technology; water and sanitation infrastructure; transport infrastructure; and broadband rollout.

I would like to provide a report back on the work done in some of these areas over the past year. The interaction that we started last year between government, business and labour, known



as the CEO Initiative, has been most helpful. We were able to address some domestic challenges together. We have successfully avoided credit ratings downgrades which would have had a significant impact on our economy. Our labour market environment is also showing signs of stability due to co-operation by social partners. The manner in which parties conducted and carried themselves during the wage negotiations in the platinum sector in particular must be applauded. Unity in action was also demonstrated again this week with the conclusion of the agreement on the national minimum wage and on measures to stabilise labour relations. This follows a call I had made in the state of the nation address on 14 June 2014. We congratulate the Deputy President and the team at Nedlac for this milestone and wish them well for the work that still needs to be done.

The extension of basic services to the people continued in the past year as we pursued a better life for all. To date, nearly 7 million households have been connected to the grid and now have electricity. The successful execution of Eskom's build and maintenance programmes helped ensure stability and an end to load shedding. Work is continuing to ensure energy security. Renewable energy forms an important part of our energy mix, which also includes electricity generation from gas, nuclear, solar, wind, hydro and coal. Government is committed to the

overall Independent Power Producers programme and we are expanding the programme to other sources of energy, including coal and gas, in addition to renewable energy. Eskom will sign the outstanding power purchase agreements for renewable energy in line with the procured rounds.

Government is working hard to ensure reliable bulk water supply in the various areas of the country to support economic growth whilst increasing access to vulnerable and rural municipalities. In an effort to curb the high water losses which in some municipalities far exceeds the national average which is currently at 37%, about 10 000 unemployed youth are being trained as plumbers, artisans and water agents. More will be recruited this year to reach the total of 15 000. We call upon municipalities to support the War on Leaks programme.

We continue to build modern schools replacing mud structures and other inappropriate buildings through the Accelerated Schools Infrastructure delivery initiative, Asidi. This gives our children dignity. A total of one 173 inappropriate structures have been eradicated since 2011. In total, 895 new schools now provide a conducive learning environment for our children.

On investment promotion, government has established InvestSA, an investment one-stop shop nationally and will open provincial centres in KwaZulu-Natal, Gauteng and the Western Cape. The message is clear to the affected government departments; there must be no undue delays and no unnecessary red tape. From issuing licences to visas, we should make it easy to do business in South Africa.

President O R Tambo was a maths and science teacher. Government will thus prioritise maths and science more than ever before this year, in his memory. We are encouraged by recent international test results. The results in the trends in International Mathematics and Science Study and the Southern and Eastern Africa Consortium for Monitoring Educational Quality show that the performance of South African learners is improving. Amongst the participating countries, South Africa has shown the largest improvement of 87 points in mathematics and 90 points in science. This is very encouraging as we don't want our children to be left behind. Our investment in science and technology is yielding results.

Since South Africa, supported by its eight African partners, won the bid to host the Square Kilometre Array, SKA, telescope, significant progress has been made in building this mega science

project and reaping its benefits. Together with its precursor, the MeerKAT telescope, the SKA project continues to make important contributions to socioeconomic development in South Africa. Working closely with the industry, the Department of Science and Technology is implementing a technology localisation strategy. This has ensured that the R2 billion MeerKAT telescope is constructed with 75% local content. This has led to job creation in the Northern Cape and diversification of the economy through the creation of artisan and maintenance jobs, and the promotion of science as a career of choice.

On road infrastructure, Sanral has started with the planning phase of the R4,5 billion project to upgrade the current Moloto road.

Sakha umgwaqo kanye nololiwe kuMoloto Road ukuze kuphephe izimpilo zabantu ngoba izingozi sezithathe imiphefumulo eminingi kuleya ndawo. *(Translation of isiZulu paragraph follows.)*

[We're building a road as well as a railroad in Moloto Road in order to ensure the safety of the people because the road accidents have claimed many lives in that area.]

During 2016, South Africa also signed a co-operation agreement with the People's Republic of China to build the Moloto Rail Development Corridor. In 2014 we launched the Operation Phakisa Big Fast Results methodology in the ocean economy, health, education and mining sectors. The purpose was to find a few key projects where we could unlock growth in implementing the NDP. All projects are proceeding well. The South African Navy also participates in the Phakisa project and is preparing to host the government garage concept for all state-owned vessels in Simon's Town, including the maintenance and repair of government-owned vessels, through the newly established South African Navy-Armcor-Denel partnership.

We had identified tourism as a key job driver. We are thus pleased that our tourist arrival numbers for the period January to November 2016 increased to nine million, an increase of just over one million arrivals from 2015. This represents a 13% growth in tourist arrivals.

Government runs effective poverty alleviation programmes such as the Expanded Public Works Programme. In addition, social grants now reach close to 17 million people, mainly older persons and children. Many families would not be able to put food on the table if it were not for social grants. The Expanded Public

Works Programme has since 2014 created more than two million work opportunities towards the attainment of the target of six million work opportunities by the end of March 2019. Of the work opportunities created, more than one million have been taken up by the youth. During 2015-16, more than 61 000 work opportunities were created through environmental programmes such as Working for Water, Working for Wetlands, Working on Fire and Working for Ecosystems. More than 60% of the beneficiaries were young people.

Government working with society is fighting social ills that are tearing communities apart such as drugs and substance abuse. From Soshanguve to Rosettenville or KwaMashu to the Cape Flats, communities are in difficulty because of the drugs. Other than law enforcement, the provision of treatment and prevention services is also critical. The Department of Social Development is building new public treatment centres in provinces where there are no such facilities, in the Northern Cape, North West, Limpopo, Free State and the Eastern Cape. Working together we will save our youth from drugs.

On health matters, the National Health Insurance, NHI, is our flagship project that is aimed at moving South Africa towards universal health coverage. The NHI will be implemented in a 14-

year period in three phases. We are in the midst of the first phase, which is the preparatory phase, which started in 2012.

We are deeply distressed by the death of so many psychiatric patients in Gauteng. Mentally ill patients are some of the most vulnerable members of society who need protection from the state itself and society as a whole. I have instructed the Minister of Health to ensure that the Health Ombudsperson's recommendations are wholly and speedily implemented without any reservations. We welcome the recommendation of the Health Ombudsperson that there is an urgent need to review the National Health Act, 2003 and the Mental Health Act, 2002 with a view that certain powers and functions revert back to the national Minister of Health. Once more, we extend our heartfelt condolences to all families and relatives of the deceased. Government will provide support so that families do not face this burden alone. The Premier of Gauteng and the Minister of Health have already provided this assurance.

A lot more work has been done in the past year in implementing the nine-point plan and all our programmes. Ministers will report further on the programmes during the budget votes.

I would now like to speak on our priorities for the year ahead. Political freedom alone is incomplete without economic emancipation. Oliver Tambo spoke clearly about this mission at an SACP anniversary meeting in London in 1981. He said:

The objective of our struggle in South Africa, as set out in the Freedom Charter, encompasses economic emancipation. It is inconceivable for liberation to have meaning without a return of the wealth of the country to the people as a whole.

To allow the existing economic forces to retain their interests intact is to feed the roots of racial supremacy and exploitation, and does not represent even the shadow of liberation.

It is therefore a fundamental feature of our strategy that victory must embrace more than formal political democracy; and our drive towards national emancipation must include economic emancipation.

What do we mean by radical socioeconomic transformation? We mean fundamental change in the structure, systems, institutions and patterns of ownership, management and control of the economy in favour of all South Africans, especially the poor, the majority



of whom are African and female, as defined by the governing party which makes policy for the democratic government.

Twenty two years into our freedom and democracy, the majority of black people are still economically disempowered. They are dissatisfied with the economic gains from liberation. The gap between the annual average household incomes of African-headed households and their white counterparts remains shockingly huge. White households earn at least five times more than black households, according to Statistics SA.

The situation with regards to the ownership of the economy also mirrors that of household incomes. Only 10% of the top one hundred companies on the Johannesburg Stock Exchange are owned by black South Africans, directly achieved principally through the black empowerment codes, according to the National Empowerment Fund. The pace of transformation in the workplace and the implementation of affirmative action policies as required by the Employment Equity Act also remains very slow. In terms of the 2015-16 information submitted to the Employment Equity Commission, the representation of whites at top management level amounted to 72%, whilst African representation was at 10%. The representation of coloureds stood at 4,5% and Indians 8,7%. The report further provides that white South

Africans, in particular males, are afforded higher levels of recruitment, promotion and training opportunities as compared to the designated groups. At the level of gender at senior management level, males remain dominant at 67,6% and females at 32,4%.

The skewed nature of ownership and leadership patterns needs to be corrected. There can be no sustainability in any economy if the majority is excluded in this manner. In my discussions with the business community, they accepted these transformation imperatives. Today we are starting a new chapter of radical socioeconomic transformation. We are saying that we should move beyond words, to practical programmes. The state will play a role in the economy to drive that transformation. In this regard, government will utilise to the maximum the strategic levers that are available to the state. This includes legislation, regulations, licensing, budget and procurement as well as Broad-Based Black Economic Empowerment Charters to influence the behaviour of the private sector and drive transformation. The state spends R500 billion a year buying goods and services. Added to this is the R900 billion infrastructure budget. Those budgets must be used to achieve economic transformation. As a start, the new regulations making it compulsory for big contractors to subcontract 30% of business

to black-owned enterprises have been finalised and were gazetted on 20 January. Through such regulations and programmes, government will be able to use the state buying power to empower small enterprises, rural and township enterprises, designated groups and to promote local industrial development.

Two key challenges we face is the high levels of concentration in the economy as well as the collusion and cartels, which squeeze out small players and hamper the entry of young entrepreneurs and black industrialists. The competition authorities have done excellent work to uncover the cartels and punish them for breaking the law. Last year I signed into law a provision to criminalise the cartels and collusion and it came into effect on 1 May. It carries jail sentences of up to 10 years. We are now stepping up our actions to deal with the other challenge, namely economic concentration, where a small grouping controls most of a market.

During this year, the Department of Economic Development will bring legislation to Cabinet that will seek to amend the Competition Act. It will among others address the need to have a more inclusive economy and to de-concentrate the high levels of ownership and control we see in many sectors. We will then table the legislation for consideration by Parliament. In this way, we

seek to open up the economy to new players, give black South Africans opportunities in the economy and indeed help to make the economy more dynamic, competitive and inclusive. This is our vision of radical economic transformation.

Government is actively involved in the property sector, having provided more than four million houses since 1994. This sector in our country is valued at approximately R7 trillion, with the subsidised sector being valued at R1,5 trillion. However, less than 5% of the sector is owned or managed by black people and Africans in particular. A draft Property Practitioners Bill will be published by the Department of Human Settlements for public comment with the purpose of establishing a more inclusive, representative sector towards radical economic transformation.

Among key priorities this year government will also address the increasing delays and backlogs in registration and issuing of title deeds to beneficiaries of housing projects funded by the capital subsidy. We reiterate that radical economic transformation should mean moving beyond share ownership schemes only. We would like to see black people involved directly in business, owning factories. The development of the Black Industrialists programme is thus critical. The programme has from inception supported more than 22 entrepreneurs.

Government has further opportunities in the property maintenance projects of the Department of Public Works. The Department will invest approximately R100 million this year on critical capital and maintenance programmes to modernise harbours. They will also continue generating revenue from letting state-owned harbours and coastline properties, which will benefit black-owned SMMEs. Government will also continue to pursue policies that seek to broaden the participation of black people and SMMEs, including those owned by women and the youth, in the Information and Communication Technologies, ICT, sector. We assure the youth that the lowering of the cost of data is uppermost in our policies and plans.

Mining has always been the backbone of our economy and an important foreign exchange earner. We welcome the recovery in commodity prices, which has resulted in an upswing in mining output. This augurs well for the industry. The Mining Charter is currently being reviewed. The charter seeks to recognise the internationally accepted right of the state to exercise sovereignty over all the mineral and petroleum resources within the Republic. It is also aimed at helping the country to deracialise the ownership of the mining industry. This will help ensure the sustainability of this industry. We trust that discussions between government and business on the charter will

yield results so that the process can be finalised. We will continue to pursue direct state involvement in mining. The Mining Company of South Africa Bill will be presented to Cabinet and Parliament during this year.

The Minerals and Petroleum Resources Development Amendment Bill was sent back to Parliament so that issues relating to the public consultation process undertaken by provincial legislatures can be addressed. We trust that it shall be processed and returned for finalisation without much delay so that the concerns relating to uncertainty raised by business can be resolved.

Government continues to work with other stakeholders to combat illegal mining to save lives and to prevent the trafficking of precious metals and diamonds. We also continue to place great emphasis on the health and safety of mineworkers, which is so crucial to the sustainability of the mining sector. Working with the mining companies we can ensure that lives are protected at all times. The tragic accident that occurred at Lily Mine outside in Mpumalanga earlier in 2015 is the first of its kind that we have experienced since the dawn of democracy. The families are going through immense pain and frustration.

It will be difficult if not impossible, to achieve true reconciliation until the land question is resolved. Only eight million hectares of arable land have been transferred to black people, which is only 9,8% of the 82 million hectares of arable land in South Africa. There has also been a 19% decline in households involved in agriculture from 2,9 million in 2011 to 2,3 million households in 2016.

We had stated our intention of using the Expropriation Act to pursue land reform and land redistribution, in line with the Constitution. I have now decided to refer the Bill back to Parliament for reconsideration on the basis that the Bill might not pass constitutional muster. This is due to inadequate public participation during its processing. We trust that Parliament will be able to move with speed in meeting the requirements so that the law can be finalised to effect transformation. The reopening of land claims is also still on hold because the Restitution of Land Rights Amendment Act, 2014 was declared invalid by the Constitutional Court. The Constitutional Court found that the public consultation process facilitated by the National Council of Provinces and some provincial legislatures did not meet the standard set in the Constitution.

Going forward, government will continue to implement other programmes such as the Strengthening of Relatives Rights programme, also known as the 50/50 programme. In this programme, the farm workers join together into a legal entity and together with the farm owner a new company is established and the workers and the owner become joint owners.

To date 13 proposals have already been approved benefiting 921 farm dweller households at a value of R631 million. We applaud farmers and farm workers for this innovation. Most importantly, we appeal to land claimants to accept land instead of financial compensation. This is very important. If you accept finance, in a short time it will be gone and the land remains. Land has a value for you, so it is important that you remain with the land rather than with the money. I think we were not meticulous enough in the beginning, by saying you can choose either money or land. I think we should have just said that the land is brought back to you, you keep it. Over 90% of claims are currently settled through financial compensation, which does not help the process at all. It perpetuates dispossession. It also undermines economic empowerment. Government has committed itself to support black smallholder farmers.



I received a memorandum from the African Farmers Association of South Africa who say the year 2017 must be the year of the commercialisation of the black small holder farmers. Indeed, government will implement a commercialisation support programme for 450 black smallholder farmers.

We encourage more women to consider farming. I have as a special guest today, the 2016 Female Farmer of the Year, Ms Vanecia Janse from Koukamma municipality in the Eastern Cape. She is dealing with the markets in a number of countries abroad from her farm.

Our farmers went through a difficult period last year because of the drought. To date, an estimated amount of R2,5 billion was made available for the provision of livestock feed, water infrastructure, drilling, equipping and refurbishment of boreholes, auction sales and other interventions. Furthermore, the Industrial Development Corporation and the Land Bank made available funding of about R500 million to help farmers manage their credit facilities and provide support with soft loans.

President O R Tambo was a champion of women's rights. We will continue to mainstream the empowerment of women in all government programmes. Government will continue to prioritise

women's access to economic opportunities and, in particular, to business financing and credit. This is the freedom that heroines of the struggle, such as the late Dora Tamana of Gugulethu, here in Cape Town fought for. I am pleased to have her son, Mongezi Tamana, as a guest today. He is proceeding with his studies and he loves maths.

Ungqongqoshe Wezemfundo eyiSisekelo amubheke ukuthi nangu umuntu. [The Minister of Basic Education must take note of him.]

In December 2015 university students voiced their concerns about the cost of higher education. They correctly pointed out that accumulated debt and fast-rising fees were making it harder and harder for those who come from less-privileged households to enter and stay within the education system until they complete their studies. It is for this reason that when university students expressed genuine concerns about being excluded from universities, our caring government responded appropriately by taking over the responsibility to pay the fee increase for the 2016 academic year. Government also settled all debt owed by National Student Financial Aid Scheme, NSFAS, students and extended the coverage to larger numbers of students than ever before.

At the time of tabling the 2016 Medium-Term Budget Policy Statement, our government announced additional measures aimed at making higher education accessible to more students from working class families. Government has provided funds to ensure that no student whose combined family income is up to R600 000 per annum will face fee increases at universities and Technical and Vocational Education and Training, TVET, colleges for 2017. All students who qualify for NSFAS and who have been accepted by universities and TVET colleges will be funded. The university debt of NSFAS-qualifying students for the 2013, 2014 and 2015 academic years has been addressed. In total, government has reprioritised R32 billion within government baselines to support higher education. We are ensuring that our deserving students can study without fearing that past debts will prevent them from finishing their studies.

In the remaining years of this administration, our policies will respond directly to the following concerns that the students have placed firmly on the table: Firstly, students have expressed concern that the NSFAS threshold of R122 thousand is too low. We will have to look into this matter with the view to raising the threshold on a phased basis in the period ahead.

Secondly, the students have pointed out that the full cost of study at some universities is higher than the subsidy that NSFAS provides. As a result, NSFAS students who study at some universities that charge higher fees end up accumulating debt. Our government-initiated processes are already looking at this issue too.

Students and their parents should understand that the needs for services like water, sanitation, early childhood development and good public transport have to also be addressed, alongside access to quality higher education and training. But our commitment to finding sustainable solutions to the funding of the social wage in general, and education, in particular, is unwavering.

As the processes that we have set in motion draw to a close, such as the Heher Commission, the Ministerial Task Team, broader engagements with students, university and TVET leadership and civil society, we will find resources to give expression to our policies. I invite all stakeholders to participate in the processes that are under way so that no view goes unheard. No great idea should be excluded.

As soon as the broadest sections of our society agree on what to do, our government will take steps to reprioritise resources to implement it on a phased basis. Let us engage to identify the most pressing needs and allocate our limited resources accordingly. Let us build our self-reliance and move forward in the spirit of unity.

The fight against crime is an apex priority. The police will increase visible policing, building on the successful pattern of deployments utilised during the Safer Festive Season campaign. They will also utilise certain specialised capabilities, such as the Tactical Response Teams and National Intervention Units, to assist in addressing problematic high-crime areas. We received a message from Soshanguve last week that crime is rife in Block L and that the number of hijackings and robberies are high. It is such communities that need to build stronger partnerships with the police to ensure that criminals do not prey on residents.

Other measures to fight crime nationally will include the establishment of specialised units, focusing on drug-related crime, taxi violence and firearms and the enhanced utilisation of investigative aids such as forensic leads. The police will also enhance the utilisation of the DNA database in the

identification of suspects. We urge the public to work with the police to ensure safer communities.

We welcome the decline in Rhino poaching incidents since October 2015, which is for the first time in a decade. This arises from intensive joint operations by law enforcement agencies.

One of the strategies of fighting crime is to ensure that those who are released from prison do not commit crime again. The Department of Correctional Services continues to work hard to turn prisons into correctional centres through offering various services. As a result, compliance levels with parole and probation conditions have improved to reach a historic mark of 98%. The country has also made good progress in reducing the numbers of children in correctional centres.

The promotion of access to justice was given added meaning last year when the High Court Division in Limpopo was opened in November. The Mpumalanga High Court will be completed during this financial year. The coming into operation of these two high courts means that we have now realised the goal of a High Court in every province of the country.

The fight against corruption continues. Within the National Prosecuting Authority, the Asset Forfeiture Unit completed 389 forfeiture cases to the value of R349 million. They obtained 326 freezing orders to the value of R779 million. A total of R13 million was recovered in cases where government officials were involved in corruption and other related offences in the past year.

Oliver Tambo set the tone for the country's foreign policy as early as 1977 when addressing the first congress of the Angolan ruling party, MPLA, that, "we seek to live in peace with our neighbours and the peoples of the world in conditions of equality, mutual respect and equal advantage".

South Africa is honoured to chair the Southern African Development Community, SADC, starting from August 2017. We will utilise our tenure to fast-track the implementation of the SADC Industrial Strategy. We are accelerating the integration agenda through the implementation of SADC-Comesa-East African Community Free Trade Area. We will continue with our involvement in our mediation efforts, peacekeeping operations, and peace-making initiatives in Lesotho, Democratic Republic of Congo, Burundi, Mozambique, South Sudan, Somalia and Libya. The SA National

Defence Force, SANDF, represents the country well in the peacekeeping missions.

Furthermore, trade with our traditional partners in the west remains a significant contributor to our economy. We will continue to partner with the United States and work together on issues of mutual interest such as the full renewal of the African Growth and Opportunity Act, AGOA.

We value our relationship with the People's Republic of China. China is one of South Africa's most important and key strategic partners. We recognise the People's Republic of China as the sole government and authority representing the whole of China. South Africa reiterates its position and commitment to the One China Policy and we consider Taiwan as an integral part of the People's Republic of China.

At continental partnership level, the Joint Africa-EU Strategy remains an important long-term framework for continued co-operation. The economic partnership agreement with the EU came into force in September 2016, thus providing new market access opportunities for South African products. Almost all South African products, about 99%, will have preferential market access in the EU. About 96% of the products will enter the EU



market without being subjected to customs duties or quantitative restrictions. The Southern African Customs Union Mercosur Preferential Trade Agreement has also entered into force, providing preferential access to over one thousand tariff lines. This is an agreement that promotes South-South trade.

Our co-operative partnerships with other regions are bearing fruits. The Brics New Development Bank has recorded encouraging progress. We welcome the Goa BRICS Heads of State and Government decision to establish the Brics rating agency so that we can assist each other in assessing our economic paths. We are also pleased with agreements with our Brics partners in the field of agriculture. We will implement off-take agreements on the export of pulses, mangos and pork to India. We will also export twenty thousand tons of beef to China per year for a period of 10 years. We will continue to pursue the reform of the international system because the current configuration undermines the ability of developing countries to contribute and benefit meaningfully.

This year marks the 50th anniversary of the occupation of Palestine. The expansion of Israeli settlements undermines global efforts aimed at realising the two-state solution and the Oslo accord. We wish to reiterate our support for the

Palestinian cause. Similarly, we hope that the readmission of Morocco to the AU should serve as a catalyst to resolve the Western Sahara issue. Let me add that South Africa will use Armed Forces Day on 21 February 2017 to mark the centenary commemorations of the tragic sinking of the SS Mendi which left 646 soldiers dead in 1917.

The Constitution accords equal rights and dignity to all South Africans. The United Nations proclaimed 13 June as International Albinism Awareness Day. We should use this day to raise awareness and eliminate the discrimination or harm that compatriots with albinism are subjected to in some areas.

Siyagcizelela ukuthi abantu abanebala elimhlophe bangabantu, bafana nabo bonke abantu ezweni. Akuphele ukubahlukumeza. Aziphele nezinkolelo ezingekho ngabo. (*Translation of isiZulu paragraph follows.*)

[We reiterate that the albinos are human beings just like all the people in the country. Their persecution must stop. The myths with regard to them must also come to an end.]

I have the pleasure to introduce Ms Nomasonto Mazibuko, the executive director of the Albinism Society of South Africa as one of my special guests.

The sports fraternity tragically lost one of its favourite sons, Joost van der Westhuizen earlier this week. The music industry has lost popular gospel musicians recently - Sifiso Ncwane and Lundi Tyamarha as well as maskandi musician Nganeziyamfisa. We extend our condolences on the loss of these public figures who have contributed to the country's sports and arts.

Let us unite in driving radical economic transformation for the good of our country. In the words of President Tambo:

Working together as fellow South Africans, we have it within our power to transform this country into the land of plenty for all, where the nightmare of apartheid will just be a faint memory of the past.

I thank you. [Applause.]

The CHAIRPERSON OF THE NCOP: Hon members, before I adjourn the sitting, I wish to apologise to both the members of the Joint Sitting and the public in the gallery and all our esteemed

guests for an incident which cannot be classified as anything other than a breach of security. The members on the benches of the DA said that there was teargas that was sprayed. On a quick investigation, the Secretary to Parliament was told that it was actually pepper spray. Whatever it was, it should not have happened in this Parliament. We cannot allow that to happen again. We have therefore instructed the Secretary to Parliament to investigate the matter and to report back to the Joint Sitting as soon as possible.

The Chairperson of the National Council of Provinces adjourned the Joint Sitting at 21:52.