

UNREVISED HANSARD

NATIONAL ASSEMBLY

23 FEBRUARY 2017

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 14:00.

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

NEW MEMBER SWORN IN

(Announcement)

The SPEAKER: Hon members, I wish to announce that the vacancy which occurred in the National Assembly ... [Interjections.] ... owing to the resignation of Mr A M Mudau ... [Interjections.] ... has been filled with effect from 14 February 2017 by the nomination of Mr B Molefe. [Interjections.] The hon member was sworn in in the Speaker's Office earlier today.

Ms D CARTER: Hon Speaker ...

Mr M S MBATHA: Point of order, Speaker. Where is that corrupt bastard? [Interjections.]

Ms D CARTER: Hon Speaker ...

The SPEAKER: I would like to welcome the hon member to the House. [Interjections.] Yes, hon Whip?

Mr P J MNGUNI: Speaker, we would like to rise on a point of order.

The SPEAKER: What is the point of order, hon member?

Mr P J MNGUNI: It is regarding the language used by the hon member, to call someone in that insulting way. He must definitely withdraw or face the might of this House. He's in the House here. Thank you.

The SPEAKER: Who was the hon member? [Interjections.] Hon Mbatha, would you like to withdraw? [Interjections.] Hon Mbatha?

Mr M F SHIVAMBU: Speaker ...

The SPEAKER: Hon Mbatha? [Interjections.] Hon Mbatha?
[Interjections.]

Ms M S KHAWULA: Akekho! [He is not here.]

The SPEAKER: I will recognise your voice in the Hansard recording. [Interjections.] What is the issue, hon Shivambu? I see you are on your feet.

Mr M F SHIVAMBU: Speaker, last week, we wrote you a letter about Parliament communications announcing a Brian Molefe who was going to be sworn in. Then you questioned a principle issue of ... Since when does Parliament do party-political communications about an issue? So I hear a Brian Molefe is being sworn in ...
[Inaudible.]

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The SPEAKER: Hon Shivambu, that is not a point of order. The letter which you are referring to has not yet been dealt with by my Office. I will see it and only then will I deal with the issue.

Mr M F SHIVAMBU: Because it must not be that when Guptas deploy people to Parliament, then ... [Inaudible.]

The SPEAKER: Hon Shivambu, please take your seat.

Mr M F SHIVAMBU: We cannot be abused by Guptas ... [Inaudible.]

The SPEAKER: Hon members, the first item on the Order Paper is a motion ... [Interjections.]

Ms D CARTER: Hon Speaker ...

The SPEAKER: ... in the name of the Chief Whip of the Majority Party.

Ms D CARTER: Hon Speaker, I have had my hand up.

The SPEAKER: Yes, hon Carter?

Ms D CARTER: Hon Speaker, mine is just a point of clarity. I would like to find out if true North has changed direction in this House because my immorality compass is showing directly to the hon Molefe now!

The SPEAKER: Hon member, that is not a point of order. Hon Chief Whip, will you please proceed with the motion in your name?

EXTENSION OF DEADLINE

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I move the draft resolution printed on the Order Paper in the name of the Chief Whip of the Majority Party, that the House extends the deadline by which the Ad Hoc Committee on the Filling of Vacancies in the Commission for Gender Equality has to report, to 31 March 2017.

Agreed to.

**COMPLIANCE WITH REQUEST FROM THE COMMISSION OF ENQUIRY INTO
HIGHER EDUCATION AND TRAINING**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I move the draft resolution printed on the Order Paper in the name of the Chief Whip of the Majority Party:

That the House -

- (1) notes a request from the Commission of Enquiry into Higher Education and Training that representatives of the Portfolio Committee on Higher Education and Training, Standing Committee on Finance, and Standing Committee on Appropriations appear before it to provide testimony under oath on a number of key policy and factual issues; and

- (2) resolves in terms of section 10(1) of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, Act 4 of 2004, that Ms C September, Mr Y I Carrim and Ms Y N Phosa, as chairpersons of the respective committees, be granted leave to provide testimony before the commission on key policy and factual issues as identified by the commission.

I so move.

Agreed to.

**STATEMENT BY THE MINISTER OF HEALTH ON THE CIRCUMSTANCES
SURROUNDING THE DEATH OF MENTALLY ILL PATIENTS**

The MINISTER OF HEALTH: Hon Speaker, colleagues, Ministers and Deputy Ministers, hon members of the House, let me start by acknowledging the presence in the gallery of representatives of members of the families affected by this tragedy. There are Mr Andrew Pietersen, Ms Nomvula Nonjabe and Ms Agnes Mlotshwa. I am

sure they may stand up. [Applause.] Needless to say, we are deeply distressed and angered by ... [Interjections.]

IsiXhosa:

SOMLOMO: Namkelekile. 14:07:54

English:

Thank you very much for your coming. [Applause.]

IsiZulu:

Siyabonga.

English:

The MINISTER OF HEALTH: Needless to say, we are deeply distressed and angered by the death of mentally ill patients that were transferred from Life Esidimeni Mental Health Facility in Gauteng. This constitutes one of the periods of darkness in the history of our country and dare I say it was also a moment of madness in the provincial Health Department. Our anguish is exacerbated by the fact that the disease constitutes some of the

most vulnerable members of society who are in need of even more protection than the rest of society.

That the idea behind Gauteng Mental Health Marathon Project, as it came to be known, was to save money at another dimension to our disappointment and pain. I wish to put it in record that at no stage it did emerge directly or indirectly, implicitly or explicitly that the Department of Health national or in any province has run out of money to take care of mentally ill patients. There was, hence, no reason for so many vulnerable people to perish on account of money.

I interrogated this issue with the Premier of Gauteng province because I wanted to understand what actually the executive council in the province discussed and approved. He told me that the issue never featured on the agenda of the executive council, but that he as the premier was told that the Department of Health has 4 000 beds in public health institutions, which they would like to use and that there was absolutely no reason to continue contracting private service providers when the public sector can provide that number of beds.

This august House must please note that the Esidimeni contract was for 2 000 patients. Hence the statement from the department to the premier was to the effect that they can accommodate them twice. The premier assures me that at no time was the issue of nongovernment organisations, NGOs, ever raised until that fateful day in September when the member of the executive council, MEC, made an announcement of 36 deaths in the provincial legislature.

At the national level we have got the Ministers and Members of Executive Councils Meeting, Minmec. Like all the Minmecs, it consists of the Minister and MECs. In addition, the Minmec at the national level has the Surgeon General of SA Military Health Services and SA Local Government Association, Salga. It is therefore a statutory body. When there are huge undertakings in health or elsewhere that may affect health, the Minmec usually sits and even go into a recess. We did so with the Fédération Internationale de Football Association, Fifa, World Cup; we did so before the President launched the huge human immunodeficiency virus, HIV, Counseling and Testing, HCT, campaign to test

15 million South Africans; and we did so in the advent of Ebola in 2014.

I want to state here today that the issue of moving mental health patients in Gauteng which clearly falls within this category have never been mentioned even once in the National Health Council to be dealt with like all the other major events. We take the death of so many citizens in a very serious light and would therefore like justice not only to prevail but also be seen to be done. I believe by now, Parliament more or less knows what has happened. Hence I wish to spend time explaining what we have done.

As we come to understand it, the Department of Health wanted to move mentally ill patients out of Life Esidimeni. When families were informed of this they objected because they were satisfied about Life Esidimeni. Together with the SA Depression and Anxiety Group and the SA Federation of Mental Health, they approached section 27 to take up the matter with them at the provincial level. When section 27 realised that they are going anywhere with the provincial department, they prepared to go to

court. While the court case was set, they contacted the director-general in the national Department of Health and informed her of this problem and the court case and that the Minister and the Premier of Gauteng will be cited even though no relief is being sought against them. The matter was set for the 22 December 2015. However, on 21 December 2015, a day before the court case, the parties decided to enter into a settlement agreement and not go to court. The settlement agreement was very clear and simple, among others, it stated:

One, that the parties shall henceforth engage in discussions aimed at resolving the dispute between them by no later than 31 January 2016; two, for avoidance of doubt, the Gauteng Department of Health shall maintain the status quo by not placing users from Life Esidimeni facilities in any other facility pending the conclusion of the settlement; three, that the outcome of the settlement discussions is intended to *inter alia* address the plan for the placement of users following the termination of the contract between the Gauteng Department of Health and Life Esidimeni; and four, all stakeholders shall endeavour to reach an agreed plan by no later than 31 January

guided by the constitutional imperative on the Gauteng Department of Health and shall at the very least endeavour that users receive health and other services of no lesser quality to the services that they are currently receiving at Life Esidimeni in order to protect and promote their constitutional rights.

This hon members, is what the parties signed for and agreed upon, and they said that there was no need to make it an order of court because they are all in agreement. These, hon members, please note that the agreement says nothing about NGOs. It just emphasises that wherever they are taken to, it must be a place of no lesser quality than Life Esidimeni.

I interrogated this issue with section 27 and they said that they had no reason to suspect that anybody was planning any foul play and hence did not insist on the agreement being made an order of court and they had informed the director-general of Health to this effect immediately after signing. Unfortunately, as it is Gauteng Department of Health did not honour the agreement at all and in March 2016 section 27 rushed to court when they heard that they are about to start moving patients

contrary to the agreement. This time they did not inform the national director-general of this development, because they wanted an urgent court interdict.

Unfortunately, the Gauteng Department of Health was able to convince the court that they are honouring the plan that they will not deviate from the agreement and that wherever they move patients to, it will be in line with the agreement, that the services will be of no lesser than quality that is at Life Esidimeni. Hence the court dismissed the section 27 interdict. Armed with this court case, the Gauteng Department of Health fobbed off any attempts by the national director-general and the National Chief Director of Mental Health, who was supposed to have been invited to all the meetings in Gauteng where the plan was to be tabled and executed. They said that the court of law was agreeing with them on every issue. However, what happened next is completely against what they told the court.

Firstly, the NGOs were issued invalid licences as the Health Ombud discovered later. The licences were issued by the director of Mental Health instead of the head of the department, HOD.

Secondly, the NGOs went to Life Esidimeni to pick up patients on their own and brought them to their homes without files, without diagnosis and without all the necessary ingredients. It was difficult for relatives to know where they were.

It was in September 2016, when the MEC announced in the provincial legislature that we realised that something has gone dangerously wrong and hence I appointed the Health Ombud to investigate what actually happened and who did what. The Health Ombud made a finding that this project was indeed neglected, chaotic and hurried, but also violated the rights of the mentally ill patients and went totally against the principle of health, which is the preservation of life and not the opposite. They were in all 18 recommendations. In carrying them religiously, we want to correct anomalies that happened.

The first serious anomaly we picked up in Gauteng provincial department was that the Mental Health Act and the National Mental Health Policy Framework were not followed. One of the findings of the ombud was that this national plan was selectively interpreted, misinterpreted and contravened. All the

checks and balances which were strenuously cobbled together were left.

To protect mental health users and ensure their safety and security, the Mental Health Act provides for the formation of Mental Health Review Boards in each province. Unfortunately, in Gauteng the ombud found that the Mental Health Review Board is moribund, ineffective and without authority. That is why the chairperson of that is also being charged. I appointed a team of 60 experts who for three days last week visited all the NGOs, seven of them have been closed, 600 patients have been moved to government facilities and we are left with 700.

I want to emphasise that we have now open an operation centre which by next week will work on the 24 hour basis. No stone will be unturned. There will have to be court cases in this case where the National Prosecuting Authority will decide who to prosecute and who not to prosecute. There will definitely be inquest for each and every death which will be conducted by the magistrate. There is no where that anything will be swept under the carpet because it is not possible to do so. We are taking

this opportunity to apologise deeply to the families affected. At every corner we are working with them and we are not taking any deficiency alone. Thank you very much. [Applause.]

Dr W G JAMES: Madame Speaker, let us take a moment to think of the Esidimeni victims and their families who have suffered a terrible and unnecessary loss. Today we must commit to confront this tragedy head on, to face up to the suffering of the most marginalised and vulnerable members of our society, we must face up to the 102 South Africans and counting who are beyond hearing apologies and hearing our lamentations of regret.

We must do this because we cannot allow this to happen again. We must do this and demand justice. Speaker, the quality of a Minister may be measured by how he or she responds to a crisis. As soon as he learnt about the Esidimeni deaths, Minister Motsoaledi responded immediately and he appointed the Health Ombudsman Dr Malegapuru Makgoba to investigate and to report, which is released recently, and this report is a model of exactitude.

However, Speaker, it was too late and as a result of which there are 102 preventable deaths of the most vulnerable citizens of our land. Dr Makgoba rightly fingered Gauteng Health as primarily responsible for frontline management failure, but there is a deeper chronic failure of surveillance, communication and of emergency response capability that afflicts the health system from the bottom, right to the top of Minister Aaron Motsoaledi himself, which is why the DA called on President Jacob Zuma to appoint a judicial enquiry to get to the bottom of it.

The question to the Minister is this: why were you, one of the most powerful, influential and alert individuals in the land, not aware of this unfolding tragedy when it happened? It took the DA's Jack Bloom to extract the mortality figures from MEC Qedani Mahlangu, as if they were state secrets. The Director-General of Health Precious Matsoso knew there was a serious problem in January 2016, but after the court order in favour of Gauteng Health she actually let the issue go, when she should not have. Why is it that D G Matsoso or you did not make your business to find out what was going on?

Speaker, I would like to remind the House about the gravity of this tragedy. Listen to the testimonies taken from the Ombud's Report: Some NGOs were like concentration camps, overcrowded with unkempt and hungry patients suffering from severe weight loss. There was no food to feed patients because Gauteng Health department took three months to pay.

At Mosego people had no clothes. Patients were left dirty and poorly groomed. Corpses had unexplained bruises on their bodies. Some relatives did not know where their relatives were and some do not know to this day. Post-mortems were not done. Where most deaths occurred, facilities lacked appropriate health professionals. Madam Speaker, what is to be done?

The Ombudsperson made 24 recommendations of which the Minister has completed a few and, as we have heard today, he is busy with more in what is a work in progress. But our efforts must radiate wider than the Ombud's recommendations, critical as they are. More must be done to ensure that the vulnerable are protected in our country.

First, our country needs a responsible and alert health leadership across all spheres of society and of government resting on - what is known as a real-time disease surveillance system. As soon as there is a problem and as soon as there is a death, it must show up in an objective national system of surveillance. This requires the rapid establishment - as the Minister knows - of the National Public Health Institute of South Africa, NAPHISA, which is being delayed for much too long and is still being delayed.

Second, legislation must be changed so that the Office of the Health Standards Compliance, OHSC, may pro-actively inspect all health facilities as well as all parahealth facilities provided for health service use. Third, Minister Motsoaledi complains about the lack of timeous legislation - amending the arcane Inquest Act of 1959 for example - but his own Ministry is the laggard in pushing forward new an amendment to legislation.

Fourth, the position and responsibilities and lines of accountabilities of members of executive councils, provincial MECs should be made more strictly and clearly in terms of its

subject matter: Firstly, there must be explicit performance requirements; secondly, there must be transparency of operation; You cannot have an MEC saying, this is the number of deaths only; and operating like she is sitting in a dentistry where it takes the extraction of teeth to get out numbers. It cannot be so. It must be transparent. Together with reporting systems aligned to performance requirements. Thirdly, there must be un-conflicted compliance on MEC's part to the law. Fourthly, there must be un-conflicted accountability to the job at hand.

Fifth, the Health Director-General Precious Matsoso recommended rightly that a Chief Medical Officer position be created in the National Department of Health. Sixth, the human resource qualifications architecture must be reviewed to ensure that health professionals and not amateurs run all of our health facilities.

Seventh, Minister Motsoaledi must use the power he has of legally withholding conditional grants more effectively to exact compliance with provinces that honour our national health laws, as long as they do not compromise access to health. Minister

Motsoaledi pussyfoots too much around ANC intra-party sensitivities in the provinces. He must stop pussyfoots around that. Minister Motsoaledi's default reaction to provincial problems is to pull issues back into an overburdened national health department. He should remember that mental health was under the national department till 1999 and it was not a good story.

Provinces absorbed the mentally infirm at a time of what is known as de-institutionalisation. How, may we ask, will the national department run mental health services at the primary healthcare level, at a community level, at a step down and hospital level? Remember, the human resource portfolio for health sits in the province not in the national department. The DA believes that mental health should be integrated with general healthcare and catered for all spheres of care.

Speaker, I asked Minister Motsoaledi in committee when he first learnt of the unfolding Esidimeni tragedy when others below him as well as section 27 already knew? He did not say. So I ask him

that question again. Tell me, when did you first learn about the unfolding tragedy?

However, I ask two more questions today: Tell me, why it was so late in the process, what is your diagnosis and how would you suggest we, as well as you, live as a nation with this tragedy. For today those who died bare on our conscious and we stand before you, the dead in your silence with your families and relatives in shame. I thank you.

Ms S S THEMBEKWAYO: Thank you, Madam Speaker. The death of over hundred mental patients at the hands of the ANC government in Gauteng is the single most indicator post 1994 of the astoundingly shallow pit levels to which the former liberation movement has sunk.

We can all stand here and speak from a detached position, play politics and try to escape responsibility but the reality of the matter is that more than hundred South Africans who had the misfortune of being mentally diseased perished at the hands of the democratic state.

More astounding leader, the ANC government as was the case when it murdered workers in Marikana refuses to take responsibility. It is not enough that Qedani Mahlangu resigned. It is also not enough, Speaker, that the ANC government comes here and offers half-cooked apology. It is not enough that Mr Zuma comes here and half-heartedly offers his condolences to the families of mental patients his government killed.

We need a government that takes responsibility. What happened in Gauteng is demonstrative of the state of neglect of mental health generally in this country. Despite legislative frameworks available for the protection of mental health patients, the ANC has not prioritised their wellbeing in all respects.

When the Mental Health Care Act of 2002 was implemented in 2004 it was hailed as one of the most progressive pieces of mental health legislation in the world. An entire chapter was dedicated to human rights for those with mental disabilities.

Furthermore, the Mental Health Care Act, MHCA contained articles addressing compulsory admission, a protection of patient

property; rights to appeal; the reporting of abuses and the formation of independent review boards with Ombudsmen functions. It also highlighted several important principles, including the use of the minimum possible compulsion; the importance of not just treatment but also rehabilitation and re-integration.

So, what we found in Gauteng isn't it just a complete disregard for the wellbeing of other human beings, which the ANC-led government has carefully built its reputation on recently; but the conduct bothers on rabid illegality perpetrated with sheer impunity by people who think they are hold on political power grants them license to maltreat South Africans.

We have here, a government that has no respect for its own laws, nor respect for the people who put it on power, nor respect for anything but their stomachs. Of course, Speaker, what is left unsaid here is that Qedani Mahlangu moved patients who had been at Life Esidimeni for all most all their lives to the NGOs with close links to her ANC comrades. In their unbridled corruption even the lives of those who are differently-abled is dispensable.

We need to stop this rot. We need to have all those responsible behind bars. We need, Speaker, to have those NGOs, the Gauteng department officials and the politicians who instructed them to be arrested. It cannot be business as usual when more than 100 of our country man and women died from starvation, dehydration and other preventable causes.

As the EFF we pass our heartfelt condolences to the families of the deceased and promise that we will leave no stone unturned until the murderers responsible for the death of your loved ones are brought to book. Madam Speaker, we also promise all those frustrated by the government in action in dealing comprehensively with the mental health challenges that we will hold the Department of Health accountable for its inaction. I thank you. [Applause.]

Prof C T MSIMANG: Thank you, hon Speaker. It speaks volumes about a government that through its reckless carelessness consigned its mentally ill to nongovernmental organisations, NGOs, which were not properly vetted, accredited or properly equipped and resourced to treat such patients.

More than 100 souls unnecessarily lost their lives in this continuing tragedy. Such negligence and culpability is tantamount to murder and government, through its delegation of responsibility to ill-suited and ill-equipped entities, is a party to this horrific crime. Officials of the Gauteng Health Department involved in the irregular issuing of licences to such unvetted, ill-equipped and under-resourced NGOs must be held criminally accountable. A full forensic audit must be conducted with a two-fold intent:

Firstly, to identify and hold to account all individuals involved in allowing such a tragedy to occur; and

Secondly, to identify processes that must be put in place to ensure that such a tragedy never occurs again.

Minister, your ill-fated policy to deinstitutionalise while not having the requisite outsourcing checks and balances in place has now cost the lives of over 100 South Africans. How is it possible that patients were allowed to be transferred from licenced to illegitimate institutions? The Office of Health

Standards Compliance is just as much to blame. Where were they? Why was there no vetting of these NGOs?

It is unconscionable that vulnerable citizens – citizens who had placed their faith and trust in government to look after their wellbeing – have had their trust betrayed in such a demonic, reckless, careless and negligent manner. Basic human rights were trampled underfoot by the state and these NGOs. This will forever be a shame on this government. Let us ensure that such diabolical maltreatment never occurs again.

The IFP sends its heartfelt condolences to the families and friends of those who lost their lives in this terrible tragedy. I thank you.

Mr A M SHAIK EMAM: Thank you, hon Speaker. Hon Deputy President, hon Ministers and distinguished guests in the House, on behalf of the NFP let me start off by extending our condolences to all those that have lost loved ones in this tragic incident.

When one looks into the investigation which was initiated by the Minister of Health – and he must be commended for doing that – one would identify and find a whole lot of reasons and challenges. However, I want to reiterate what the NFP has said before.

An HON MEMBER: Nothing.

Mr A M SHAIK EMAM: It is simply as a result of the Ministers or national departments having very little say or it's not within their mandates to either appoint members of executive councils, MECs, of heads of departments, HODs, in the provinces, that you find a situation like this.

Now, I am not saying that as a result of that, that this is acceptable. Let me also go on to say that it's easy to sit here and blame each other. What has happened in the province of Gauteng is totally unacceptable. However, let me add the following. What about all the oversight from the provincial members of the legislature, of the health committees in Gauteng together with the department's officials? What did they do to

ensure that this did not happen? [Interjections.] We all have an equal responsibility.

Now, let me also tell you that we talk about going to court. Yes, this matter went to court. So why did we stop? Why? Because poor lives don't matter. Is that why we stopped? Why didn't we continue fighting the Department of Health in Gauteng and ensure that these patients were not transferred and never allowed it to have happened? We did not do that but we are going to come here and we are going to grandstand at the expense of those people's lives that we have lost. That is what is happening here.

[Interjections.]

When you read the report of how these patients were transferred from one place to the other it gives you an impression that they were sent to die; simply sent to die because they were tied up. Like some of our apartheid people did when our people tied them to the back of bakkies [trucks] these patients were tied up, put into the back of those bakkies [trucks] and transported to NGOs which were not registered.

Now, what the NFP is saying is that all those that are responsible – members of the provincial legislature, part of the health committee in the province, the NGOs, those officials, and the MEC must all be held accountable, and whoever is responsible must be criminally charged and civil claims instituted against them to benefit the next of kin of those people that have passed. [Applause.]

Ms C N MAJEKE: Hon Speaker and hon members, the strategic question that we need to ask is whether ours is indeed a caring government. [Interjections.]

IsiXhosa:

Mnu N L S KWANKWA: Somlomo, hayi khawuncede.

English:

The SPEAKER: Order hon members. [Interjections.] Who has a point of order?

IsiXhosa:

Mnu N L S KWANKWA: Somlomo, ndiphakamela ukwenza isiphakamiso songqanqwado: Bendisithi ndiyacela ukuba ubathulise kuba bayangxola.

English:

The SPEAKER: Order hon members.

An HON MEMBER: A point of order, Madam Speaker.

The SPEAKER: What's the point of order, hon member?

An HON MEMBER: Madam Speaker, I just wanted to give the member some cold water because he's very hot about this matter.

The SPEAKER: That's not a point of order. Hon Majeke, please proceed.

Ms C N MAJEKE: Thank you, hon Speaker and hon members. The strategic question that we need to ask is whether ours is indeed a caring government and to what extent are we building a truly caring society.

I make this point because it is my view ... to the tragedy of Esidemeni ... are the values and ethics that define our government and society in general. I repeatedly heard through government statements and officials that we have a caring and pro-poor government. My question is the following. What does that mean and what makes a government a caring one?

I remember a biblical parable of a good Samaritan that illustrated who is your neighbour. Let us take the following example to examine this question. One father says to his children, "I love you, I cherish you and I care about you." Yet, every week he squanders his salary on gambling and an extravagant life, so much so that there is not enough left for his children to have adequate food, proper shelter or clothing. Another father says to his children, "I love you, I cherish you and I care about you." However, this father is careful with his salary, making sure that his children are firstly provided for before he spends anything on himself. If there is not enough to go around he will go without in order that he's family is provided for.

Now if we were to apply that to our government today, which father would our government be in the context of the current debate? We are told that what drove the Gauteng government was the need to save at all cost, including at the cost of losing precious lives.

A government that really cares about its people is one that puts its people first and one that is careful about the people's money it is managing on behalf of the people, not its leaders. A successful government is one that establishes a pattern of behaviour which enables it to deliver the care when it really matters.

So, the claims that you are a caring government are clangs of a hollow vessel because unlike a good Samaritan you have failed to deliver sufficient ... [Inaudible] ... when it really mattered in Esidemeni.

The SPEAKER: Order! Hon member! Hon Mbatha, can you please ...

Excuse me, hon Majeke. Hon Mbatha, please respect the House.

[Interjections.] Please proceed, ma.

Ms C N MAJEKE: As I close ... [Interjections.] ... as I close, a caring government must value high fairness and social justice for all. Indeed, the struggle for liberation will never be over until a caring society is built, at the helm of which is a caring government.

Mr A D ALBERTS: Thank you, Speaker.

Afrikaans:

Die enigste wyse om te reageer op die Minister se verklaring is om die volgende te vra. Hoeveel mense gaan nog sterf onder die heerskappy van die ANC?

English:

What happened to those poor mentally-ill patients, who truly represent the weakest of the weak, under the watch of the ANC government is not only tragic; it is not only a gross violation of human dignity and the sanctity of life; it is not only in violation of the Constitution and every human rights treaty imaginable; it is not only against the laws of natural justice; and it is not only an offence against God himself, but it shines

a light deep into the dark deep soul of the ANC and confronts us with a truth that few dared to speak before, and that is that the ANC government and its deployed cadres are not merely negligent in their intent and actions, but that the ANC is intentionally indifferent to human suffering while professing to be a beacon for humanity and civilization. This indifference is built on the quicksand of dishonesty and political expediency.

You see, it works like this. While one would expect that when people and men like al-Bashir and Mugabe get hold of you they would treat you indifferently, the ANC on the other hand creates an expectation of hope and humaneness but instead people get slaughtered, and when the going gets tough for the ANC it very quickly descends into political expediency by playing the race card to deflect attention away from its own indifference.

Its indifference is magnificently reflected in its denial of an opportunity by the members of this House to show its respect to the mentally-ill patients who passed away. Not only did they die under your watch; they are ignored even in death.

Afrikaans:

Daar is talle voorbeelde van mense wat slagoffers is van die houding van die ANC. In Suid-Afrika gaan mense na staatshospitale toe om te sterf en nie om gesond te word nie omdat hulle blote nommers en skape oppad na die slagpale toe is. In Suid-Afrika kom boere van die kerk af terug by die huis net om gemartel en soos skape keelaf gesny te word want hulle het mos die grond gesteel. In Suid-Afrika word vroue verkrag want hulle is mos bloot objekte. In Suid-Afrika word kinders verniel want hulle sou nie dieselfde regte as volwassens hê nie. Hoekom moet hulle dit hê? In Suid-Afrika sterf soveel mense op ons paaie omdat die owerhede meer belangstel in geldmaak en geldinvordering as padveiligheid. In Suid-Afrika sterf heeltemaal teveel mense ...

English:

... and those people die under the watch of the ANC while they are eating our taxes and while they are gorging themselves on tenders while they profess human rights and use poetic words in their speeches but act like leeches. How much more can we as a society tolerate until something breaks? How much?

Afrikaans:

Hoeveel keer moet mense sterf?

English:

Ms M C C PILANE-MAJAKE: On a point of order, Speaker.

The SPEAKER: Order hon member. Hon Alberts, can you take your seat please? Yes hon member, what is your point of order?

Ms M C C PILANE-MAJAKE: Hon Speaker, I'm rising on Rule 85 to ask if it's parliamentary for the member to say that the ANC is actually slaughtering people like sheep. [Interjections.] We take the matter seriously. We know that a big mistake has happened but nobody has slaughtered anybody, unless he has evidence to the effect.

The SPEAKER: The question of referring to a party is not usually seen as unparliamentary but we will look at the context after studying the Hansard. Please proceed, hon Alberts.

Mr A D ALBERTS: I'm saying that the ANC is indifferent to what is happening.

Afrikaans:

Hierdie slagting moet stop want die vraag is, wat gaan julle doen as die vernielde hond eendag omdraai en begin byt? Watter gevleuelde woorde en rassekaart gaan julle dan red? Dink 'n bietjie daaroor na.

Mr W M MADISHA: Hon Speaker ...

Sepedi:

Sebata, o lekile le ge e le gore ga e kwagale gabotse.

English:

Cope is saying to the families and relatives of the deceased, you deserve more than an apology and not only an apology but action. I say this because what happened contradict section 11 of our Constitution which says that everyone has a right to life. We say to the nation that your government has failed you; the entire system has failed you, be it the political executive

of government that initiates actions and oversees its implementation or the administration that is tasked with the implementation of political decisions. And yes, us too - some of us here in Parliament, be it at national and/or provincial level, are tasked with exercising oversight over the executive and holding them to account.

Even the Human Rights Commission is complicit. Its ability to preside over an investigation into this matter is questionable given the inaction of certain commissioners as the tragedy unfolded. Some of these remain commissioners in the newly constituted commission.

A tragedy is defined as an event causing great suffering, destruction, and distress, such as a serious accident, crime, or natural catastrophe. Esidimeni was neither an accident nor a natural catastrophe. Its genesis was criminal. There must be consequences. There must be criminal prosecutions.

The Esidimeni tragedy points to the failure in the morality of those entrusted with our governance and as hon Groenewald, for

example, pointed out, we know who is the middle of our moral compass. The words of Mathews Phosa, and I agree with him when he said:

I refuse, as a disciplined cadre of this movement, to have my coffin buried in the same graveyard as leaders who have made the choice to place their own corrupt interests above that of those that we swore, yes swore, to serve. The party that we all revered, loved, served, and some died for only exists in name today

By movement he was referring to that former movement. That party has failed and it must be removed.

Sepedi:

Fela o a leka, kgoši.

Ms C DUDLEY: Hon Madam Speaker, the death of more than 100 mentally ill patients in Gauteng province last year has deeply shocked the nation. The ACDP joins people across the country in

expressing sincere and heartfelt condolences to the families and friends of the deceased.

This exposure of the department's lack of monitoring, capacity and budget, societal neglect and Parliament's inadequate oversight is devastating and we stand collectively responsible even as we interrogate the situation to make sure nothing like this ever happens again.

The decision to terminate a contract between the Department of Health and Life Esidimeni - a service provider that had been delivering health care services to indigent patients under contract to government for over 50 years - we are told, has had horrendous consequences and forced us to take stock once again. So many life and death decisions are taken at a policy, financial and admin level without enough awareness and consideration for the sanctity of human life.

Around 2 000 people who were receiving highly-specialised chronic psychiatric care had to be moved to families, NGOs and psychiatric hospitals and the way in which they were hurriedly

discharged en masse has resulted not only in a breach of their rights under the Constitution and the Mental Health Care Act, but also a death sentence.

The bottom line was money of course - it is a lack of budget. But there was also a policy imperative to de-institutionalise - these are two factors that place Treasury and the ANC's policy-making body in the mix of those responsible. This is a national tragedy and we are all implicated in some way.

Yes, there must be political, civil and criminal accountability, and inquests into all deaths to establish the causes and the appropriate steps that should follow. And the removal of all surviving residents from unlicensed and incapable NGOs is non-negotiable and must take place immediately but it must be to safe, dignified facilities and this will cost us.

The ACDP calls on government to urgently investigate how patients went from a licensed institution to unlicensed ones and to review and amend licensing policy and practices where necessary - as they apply across the country. The ACDP also

calls for a review of policy on institutions, on plans for mental health care services countrywide and an increased focus on monitoring and compliance. This may have happened in one province, but our eyes must be on all provinces.

The ACDP has for the past few years been pleading with government to respond adequately to the plight of vulnerable people with regard to special housing needs. This includes mentally ill people. We again call on government and Minister Sisulu to prioritise the approval and implementation of the Special Needs Housing Policy programme that has been waiting 15 years for approval before some other avoidable major disaster also ends in tragedy. Thank you.

Mr S M JAFTA: Hon Speaker, the Life Healthcare Esidimeni shenanigans have reminded us of our painful history of neglect, maltreatment of the vulnerable and human rights violation. To our credit, the national Department of Health is on course to salvage this crisis.

The Portfolio Committee on Health received a well-established, detailed and comprehensive report surrounding the death of mentally ill patients in Gauteng, from the Health Ombudsman and the Department of Health. It is clear from the findings of the ombudsman that the province was irresponsible in transferring mentally ill patients to unlicensed NGOs without consulting national department.

The powers given to Health MEC's in provinces should be reviewed, especially section 43 of subsections (1) and (2) of the Mental Health Act of 2002, which empowers the head of provincial health departments and the relevant review board in the department, to order state patients to be transferred to another designated health establishment, despite any determination made by the head of the national government. Section 25 of subsection (1) of the National Health Act 2003, should also be reviewed to confer the Minister of Health, provincial Health jurisdiction. We therefore support the department's plan of action to implement the 18 recommendations issued by the Health Ombudsman and that corrective measures be

undertaken to bring to task the identified health officials in the province.

The AIC conveys its heartfelt condolences to the families of the deceased and their immediate relatives. This tragedy should have been avoided. I thank you.

Mr A PLOUAMMA: Hon Speaker and hon members, Esidimeni is the first ANC Nazi camp. The Premier David Makhura has the graves of these South Africans dug while they were still alive. We are all humiliated by this act of barbarism. It was a policy of extermination against mentally ill patients. This is a gross betrayal. What is painful is when the premier declared that he knew nothing. This premier must be suffering from amnesia and ignorant. Gauteng province is not in safe hands, such incompetence and poverty of leadership.

It was embarrassing and shameful when the premier wore a sackcloth and flagellates himself like the Pharisees. This was indeed a Nazi-like camp characterised by sorrowful circumstances. Even Adolph Hitler would have given the premier a

pat at the back. Our glorious purge of people with ubuntu would forever remain tainted.

On behalf of AgangSA and myself, we mourn with the families who lost their loved ones. As the former MEC of Health in the province of Gauteng, may you search your soul and clean your conscience. You and the premier are guilty of this madness. Our people are no longer safe under this government. Their ruthlessness, lack of decency and humanness make a mockery of our hardly fought human rights. It is suicidal to think that the ANC will redeem itself. We should not wait until our country is reduced to a rotten carcass.

Hon Minister of Health, we sympathise with you. We can see you are running like a headless chicken. That provincial department is in an advanced stage of decay. Your conscience is heavy on you. It doesn't help to apologise on behalf of people whose hearts are dark as hell. AgangSA supports your endeavour and wishes you the best in this difficult task.

Mr L R MBINDA: Chairperson of the session ...

IsiXhosa:

...mandibulele. [let me thank you.]

English:

As the PAC, once again we forward our heartfelt condolences to the bereaved families of the deceased and we say the passing of your loved ones came to us and the entire nation as a shock. This is a shock that leaves many questions unanswered. May God be with you in these trying times to help you heal.

IsiXhosa:

INkosi ke ize iniphe amandla. [May the Lord give you strength.]

English:

Once again, the ANC government is exposed as to how low they think of our people and their wellbeing.

Hon Motsoaledi, we will not go quiet when you want to use this House to advance your own internal organisational battles by trying to clean your name and better position yourself from what one scholar named it as a dog eat dog syndrome in the ruling

party. We know very well that you are one of those who are not in good terms. This Parliament should not be turned into a tool for people to come and campaign for their internal party leadership differences. No amount of fancy words can reverse the damage you and your government has done to the affected families. I kept on asking my fellow comrades what the recorded cause of death of these patients is. All what we are getting is that they were admitted as patients who were mentally ill, which to my understanding is not what caused their passing away. I hope that the recommendations of the ombudsman will be implemented immediately.

There are pressing issues in Tshwane. Once again our people are up in arms against their fellow African brothers and sisters from across Africa. As the PAC we condemn these violent attacks that are afrophobic in nature. The ANC government must be held accountable as the real frustration of our people is that their levels of poverty are still in place while white foreign nationals, who are in charge of our economy, are staying in luxury peace while our people are deliberately made to fight

against themselves. We call upon all of them to refrain from this barbaric act that they are busy with. Thank you.

Mr N T GODI: Hon House Chairperson, comrades and hon members, the APC joins this House and fellow South Africans in pledging solidarity and heartfelt condolences to the families of the deceased in what is now the infamous Esidimeni debacle. Our sacred duty as society and government is to take care of the most vulnerable society. In the case of the Esidimeni victims we have dropped the ball with horrible consequences.

The APC condemns in the strongest terms the Health department in Gauteng for failing to do due diligence. People dying simple because of neglect clearly reflects that the said nongovernmental organisations, NGOs, did not know what they were doing and they were in it for the money. This is criminal.

But there is a fundamental ideological question here. Government must take charge and deliver social services. The capitalists' idea of commodifying everything and its accompanying greed is the root cause of this tragedy. Shoddy governance is merely an

enabler and the fundamental problem is privatisation of social services.

Currently, supported by the national department, all the provincial departments of health are using NGOs to hire home-based carers and HIV counsellors. This leads to greed, the super exploitation of the workers and government shaking its responsibility. The APC condemns this practice. If there is anything to come out of this tragedy, it is for policies to change in favour of government directly providing critical social services.

The APC wish to applaud Dr Malegapuru Makgoba, the health ombud person for the good work he has done. Esidimeni, the place of dignity, how ironic that the deceased suffered and died in indignity.

Xitsonga:

Etlelani hi ku rhula.

English:

Thank you.

Mr A F MAHLALELA: Hon Chairperson, Deputy President, hon Minister, Deputy Ministers and hon members, the ANC as a people's movement and a caring organisation ... [Interjections.] [Applause.] ... wants to take this opportunity during these trying times and difficult period in the history of our country to extend its deepest sympathy and condolences to the families of the than 100 most vulnerable people who died under the care of the Gauteng Department of Health. In doing so, we equally want to thank the Health Ombudsman for his excellent work of producing this impeccable report that has far reaching recommendations.

We believe that the full implementation of the recommendations as was supported and directed by the President during the state of the nation address, will go a long way in addressing weaknesses in the mental health system of our country. As the ANC, hon Chair, we are in full support of all the recommendations of the Health Ombudsman and we shall do all in

our power to ensure its full implementation, both by Gauteng government and the national Department of Health.

The Minister together with his department and the office of the Health Standard Compliance have already appeared before the portfolio committee with a detailed implementation plan as well as progress made since the release of the report 22 days ago, of which the Minister has already shared with this House in his speech earlier on. We are therefore convinced that the report of the ombudsman is comprehensive enough, covers all aspects and therefore do not see any necessity for the appointment of a judicial commission of enquiry by the President to conduct further investigation. This view is first and foremost informed by the believe that the Health Ombud is independent, impartial and therefore convinced that he convinced this work in good faith without fear, favour, bias or prejudice.

Section 88(a) of the National Health Act as amended provides that anybody or any person aggrieved by any decision of the office or any findings and recommendation of the Ombud may lodge a written appeal with the Minister. The Minister must upon

receipt of such a written appeal, appoint an independent tribunal which must be chaired by a retired judge of the High Court or a retired Magistrate. It is therefore our view that anyone who is not satisfied with this report of the Ombud into the circumstances surrounding the deaths of mentally ill patients should accordingly use this provision as provided by the legislation instead of rushing to the President for a judicial commission of inquiry.

We therefore call upon all of us as hon members as stated in the statement released by the families today that we should not claim to do things in their interest without consulting them.

[Applause.] This is what they have said in the statement, and I quote:

We have already endured painful months of waiting and interviews during the Health Ombud's investigation. We urge political parties not to make us repeat that pain or make it in vain. [Applause.]

Hon Chair, as we do all of these, we should as respected hon members and responsible leaders, respect and honour the wishes of the families. During the healing ceremony which took place last week on Saturday which was attended by both the Premier of Gauteng and the Minister of Health, these families made a special plea that they have reiterated in a statement today, that as we mourn this tragic death of their loved ones, as politicians and political parties, we must at all times avoid using this tragedy as a political football. [Applause.] Let's give these families space and allow them to peacefully undergo the healing process.

The ANC as a discipline force of the left organised to conduct consistent struggle in pursuit of a caring society, we commit ourselves to respect and honour the wishes of the families but we shall at the same time continue to paying special focus to these most vulnerable people in our society while ensuring that the recommendations made by the Ombud are implemented so that restorative justice is achieved and by so doing, assist the families to find a sense of closure into the matter.

We shall continue to ensure that critical elements of our value system which is based on human solidarity and the spirit of ubuntu shall at all times include our pride in social activism and respect as well as serve these most vulnerable people in our society with honesty and humility. As part of our agenda of social cohesion towards the construction of our national democratic society, we shall continue to ensure the protection and advancement of those who are vulnerable in our society especially mentally ill patients. As we continue to advance this noble idea of a caring society, we are highly encouraged by the announcement made by the Minister of Finance yesterday during his budget speech that an NHI fund will be established this year and will focus initially, among others, the improvement of services for people with disability, the elderly and more importantly mentally ill Patients.

As part of our support to the Health Ombudsman recommendations, we would like to make a special plea to the SA Police Service to fast-track their forensic investigations which is currently underway so that actions were deemed appropriate and justifiable can be taken so as to ensure that those found to have grossly

violated the rights of these most weakest members of our society are held accountable. We further appeal to the SA Human Rights Commission to ensure that it undertake those systematic and systemic review of human rights compliance and possible violations nationally related to mental health as recommended by the Ombudsman.

As part of our pursuit for a national democratic society, we shall ensure the protection and continuous care of people with mental illness and recognise the right of individual dignity and proper care. We need to decisively deal with all the current fault-lines that still persist in our public health system that threaten our social stability.

Hon Chairperson, let me conclude by saying to the hon Minister, never and never again must such a tragic incident ever happen to so many of our vulnerable people under our public health system. Never again must cost considerations be used as means to override the imperative of quality of care and therefore put the lives of our people in danger like this so called Gauteng Mental Health Marathon Project has done.

It is regrettable, hon Chair, that some political parties have decided to use this opportunity as a political grandstanding ...

[Interjections.]

Ms E N LOUW: Hon Chairperson, I rise on a point of order.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mahlalela, please take your seat. Hon member, what is your point of order and you are rising on which Rule?

Ms E N LOUW: Actually I want to ask the hon member a question because I want to check he said the same way Marikana happened ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, don't ask a question. Let me ask first ...

Ms E N LOUW: ... that never again will people be killed under the ANC government and it happened.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, let us remind one another that when you want to ask a question you should get permission. Hon Mahlalela, do you want to take a question?

Mr A F MAHLALELA: Unfortunately Chairperson, I do not take questions from political parties that do not have direction.
[Laughter.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mahlalela, you can continue. He does not want to take the question. Thank you.

Mr A F MAHLALELA: Eh! ... [Interjections.]

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

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mahlalela, take your seat. On which Rule are you rising?

Mr N F SHIVAMBU: On a point of order in the rule book that you have there

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The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, which Rule?

Mr N F SHIVAMBU: You must know what the rule book number is; a point of order is permissible in terms of the rules of this House ...

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, no, I know that a point of order appears in Rule 92 ... [Interjections.]

Mr N F SHIVAMBU: ... so why don't you ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G BOROTO): I just want to know on which Rule or whatever principle you want to talk on.

Mr N F SHIVAMBU: The principle is that ...

The HOUSE CHAIRPERSON (Ms M G BOROTO): Okay, thank you.

Mr N F SHIVAMBU: ... this member must not come here and mislead the House and speak about never, never that the ANC ...

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The HOUSE CHAIRPERSON (Ms M G BOROTO): Okay, that is not a point of order.

Mr N F SHIVAMBU: ... because after they killed people in Marikana they said the same thing that you will not kill people ...

The HOUSE CHAIRPERSON (Ms M G BOROTO): Hon member, that is not a point of order. Thank you very much.

Mr N F SHIVAMBU: ... you have killed people in Gauteng now and that is your ... [Inaudible.] ...

The HOUSE CHAIRPERSON (Ms M G BOROTO): I am going to switch of your mic.

Mr N F SHIVAMBU: ... the EFF is the only political party with direction.

The HOUSE CHAIRPERSON (Ms M G BOROTO): I am going to switch of your mic, that's not a point of order.

Mr N F SHIVAMBU: He must not speak confusion here.

The HOUSE CHAIRPERSON (Ms M G BOROTO): Continue, hon Mahlalela.

Mr A F MAHLALELA: Hon Chairperson, I am saying that it is very unfortunate that some Mickey Mouse political parties ...

[Interjections.] ... have decided to use this opportunity and use this tragic incident for political grandstanding instead of addressing the issue that is currently bewildering the nation. We therefore call upon all of us as hon members to truly respect the wishes of the families and I would like to appeal to all of you, just go and read the media statement that I quoted substantively which was released today.

We are saying that there will be justice because the SA Police Service is currently undergoing forensic investigation and once they have completed, everybody that would have been found to have violated the rights of those individuals must face the might of the law and let justice be done. We can't be judges ourselves here. We do not have that responsibility. Let us be

responsible and not behave like children. I thank you.

[Applause.]

The MINISTER OF HEALTH: House Chair, hon members, I want to take off where hon Mahlalela has left. Our apologies to the families are not informed by what we as politicians in this House think. It is not a public relations exercise. That is why we do it when we meet them - even in the absence of yourselves and the media. We have already met these families many times.

We had a meeting with the on 5 February and we apologised and discussed the matters. The statement they release today is because on 5 January when we met them; they said we must appeal to political parties and lawyers to stop harassing them and to stop them making their pain a political football. [Applause.] That is why there were calls for national days of prayers or days of national mourning.

They stopped us and said that we should please don't do it, until they say so. They also said that we should only concentrate on their pain because they are still in trouble, and

they said that the moment we do all those things they we would forget about them; and that we would then go and shine on the stages; stadiums, halls and churches. They begged us in that that must not happen.

On Saturday, last week when we met them, they again asked so, and because we don't seem to be stopping that is why they issued a statement today, again stating that we should please stop this thing and concentrate on them. Even for the lawyers who keep on phoning them when the ombudsman has clearly outlined the legal processes in this document. In this document, they also said the must please stop.

I agree with the hon James that we need to hasten the establishment of the national system of surveillance. I can assure you that on Tuesday this week the National Ballistics Intelligence Services, NPHISA appeal that you are talking about, National Public Health Institute of South Africa has gone through the Cabinet Committee. It is going to go to Cabinet next week and it will pass through this House. And that surveillance system will be in the country. [Applause.]

The second thing I wish to advise you about, hon James is that whether we change the manner in which the national and provincial relate to each other and works, it is also one of the recommendations that we must review the Mental Health Care Act of 2002 and the National Health Act of 2003.

I have already selected a review panel and the matter will come here. The parties will debate, and it will be debated like any other Act. But firstly it is being reviewed. It is not just going to be changed unilaterally because ombudsman said so. That is why he did not say that the Minister must change. He is ordering a review because during the course of the investigation he has realised certain weaknesses in what is happening in the Acts; both the Mental Health Care Act and the National Health Act.

The EFF is claiming that we are not taking responsibility. We are definitely taking responsibility. Recommendation 17 is clear about how government must take responsibility and we have already started. In recommendation 17 it says that the national Minister of Health must lead and facilitate a process jointly

with the Premier of the province to conduct all affected individuals and families and enter into alternative dispute resolution process. This recommendation is based on the low-trust, anger-frustration and the loss of confidence in the current leadership of the Gauteng department of health by many stakeholders.

The national Department of Health must respond humanely and in the best interest of the affected individuals, families, relatives and the nation. The process must incorporate and respect the diverse cultures and tradition of those concerned. The response must include an unconditional apology to the family's relatives of the deceased and those patients who are still alive.

So, this apology is also inside this recommendation. And it goes on to say that the outcome of such a process should determine the way forward, of such a mechanism to redraw and compensate. It goes on to say a credible prominent South African with an established track record should lead such a process. And this weekend rather on Friday the Premier has just phoned to inform

me that we are meeting with the families, section 27 and their representatives to decide on who is this credible South Africa who will carry this mission and the process.

I agree with the EFF that there were too many illegalities we have never hidden them and there are definitely illegality in what has happened and I quoted some of them when I was talking in my speech. The manner in which the patients were moved had a lot of illegalities; the manner in which the mental health review board who should have signed off whether patients should be moved or not - there are lots of illegalities. The manner in which the licenses were issued, the manner in which the NGOs took the patients there were lots of illegalities, we accept that. And that is why the ombudsman here spoke about them and what we need to do.

As for the NGOs, whether they must go to jail or not -
Chairperson, I have been the health sphere for 34 years now, and I haven't seen human beings acting this way. Even if they are NGOs, we can't accept the situation. Where an adult member of the public goes to a well established institution with a license

valid or invalid takes a human being whom they don't even know and have never met without records, without knowing the diagnosis, without knowing the treatment take them and put them into their house and try to take care of them and end up not giving them food! You don't need to go to any medical school for that, it is just common sense. [Applause.] Only a person with courage that is misplaced can do that! So, there is no way that the NGOs can be left off. Any human being cannot be allowed to do that!

The first thing is that you would be scared. Who is that person in my house? What are they suffering from and where are their relatives? What am I going to do with them in my house, because mental health is a lifelong thing? It is not something that will eventually go. It is not like taking somebody who you find drowning and put them in your house to help them; you are going to live with them for ever. So, they are going to have to account. They can't be left behind.

That is why there is going to be an inquest. And inquest is headed by a magistrate. Each and every death is going to be

accounted for. How it occurred, who should have done what? The other thing is that even if he is a politician like myself or the MEC writing a letter and say that they are terminating this project as they did. Every patient who is admitted in an institution is controlled by a doctor. You can't leave an institution until the doctor discharges you. If there is an insistence from anybody that say you must be discharged then you must sign a refuse hospital treatment, RHT, form. So, one of the thing that we are investigating is whether indeed these patients were discharged or they were stolen, which is now a legal possibility in the manner in which they were taken.

The issue of whether the ANC is indifferent won't be judged in this House by politicians with agendas. The judgement of whether we are indifferent or we are caring will come from the families themselves as they meet with us. [Applause.] They are the only ones who can make that judgement call.

I agree with Cope that they don't deserve apology only but actions and I have already shown you. Action is in this document, that there might be criminal prosecution but it is not

you who must decide who must be criminally prosecuted. It is the NPA as you know, and it says here that all the investigation by forensic investigators and other law enforcement agencies must be given to NPA. It must decide who must be criminally liable and who must be charged.

From the ACDP the process of institutionalisation, which you thought it is imperative, is clearly outlined by both the World Health Organisation and the national mental health policy framework as strategic plan it is clearly outline line by line. I can confirm to you as I am standing here that what the officials in Gauteng department of health did was not the institutionalisation. Even in the agreement documentation they signed they never mentioned anything about what they eventually did and that is why legal processes must be undertaken to see what has happened

To the PAC, that there are many questions that are not answered; no question will go unanswered. That is why there is going to be an inquest. No question will be unanswered because it is clearly written what we have to do.

Finally, when the Minister of Finance stood up yesterday and mentioned that a national health insurance fund will be implemented he said something that is going to be litmus test to this House. He said to establish this finances we are going to review the tax credits. Tax credits that are going to the rich, which amount to R20 billion to do this fund! You are receiving those tax credits and if you put your money where your mouth is, you will support that we do away with the tax credits for those people who are on medical aid.

We will take that money and help poor patients including the mentally ill patients then I will say you are talking; not what you are doing here by shouting and all that. Thank you.

IsiZulu:

Nk R M M LESOMA: Sihlalo ngamphili weNdlu ehloniphekile, oNgqongqoshe, amaSekela Ngqongqoshe, malungu ahloniphekile aleNdlu, namalungu eNingizimu Afrika umuzi wonke uphelele, sifisa ukunibingelela. Sizokuthula lombiko wethu wekomidi lesikhashana [ad hoc committee] le-National Youth Development Agency, NYDA lokuqokwa kwebhodi. [appointment of the board]

Umbiko wethu uzoba ngalolu hlobo, sizokubeka inhlosongqangi yalomzimba, izindlela esizihambile, izincomo namazwi okuvala

English:

Our democratic government established the National Youth Development Agency, NYDA ... [Interjections.]

Mr N F SHIVAMBU: House Chair, on a point of order: Can we get clarity quickly.

The HOUSE CHAIRPERSON (Ms M G Boroto): What is the point of order hon member?

Mr N F SHIVAMBU: What are the time allocations for this process? How long is she going to speak? And how long are other members who are going to speak there because there is no Speaker's List provided for here? Can we get clarity on that please?

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

[Inaudible.] here. Thank you very much. The member who is

introducing the report is given 10 minutes and the parties are allowed to make declarations. Thank you, continue.

IsiZulu:

Nk R M M LESOMA: Sihlalo ngaphambili waleNdlu ehloniphekile ...

Mr N F SHIVAMBU: House Chairperson, on a point of order: Which Rule gives you that what you have just said now? Which Rule in the Rule book? Which Rule?

The HOUSE CHAIRPERSON (Ms M G Boroto): I can not ... No, we always have reports. That is how it works. ... [Interjections.]

Mr N F SHIVAMBU: With everything else that happens here operates according to standard time and ... [Inaudible.] [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no. Okay, thank you. Let me respond to you.

Mr N F SHIVAMBU: Yes, and can you give us then the Rules that then ... [Interjections.] [Inaudible.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Let me respond to you. Take your seat. Let me respond to you. Hon Shivambu, we always have reports in the House and all the time we have reports, the person who introduces the report is given the 10 minutes and then we have declarations, proportionally so. And if you want to make a declaration, you know your minutes according to the Rules. Those are in the Rules, those ones of the ... they ... I am assisted here, it says it is 166(3), check that one but we have it here, we have the guide here. It tells us which party has to speak for how many minutes. Thank you very much.

Ms R M M LESOMA: ... governed by the Act 54 of 2008.

IsiZulu:

Inhloso yakhona ukulekelela nokusiza abasha bethu balelizwe ekuqinisekeni ukuthi bayalekelelwa ekukhuliseni nasekuthuthukisweni amathalente abo nokuba babe ...

English:

... self financially sustainable and with appropriate qualifications to support and contribute to the economy of our

country as recently articulated last week by the hon, His Excellency the President in his state of the nation address, SONA, and the hon Minister in his Budget Speech yesterday. Our democratic government, the NYDA, governed by Act 54, it tries also to ensure that it does deliver on its predetermined objectives which are outlined in the NYDA Act and its policy. Notwithstanding limited resources, it has been able to deliver but also with the limited resources to reach out in the rural areas in particular. The Act stipulates that the board consists of seven members, two of whom are the executive directors and would hold office for three years, in line with the Joint Rule 142 and an ad hoc committee was appointed by the both Houses to appoint and guide the processes of the board members. The committee went through a vigorous process to interpret the legislation framework which is articulated in the Act to ensure that all its deliberations are in line with parliamentary requirements. In all its deliberations, the parliamentary legal services were actively providing legal guidance.

[Interjections.]

The committee received 487 applications, which we agreed and with a developed agreed criteria to screen and shortlist the candidates with capabilities and experience. Having deliberated on the number of candidates to be shortlisted, the committee resolved to shortlist 14 candidates. All members of political parties present, I must repeat this one, hon members, all political party's members present during the short listing meeting nominated their preferred, agreed criteria candidates to be interviewed. Curriculum Vitae of all shortlisted candidates were published in the parliamentary website for transparency purposes. In line with section 10 of the NYDA Act of fit and proper, all candidates were subjected to security vetting and the outcome report was presented before the Joint Ad Hoc Committee by the parliamentary legal services which was also requested to provide legal opinion on the interpretation of section 10 of the NYDA Act. Based on this, all shortlisted candidates were eligible to be interviewed ...

Mr N F SHIVAMBU: House Chairperson, on a point of order: The member who is speaking there says that the parliamentary legal

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services provided vetting of the members, yet ... [Inaudible.]
that was there ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I think that
is a matter ... [Interjections.]

Mr N F SHIVAMBU: ... were written State Security Agency, SSA.

The HOUSE CHAIRPERSON (Ms M G Boroto): ... hon member that is
not a point of order.

Mr N F SHIVAMBU: But if you deliberately mislead the House, you
must deal with it now.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, hon member that is a
political point and that is a point of debate.

Mr N F SHIVAMBU: It is not political point. If a person says
that the parliamentary legal office was involved when the State
Security Agency, SSA, was involved ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Please take your seat or I will switch off your microphone. That is not a point of order.

Mr N F SHIVAMBU: What is wrong with clarifying that?

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue hon Lesoma. That is not a point of order.

IsiZulu:

Nk R M M LESOMA: Njengoba ngike ngasho ekuqaleni ukuthi wumbiko wekomidi elibekiwe elididiyelwe yiNdlu yesiShayamthetho kaZwelonke [National Assembly] noMkhandlu Kazwelonke Wezifundazwe. [National Council of Provinces] Amalungu ezinhlango ezazikhona, ezazingekho angikwazi ukuzikhulumela. Ngicela ukuqhubeka.

English:

... And be recommended to the NYDA board, based on performance during the interviews. On the 25th of January 2017, the committee interviewed 13 candidates; one withdrew at the last

minute. The committee resolved to recommend the following candidates, which I present before on behalf of the ad hoc committee for the House for recommendation to be adopted by the House and be recommended to the hon President. The following names; Mr Ndumiso Thokozani Mokako from Mpualanga, Mr Itiseng Kenneth Morolong, North West Province, Mr Yershen Pillay from KwaZulu-Natal / Gauteng, Mr Sifiso John Mtsweni, Western Cape Province, Ms Zandile Majozi, Gauteng Province, Ms Bavelile Gloria Hlongwa, KwaZulu-Natal, Ms Khomotjo Joy Maimela, Limpopo Province.

I must say this on this part that why I am reading the provinces also is that we have got seven board members and we got 9 provinces. The committee did also deal with the issue of geographical spread. The committee further recommends that the Department of Planning, Monitoring and Evaluation should after consultation, with the new structures in the country, together with the NYDA, simply propose amendments to the NYDA Act. The process of amending the NYDA Act should consider changing the Act to be a section 76 rather than a section 75 Bill.

The committee further recommends to this parliament that through its Joint Committee on Ethics and Members' Interest to investigate hon Cassim regarding his conduct during the meeting of the 24th of January 2017 of posting tweets on his twitter account while the committee was in session, where he attacked the co-chairperson. I request on behalf of the joint ad hoc committee that the House approves and recommends to the President to approve the recommended names as stipulated. Thank you. [Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): I see there is a proposal for declarations, the DA! [Applause.] Before you speak, I just want to remind parties of their time. The ANC has seven, the DA has five, the EFF has four, and all other parties have three. Thank you. Continue, hon member.

Declarations of vote:

Mr Y CASSIM: Chairperson, I just want to say that we will never be apologetic for speaking to the public. I know the ANC is not a very transparent party and they will report members to the Ethics Committee for reporting back to the public.

The National Youth Development Agency, NYDA, remains exactly what it has been created to be - an employment agency for the elite within the ANC youth league and its alliance partners. This is precisely why more than half of its budget is used not for the development of the lost generation, but on administration and employment costs.

The ANC loves bloated bureaucracy like the NYDA. They love them because they gives them additional vehicles to do what this new ANC holds as its argument mandate, which is to distribute patronage. To do that you must make sure that your cadres are deployed to be the abettors of this patronage.

That is why there are such fierce battles between ANC factions to get their grubby paws on these positions. It's not to rescue the lost generation nor to care about the future of our youth, it is for the express purpose of buying allergens with patronage for the next elective conference. [Applause.] Cry the beloved country, grieve the lost generation.

Perfectly, according to script, it is exactly what has happened with disappointment process. The time and money of Parliament was wasted as the factional battles played out. The first ad hoc committee, the one before this, rightly included the requirement of a post-secondary qualification as criteria in order to be shortlisted. But they did this not because they believe as we believe that those on a board managing a budget of close to half a billion rand should be skilled to do so, but rather with express purpose to exclude a certain Kenny Morolong, who doesn't have a tertiary qualification.

Now, why would they be so desperate to exclude poor old Kenny? They were afraid that Mr Zuma will appoint Kenny as the board's chair rather than Yershen Pillay, who is the young communist league's chairperson and Minister Blade Nzimande's chosen son. They were afraid that Mr Zuma will do this due to his lost fondness for the communist league. This had to be corrected and so the process which was flawed to begin with, was restarted, now without the criteria of a tertiary education so that we can include Kenny Morolong.

So, the process was geared to their new mandate of who must be on the board, never mind the 487 applicants, many of whom are young and incredibly talented and qualified South Africans, who they did not even give a second look at, but rather each member of the committee was told that they must just shortlist and pick one applicant. So, basically you sit there and you say who you want. Each politician picks their politically connected applicant. It is no wonder that the only two shortlisted candidates without a political membership card were those nominated by the DA.

Essentially, what they have told the lost generation through this process is that just like you need to know an ANC ward councillor to get an Expanded Public Works Programme, EPWP, job or be moved up a housing list. To get ahead, you must have a political sponsor here in Parliament rather than a qualification.

Today, we are asked to consider these deployed cadres, all of whom holds senior political office and two of whom have no tertiary qualification. In fact, the most qualified shortlisted

candidate, Siyaduma Biniza, with two bachelor degrees, an honours degree and a master's degree, was excluded because according to hon Mkongi, he doesn't go to rallies. Of the seven politically sponsored candidates recommended today, four are ANC youth league National Executive Committee, NEC, members, one a former ANC youth league regional leader and one the chairperson of the young communist league.

These recommendations are a slap in the face to the lost generation of South Africa. It is an insult to the millions of unemployed and hopeless young South Africans.

The DA believes that in a fair society ... [Interjections.]

Ms N R MOKOTO: Order, Chairperson. Order! Chairperson, is it parliamentary for hon Cassim to call the youth of this country the lost generation?

The HOUSE CHAIRPERSON (Ms M G Boroto): Let's take that as a point ...

Ms N R MOKOTO: I think you must rule on that one. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): ... of debate. Continue Mr Cassim.

Mr Y CASSIM: ... the DA believes in a fair society, where our youth must be skilled, empowered and employed, based on their talent and hard work and not on who they know and what circumstances they are born into.

The DA will never support this report and calls upon other parties to do the right thing and reject this blatant cadre deployment. Thank you very much. [Applause.]

Mr N F SHIVAMBU: House Chair, no, look, the EFF withdrew from the process of appointment because we did not want to legitimise a patently illegal process, which the ad hoc committee was engaging in. The member who spoke now illustrates a simple fact that out of the seven, six are affiliated to the congress movement youth formations, including the toy youth league, which

has happened since the dissolution of the real youth league, which we served then.

What is a context of this thing like? We want that to caution the ad hoc committee that don't make the mistake that we made ourselves as the leadership of the youth league that time.

The 22nd national congress of the ANC youth league in Nasrec, which elected the hon Mbalula, took a resolution on the formation of the National Youth Development Agency, and then in 2006, we called the National Youth Convention, the YCL resolved in its conference to endorse the process of formation of the NYDA and then our leadership of the youth league started the process legislatively in terms of conceptual foundation of how the NYDA should look like.

We said at the time that we must collapse the Umsobomvu Youth Fund and the National Youth Commission and all Provincial Youth Commissions to constitute a structurally independent entity called the NYDA that is going to cover the length and breadth of South Africa, which is going to be organic, going to be

efficient and effective, going to be responsive, and that is going to have the flexibility to deal with all of those issues.

We said that, key amongst the programmes that the NYDA must look into should be the national youth service and cohesion, economic participation, youth advisory information set up and a National Youth Fund.

We are talking today, that the NYDA, which we had conceptualised did not happen. It was stillborn because it was not given the necessary support. Actually, the functions that happened in the Provincial Youth Commissions, PYCs, the National Youth Commission, NYC, and Umsobomvu have been reduced in terms of their impact as well in terms of the extent of work that they could do because there is no proper focus on the NYDA.

We make the first mistake of deploying Andile lungisa as the first chair with no clarity of what should happen, including in the administration; we did the same thing of deploying political connected individuals. When we noticed that this same process, which we are engaging in now, is repeating the same mistake, we

caution these comrades that don't do that Mkongi, don't do that Philly, it's going to lead to disaster. The NYDA will not be saved from the mediocrity that it currently is. It doesn't provide any hope for the future.

Out of the 487 nominations which Parliament received, there were very capable chartered accountants there. There were very capable advocates and lawyers there, but because they are don't belonging to any of the sitting structures of the youth league or the young communist league, they were not shortlisted. Young capable people, who have gained practical governance experience who would have given some life and credibility to the NYDA were excluded on the face of partisanship of wanting to associate with the parties that you belong to.

Outside of all these things of nonpartisanship, we must care about the interest of young people. They must, ultimately, Mr Manamela, be a NYF, an agency that is fully functional, an agency which all of us in the youth movement when it was still in existence had envisage, had said must be the instrument that must drive about impact through youth development not the games

that are playing now in terms of all the instances. As the EFF, we vote against the names proposed because we do not want to legitimise ...

The HOUSE CHAIRPERSON (Ms M G Boroto) Thank you hon Shivambu, your time has expired.

Mr N F SHIVAMBU ... a partisan narrow process that has been brought forward here by the ad hoc committee of the ANC. Thank you very much. [Time expired.] [Applause.]

Xitsonga:

MUTSHAMAXITULU WA HUVO (Manana M G Boroto): Ha khensa, tatana.

IsiZulu:

Mr M HLENGWA: Sihlalo, ngiyathokoza ngokucosha ithuba, ...

English:

... hon Chair, one of the biggest challenges confronting young people, is that their only hope in terms of representation in the developmental agenda is the National Youth Development

Agency, NYDA, and therefore, for as long as they exist it needs the support of all of us to ensure that it delivers on its mandate and it has been pointed out that it came from the ashes and now they have received clean audit with at least the out gone board.

One of the things is to say that at least the finances have been sorted out, but we have persistently raised the matter of a national footprint for the NYDA and for it to be able to be readily available particularly in your rural areas, townships, semi-urban areas where the most vulnerable of our youth are found. And moving forward that needs to be the chief priority in which the NYDA operates.

But, let's go to the interviews, because from this podium, we warned against a situation whereby we set the process up for failure if we conduct it in a manner which doesn't inspire confidence and the committee had to redo its job and the ad hoc committee was reconstituted.

IsiZulu:

Sayiciciyela-ke impandla siqoqa silungisa.

English:

Whilst they don't doubt the capacity of the seven people that have been nominated, but we feel it was an injustice, because in the interview process, one candidate, Andile Biyela, who performed very well, much to the agreement of everybody in the committee but because he shared the different view on the interpretation of the National Development Plan, NDP, which was in fact, one of the pettiest issues that ever came across, they said, no, he doesn't qualify. Now, that is when we begin setting up ourselves for failure.

There is agreement that he did well, and he is well versed on the issues, but simply because you don't want to be challenged in terms of the issues then you choose to be petty about it.

The other one is the one that has been cited by hon Cassim, who is Mr Biniza. That as well, a qualified person who did well in the interviews and then you close the door on that person. So, I think those are the lessons which we need to draw, that let us

conduct this interviews in a manner that is fair and in a manner which, if people do well then they get appointed. To not do that is an indictment to out own credibility and an indictment on the processes which Parliament engage in and this cause all of us to enter into a moment of reflection moving forward about how we conduct these things. Thank you.

Mr S C MNCWABE: Chair, and hon members, 40 years ago, our youth rallied and high school learners from all over Soweto decided to march against Afrikaans as a medium of instruction. However, our youth in South Africa are faced with a multitude of vastly different social political and economic challenges today. Among the challenges are the two most important issues that have to be addressed in our view, is the twin social evils of unemployment and drug use.

These two social evils are interrelated and have to be addressed simultaneously and in tandem if our youth are to be given a rightful chance. The unemployment rate of our youth currently stand at 54,2%, which if compared to national rate of 25,6% clearly shows that unemployment is disproportionately prevalent

amongst the youth. Any society that condones such blatant exclusion of its youth from the mainstream economy is bound to heed for civil strives and social upheavals.

This trend is not only unacceptable, it is dangerous. South Africa is sitting on a ticking time bomb of social discontent and drastic intervention is required if we are to have a chance of building a strong nation.

The NYDA has a very important function to ensure that government, the private sector and civil society, all contributes towards identifying and addressing youth development challenges.

In the past the NYDA has been beset with problems, which prevented it from executing its core mandate, but we have seen an improvement of late. The new board members will have to continue with this upward trend in performance, making sure they continue to attain clean audits. Most importantly however, the new board members should give firm direction and tackle the twin evils of youth unemployment and drug abuse with determination

and ensure that they are more visible in our townships and rural areas where they can and must make a huge contribution. Thank you.

Mr S M JAFTA: Chair, let me say it from the start that the AIC can't support the names of the seven candidates recommended to the board of the NYDA. That is because a high risk associated with biasness, inequality and unfair treatment of candidates exists in the whole process of recruitment and selection.

The seven recommended candidates were not selected from the best suitable applicants, but from those who were so lucky enough to be nominated for interviews. I am saying that, because after attracting a pool of more than 480 applicants, the ad hoc committee failed to come up with a clear criterion for short listing. Remember, short listing is to exclude as many unsuitable candidates as possible and move forward those considered to be suitable, not to nominate those you want.

We feel as the AIC, all the candidates should have been given equal opportunity; therefore, the ad hoc committee should have

screened and scrutinised each and every application and curriculum vitae, CVs, as collective and find the reasons to eliminate or move forward each candidate. As the situation stands, not one reason can be given by this committee for all those candidates who were not shortlisted for the interviews. The reason being that members were given CVs to peruse as individuals and then come to the meeting to nominate and motivate the names they want.

The committee should have found a criterion to select the best candidate to be interviewed, while on the one hand eliminating those found unsuitable.

It normally takes a smaller institution the whole day to short list and come up with the best candidates to be interviewed from a pool of at least 40 applicants. In our case, at this level, it took hardly two hours to get 14 candidates out of more than 480 applications. One can see what was really happening. The AIC, therefore has no reason to support all the recommended seven names. I thank you.

Mr B M MKONGI: Chairperson, the fact is that hon Shivambu ran away. The issue here is that ... [Interjections.]

Mr N F SHIVAMBU: On a point of order.

Mr B M MKONGI: ... the Act is clear.

Mr N F SHIVAMBU: On a point of order.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mkongi, please sit. Hon Shivambu, what is your point of order?

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

The HOUSE CHAIRPERSON (Ms M G Boroto): What is the point of order?

Mr N F SHIVAMBU: ... in terms of the processes of this Parliament, when we realise as parties that this is an illegal person ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Oh! Honourable, that is not a point of order.

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Mr N F SHIVAMBU: You can work out, that is what we are saying there. So, the alcohol ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): I am going to switch off your mic again.

Mr N F SHIVAMBU: ... of Mkongi must not make him to come and lie here. Don't bring your alcohol problems here, chief, please.

The HOUSE CHAIRPERSON (Ms M G Boroto): Let us separate a point of debate from a point of order, please; we are asking you. Not everything that is being said here is palatable to all of us. So, let us just listen and follow the process. Continue, hon member.

Mr B M MKONGI: Chairperson, the Act of the NYDA is clear; it does not speak about qualifications; it does not speak about age. If you want to change it come to Parliament and propose an amendment to that Act. You cannot smuggle your friend through a particular process; it is wrong and illegal. The matter of Cassim talking about issues ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, please ... [Interjections.]

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Mr B M MKONGI: Hon Cassim, yes, ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, let's respect one another, please.

Mr B M MKONGI: ... speaking about patronage.

The HOUSE CHAIRPERSON (Ms M G Boroto): Please take your seat. Is that a point order, hon member?

Mr C H H HUNSINGER: It is a point of order, House Chairperson.

The HOUSE CHAIRPERSON (Ms M G Boroto): What is the point of order, hon member?

Mr C H H HUNSINGER: As the member well knows, we do not refer to other hon members by their surnames.

The HOUSE CHAIRPERSON (Ms M G Boroto): I have already ...

Mr C H H HUNSINGER: Thank you, Chair.

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Mr B M MKONGI: Hon Cassim is a real product of political patronage and ideological dwarfism; he is here in this Parliament because of the patronage of the white supremacy. So he cannot come here and say our young people are patronage by the ANC. He knows that well. The issue of transparency: The nomination of candidates was done by the people of South Africa. The Members of Parliament had short listed and then the committee of Parliament nominated.

The ANC therefore supports this nomination and call on the President to appoint those people. These people have a history in the struggle for youth development in this country. They have been in the battle trenches to make sure that there is youth policy in this country. They were there when we drafted this policy. You come here and lie.

The idea of youth development agency did not come with you here. It was conceived ... [Interjections.]

Mr N F SHIVAMBU: On a point of order. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mkongi, take your seat.
Yes, hon member.

Mr N F SHIVAMBU: We said we have noted his alcohol problems, but he can't say people are lying in the House here.

The HOUSE CHAIRPERSON (Ms M G Boroto): I can't hear?

Mr N F SHIVAMBU: He said people are lying. He said I am lying.

The HOUSE CHAIRPERSON (Ms M G Boroto): Oh! [Interjections.]

Mr N F SHIVAMBU: And it not allowed. We know his alcohol addiction, ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Oh, no, I heard your point. [Interjections.]

Mr N F SHIVAMBU: ... but he must not illustrate it here. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay. Now that is a debate. [Interjections.]

Mr N F SHIVAMBU: We know that Mkongi we have to finance you everyday for your alcohol problem. [Interjections.]

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The HOUSE CHAIRPERSON (Ms M G Boroto): Let me rule on the matter, hon member. [Interjections.]

Mr N F SHIVAMBU: Don't come and talk about it here because ...
[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Let me rule on the matter. I am going to switch off your mic. [Interjections.]

Mr N F SHIVAMBU: ... we will reveal your secret of going around borrowing money for alcohol purposes.

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

Mr B M MKONGI: Honourable.

The HOUSE CHAIRPERSON (Ms M G Boroto): It is unparliamentary to say any member of this House is lying. Could you please withdraw that?

Mr B M MKONGI: I withdraw, yes, Chairperson ... [Interjections.]

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

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Mr B M MKONGI: They must never come here again and say other people are lying. [Interjections.]

Mr P J MNGUNI: Order, House Chair.

Mr B M MKONGI: Because they do not have skills of debating ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mkongi, please take your seat. Yes, what is the point of order, hon member?

Mr P J MNGUNI: House Chair, we welcome your ruling on the matter, but ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): What is your point of order, hon ... [Interjections.]

Mr P J MNGUNI: The mic, House Chair, the sound.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, it is on.

Mr P J MNGUNI: Thank you. The sound system ...

The HOUSE CHAIRPERSON (Ms M G Boroto): It's on.

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Mr P J MNGUNI: It wasn't, House Chair. I can assure.

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, I apologise for that.

Mr P J MNGUNI: Thank you. In deciding about the matter, however, the appeal from the EFF, hon Shivambu, imbued on the dignity of hon Mkhongi by making all the inferences to alcohol and all those other things. Those are unparliamentary; he must withdraw. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Unfortunately there was a lot of noise. Can I look into the Hansard with regard to what you have just said and come back to that? Continue, hon Mkongi.

Mr B M MKONGI: Thank you, Chairperson, by the way personal attacks do not deter me, do not demoralise me. The previous board cleansed out the mess done by hon Shivambu and his friends when he was in the youth league. They chawed a lot of money of the NYDA and they think that this NYDA is going to do the very same mess they have done previously.

[Interjections.]

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

Mr B M MKONGI: So, this is not what has happened before.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mkongi, please take your seat.

Mr N F SHIVAMBU: On a point of order ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): On a point of order, hon member. What is your point of ... ?

Mr N F SHIVAMBU: The issue is that despite ... [Interjections.]

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

Mr N F SHIVAMBU: ... I am going to be brief. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, I do not want any debate. Can you come with you point of order?

Mr N F SHIVAMBU: The rule says that if you want raise an issue against a member, an allegation like he is saying - I have never worked in the NYDA - you can only do that through a substantive motion.

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

Mr N F SHIVAMBU: So, you must tell him to withdraw.

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

Mr N F SHIVAMBU: We know the problem of going around borrowing money from people to buy alcohol. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I think it is taken. Thank you very much. [Interjections.]

Mr N F SHIVAMBU: Do not expose yourself here, Mkhongi, please.

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue, hon Mkhongi.

Mr B M MKONGI: Thank you very much, Chairperson. Therefore the leadership that we have, hon Shivambu, for the NYDA is the leadership that is capable and that have a history in the battle for youth development in this country.

Mr M KHAWULA: Order, order, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): What is the point of order, hon Khawula, and under which rule?

Mr M KHAWULA: Chair, the point of order is under Rule 92.

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, Rule 92, but what is the point of order?

Mr M KHAWULA: The point of order is: The Rules of this House provide that one must bring a substantive motion, and in the absence of that he must withdraw the statement. Because he is saying that hon Shivambu chawed money from the NYDA, and hon Shivambu has just recorded that he has never worked for NYDA. Please rule, hon Chair. He is misleading the House.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, if he said that I am going to ask ... Hon Mkongi, can you stand? Did you say that hon Shivambu chawed the money?

Mr B M MKONGI: No, I did not say that. [Interjections.] I said the allegations. [Interjections.]

IsiZulu:

Nks S M KHAWULA: Sihlalo! Sihlalo! Sihlalo!

English:

The CHAIRPERSON (Ms M G Boroto): No, no, no.

Mr B M MKONGI: I said the allegations.

IsiZulu:

Nks S M KHAWULA: Sihlalo!

English:

The CHAIRPERSON (Ms M G Boroto): Hon member ... [Interjections.]

IsiZulu:

Nks S M KHAWULA: Sihlalo!

The CHAIRPERSON (Ms M G Boroto): ... please take your seat. I must finish my ruling and I will recognise you when I am done.

Ms S M KHAWULA: Okay.

The CHAIRPERSON (Ms M G Boroto): And then if you still feel you want to raise a point of order, you can do that. Hon Mkongi, since you say that you have not said that, we have got recordings on Hansard, we will look into that also. Thank you.

Mr N F SHIVAMBU: House Chair.

The CHAIRPERSON (Ms M G Boroto): No, there is honourable, unless he is giving it. Is the hand still up? Oh.

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

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

Mr N F SHIVAMBU: You must make the mister who is talking there aware that if you deliberate ... [Inaudible.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, that is not a point of order, hon member.

Mr N F SHIVAMBU: ... is a chargeable offense. We are going to charge you. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, that is not a point of order. Please sit down or I switch off your mic. [Interjections.]

Mr N F SHIVAMBU: [Inaudible.]

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

Mr N F SHIVAMBU: I think my reference to alcohol is correct because he says something ... [Inaudible.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue, hon Mkongi, that is not a point of order.

Mr B M MKONGI: Thank you, hon Chairperson.

The HOUSE CHAIRPERSON (Ms M G Boroto): I think your point of order was taken, Ma Khawula. Is that on a different matter?

Ms S M KHAWULA: Ja.

IsiZulu:

USIHLALO WENDLU (Nk M G Boroto): Ithi ngikhulume ngoba ngenye indaba leyo.

Nk S M KHAWULA: Yebo.

USIHLALO WENDLU (Nk M G Boroto): Ngiyabonga mama, asizwe ke.

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Nk S M KHAWULA: Ngiyabonga Sihlalo, awuthi kulabantu bathule.

USIHLALO WENDLU (Nk M G Boroto): Uthini?

Nk S M KHAWULA: Awuthi abathule.

USIHLALO WENDLU (Nk M G Boroto): Cha mama!

Nk S M KHAWULA: Lalela-ke uyabona le lungu lakho elihloniphekile elihleli lapho likushilo lokhu.[Ubuwelewele.] Kusho ukuthi amanga avumelekile. Akaxolise.

English:

Ms S M KHAWULA: You must withdraw now, not tomorrow.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank, ma'm. I have already ruled on that matter, please. Thank you very much, take you seat.

Ms S M KHAWULA: Now!

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

IsiNdebele:

Sengirulile. Ngithini?

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue, hon Mkongi, please.

Mr B M MKONGI: Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon members.

Mr B M MKONGI: Thank you, hon Chairperson. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Can we please use the appropriate language in the House. Continue, hon Mkongi.

Mr B M MKONGI: Ah, no, I am aware that the EFF took a month to caucus on how to deal with Bongi. That is why they behave like this. They took an entire month to plan about me.

Mrs N V MENTE: Order, Chair.

Mr B M MKONGI: So, Chairperson, the issue that I want to raise here is one ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms M G Boroto): There is an order on the floor, can you please sit. Hon member, what is your point of order? Which rule?

Mrs N V MENTE: Rule 92. Chair ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, members. Okay, today I will leave it but I will tell you why.

Mrs N V MENTE: As the EFF we have a lot in our hands; we do not sit around and discuss nonentities.

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

Mrs N V MENTE: He is a nonentity, nobody knows him.

The HOUSE CHAIRPERSON (Ms M G Boroto): I think what are saying is a political point and not a point of order. Continue, hon Mkongi.

Mr B M MKONGI: I like the concept of nonentity. [Laughter.] The issue here is that the DA is crying fowl here today ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order! Hon members ... Order!
Order! Order, hon Mkongi, sit down please!

IsiZulu:

Nk S M KHAWULA: Uxolo, uxolo.

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): No, I am talking now please.
Hon members, there will be things that are said that I cannot hear.
And I do not like this thing of always postponing rulings because I
could not hear. Please allow the speakers to speak. Sit, hon Mkhongi.
Hon Mama Khawula, what is your point of order?

IsiZulu:

Nk S M KHAWULA: Ngiyabonga Sihlala, bengothi mina ake lo mfana
ongaphambili ...[Ubuwelewele.]

USIHLALO WENDU (Nk M G Boroto): Lungu elihloniphekeile mam'uKhawula.

Nk S M KHAWULA: Ilungu elihloniphekile -ke leli elingaphambili
akacabange ukuthi njengoba kula abantu bafuna ukuzwa ukuthi i-NYDA
ithini. Hhayi le nto yokuthi azongibela ... [Akuzwakali.]

IsiNdebele

USIHLALO WENDLU (Nkz M G Boroto): Ngiyawuvala u-mic, akusilo iphuzo lokulungisa lelo.[point of order.]

IsiZulu:

Uyadelela lo mfana.

IsiXhosa:

Mnu B M MKONGI: Mama uKhawula, umsebenzi wam endiwenzayo ngoku apha kukutshayelela.

English:

Mr B M MKONGI: The DA is crying fowl here. They said our youth is a lost generation. They want to hang on the structure of the lost generation. You want to hang there and your people who are lost have lost out in the NYDA. So, we in the ANC take this opportunity today to accept that the President must announce the appointment of this NYDA boy. Thank you very much. [Applause.]

USIHLALO WENDLU (Nkz M G Boroto): Sithokoze, baba.

There was no debate.

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Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, National Freedom Party, African Independent Congress and African National Congress.

Question put: That the following candidates be recommended for appointment to the National Youth Development Agency Board:

Mr Ndumiso Thokozani Mokako;

Mr Itiseng Kenneth Morolong;

Mr Yershen Pillay;

Mr Sifiso John Mtsweni;

Ms Zandile Majozi;

Ms Bavelile Gloria Hlongwa; and

Ms Khomotjo Joy Maimela.

Division demanded.

House divided.

[TAKE IN FROM MINUTES]

Question agreed to.

Mr Ndumiso Thokozani Mokako, Mr Itiseng Kenneth Morolong, Mr Yershen Pillay, Mr Sifiso John Mtsweni, Ms Zandile Majozi, Ms Bavelile Gloria Hlongwa and Ms Khomotjo Joy Maimela accordingly recommended for appointment.

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, madam.

Ms M V MENTE: Chairperson, on a point of order. We cannot vote the wrong into a right ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): What is that? Is that ... [Interjections.]

Ms M V MENTE Therefore, this is just reactionary. You have flushed our votes and it's all wrong.

The HOUSE CHAIRPERSON (Ms M G Boroto): Phonetics my sister.

[Laughter.] Eh, let's continue. We now come to the motions without notice. Does any member of the ANC wish to give a motion without notice?

Motions without notice

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The HOUSE CHAIRPERSON (Ms M G Boroto): There is too much movement. Can you please take your seats and allow those people who want to move to do so. Please take your seat for a while. There is too much movement. I'm just waiting for the people to move so that we are settled. Thank you, continue hon member.

**COLLISION OF TRAINS AT THE ROSSLYN RAILWAY STATION, NORTH OF
PRETORIA**

(Draft Resolution)

Ms N R MOKOTO: I move without notice:

That the House –

- (1) notes with shock the unfortunate accident of two trains collided at the Rosslyn railway station, north of Pretoria, on Monday, 20 February 2017;
- (2) further notes that more than 100 passengers were injured;

- (3) understands that the trains were believed to be travelling in opposite directions but were on the same track when the accident happened;
- (4) recognises the effect, difficulties and disruption of commuters are going to experience due to train suspensions in the affected train route;
- (5) believes that the provision of reliable and safe public transport is a requirement standard for public transport service providers;
- (6) welcomes the proposed investigation to ascertain the cause of the accident and to improve the train service to better standards; and
- (7) wishes those injured passengers a speedy recovery.

Agreed to.

MORE THAN 17 000 FIRES HAVE BEEN RECORDED THIS YEAR

(Draft Resolution)

Mr T R MAJOLA: Chairperson I move without notice:

That the House –

- (1) notes that during this year's fire season in the Western Cape, residents were hard hit by runaway fires across the province;
- (2) further notes that so far during this season alone, more than 17000 fires have been recorded, 5000 more than last year;
- (3) understands that there have been reports of fires being set deliberately by ill-intentioned people;

- (4) recognises that authorities are investigating these cases and that anyone found guilty of these crimes must face the full might of the law;
- (5) acknowledges that on the bright side, 97% of fires in the province are brought under control within one hour of being reported;
- (6) further acknowledges that this is due to the excellent work and rapid response of the firefighters and volunteers of fire stations and nonprofit organisations operating in the province; and
- (7) expresses its profound appreciation to Working on Fire, the Volunteer Wildfire Services and the firefighters of the municipal fire brigades that have been dedicated to keeping residents and properties safe.

The HOUSE CHAIRPERSON (Ms M G Boroto): I allowed him to finish because I think we shouldn't remind one another of the one minute. Thank you.

Agreed to.

UNEMPLOYED GRADUATES TOOK TO THE STREETS IN THE EASTERN CAPE

(Draft Resolution)

Mr T RAWULA: Chairperson, I move without notice:

That the House –

- (1) notes that the proven wild silent protest by unemployed graduates in the Eastern Cape who after years of frustration due to unemployment decided to go to the streets to show the whole world of their frustration;
- (2) further notes that young people aged between 15 to 34 years are the most vulnerable in the labour market with

unemployment rate of 37,1% which is 10,1% age point above the national average;

- (3) acknowledges that as a nation we have not done as well as we should have to advance the interest of young people to industrialise our economy to ensure that no trained young person stays without a job;
- (4) further acknowledges that the struggle that unemployed graduates are going through having to sell sweets on the streets while holding their higher qualifications such as masters degree;
- (5) calls on the public protector to hold hands in attempt to root out corruption unemployment in the country, promote industrialisation and to be constantly aware of the kind of learning that universities provide to ensure that there is no gap between what industry wants and what universities can offer;

- (6) send our deepest appreciation to the thousands of brave young people who took to the streets yesterday assuring them that the struggle will not be in vain.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. The Chairperson has also been reminded of the mistake that you made. We are on motions without notice and the question must be put. I apologise, I just want us to go back to the motion of the ANC. Are there any objections?

Mr P J MNGUNI: The one that has just been read is not that one?

The HOUSE CHAIRPERSON (Ms M G Boroto): No. I'm still coming there.

Mr P J MNGUNI: We object, House Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, it's not me who must tell people to ... [Interjections.]

Ms E N LOUW: Chairperson, on a point of order, it's just very sad that the ANC will object to a motion of graduates in need for jobs. It's shameful and you should be ashamed of yourself.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that is not a point of order. I will switch off your mike. Everybody can object, you have got a write to do that.

Agreed to.

TRAGIC CAR-BOMB BLAST AT A MARKET IN MOGADISHU

(Draft Resolution)

Mr P J MNGUNI: House Chairperson, I move without notice:

That the House –

- (1) the ANC moves without notice that notes with great shock that 30 people were killed in a car-bomb blast at a market on Sunday, 19 February 2017, in Mogadishu;

- (2) further notes that more than 50 people were injured, some critically;
- (3) recognises that those injured were mostly traders and customers at the market and amongst the dead people include soldiers;
- (4) deplores the acts of terrorism or massacre of the innocent and unarmed civilians for selfish sectarian interest;
- (5) believes that parties or organisations should rather use the space and opportunities to contest their views in a free and fair democratic elections;
- (6) conveys its condolences to the Government of Somalia and Somalians at large; and
- (7) wishes those people who are injured a speedy recovery.

Agreed to.

**CONDOLENCES TO FAMILIES OF SIX SANDF MEMBERS WHO DIED AT THE
DURBAN HARBOUR**

(Draft Resolution)

Mr M HLENGWA: House Chairperson, I move without notice:

That the House -

- (1) extends its deepest condolences for the deaths of six people at a military facility at the Durban harbour;
- (2) further notes that three of the deceased are South African National Defence Force, SANDF, members who died in their attempt to rescue the other three deceased who were Public Works employees;
- (3) acknowledges that all six were overcome by gas fumes that are reported to have resulted from a leak in the sewer pit, where the three employees had been working;

- (4) further acknowledges that several other patients were also found at the scene with minor injuries and were treated on the scene and later transported to various hospitals for further medical management; and
- (5) calls for more effort to be put in the investigations to uncover the cause of the leak and for preventative measures to be put in place to prevent more such incidences from occurring in the future.

Agreed to.

**8000 SACHETS OF "NYAOPE" SEIZED BY INTELLIGENCE UNIT IN BELA-
BELA**

(Draft Resolution)

Mr S C MNCWABE: Chairperson, I move without notice:

That the House –

- (1) notes that the Crime Intelligence Unit in Bela-Bela seized 8 000 sachets of Nyaope with an estimated value of R 40 000 during a sting operation on Sunday, 19 February 2017;
- (2) further notes that a 42-year-old man, believed to be the main supplier of Nyaope to the drug dealers in and around the Bela-Bela and Polokwane areas, was arrested and charged with possession of drugs;
- (3) acknowledges that drug abuse is rising in South Africa and that regional drug trafficking is on the increase with the United Nations recognising South Africa as the regional hub for drug trafficking, and for being the largest transit zone for illicit drugs in Southern Africa;
- (4) congratulates the South African Police Service (SAPS), and in particular the Crime Intelligence Unit in Bela-Bela for their sterling performance in the fight against drug trafficking and abuse; and

- (5) encourage all members of the SAPS and other law enforcement agencies to intensify their efforts in fighting the scourge of drug trafficking and abuse which is creating havoc amongst our vulnerable children and young people, not only in South Africa, but in the entire southern African region.

Agreed to.

SWEARING IN OF NEW GAMBIAN PRESIDENT, ADAMA BARROW

(Draft Resolution)

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

That the House –

- (1) notes with enthusiasm the swearing in of the new Gambian President Adama Barrow, in his home country at Independence Stadium in Bakau, west of the capital Banjul, on Saturday, 18 February 2017;

- (2) further notes that his inauguration took place a month after he was sworn in across the border in the neighbouring country, Senegal, during a tense power struggle;
- (3) recognise that the event was attended by several African heads of state as well as high-ranking diplomats, with the guest of honour being the Senegalese President Macky Sall;
- (4) recalls that 18 February is also the anniversary of the Gambia's independence from Britain;
- (5) believes and hopes that the swearing in of President Adama Barrow will mark the rebirth of democracy, the rule of law and prosperity for the Gambian nation; and
- (6) wishes President Adama Barrow a success in his new office.

Agreed to.

WOMAN DIES IN A PHELOPHEPHA HEALTH TRAIN

(Draft Resolution)

Mr S L N KWANKWA: Chairperson, I move without notice:

That the House –

- (1) notes that on Tuesday, at approximately 9AM, an elderly woman in her 60s died in a queue in a health train, Phelophepa;
- (2) further notes that at the time of her death, she was queuing with hundreds of other patients waiting to access basic healthcare;
- (3) notes with concern that she one of many people around the country, over the past few years died while waiting in long queues to access basic healthcare;

(4) calls on the Department of Health to work harder to improve basic healthcare for the poor and vulnerable;

(5) conveys its condolences to the family and friends of the affected people

Agreed to.

MIRRIAM MAKAMU NAMED BUSINESS WOMAN OF THE YEAR

(Draft Resolution)

Ms T STANDER: House Chairperson, I move without notice:

That the House –

(1) notes that Mirriam Makamu was named *Business Woman of the Year* at the annual Clover Mama Afrika award ceremony;

- (2) also notes that Mirriam Makamu opened a small bakery in Tembisa in 2008, which today employs over 48 community members;
- (3) further notes that she was nominated for her ability to continuously find new ways to increase sales and has increased them by 63% in just one year;
- (4) acknowledges that the Clover Mama Afrika initiative is Clover's flagship corporate social investment project;
- (5) also acknowledges that over the past 13 years, the project has appointed 43 Mamas across South Africa collectively caring for 15 500 children and 2 500 elderly;
- (6) congratulates Mama Makamu on being chosen as this year's *Mama Afrika Business Woman of the Year*; and
- (7) wishes her well in her future endeavours.

Agreed to.

AFROPHOBIC VIOLENCE IN GAUTENG

(Draft Resolution)

Mr M N PAULSEN: House Chair, I move without notice:

That the House—

- (1) notes the rising tensions between South Africans and other African nationals in Gauteng, precipitated by perceptions, real or imagined, of foreign national involvement in the spate of crimes and drug use bedevilling our country;
- (2) further notes that this is not the first time our country has been held ransom by these despicable acts of violence against our African brothers and sisters;

- (3) acknowledges that as a country, we may not have done enough and not have learnt enough from previous experiences to ensure that we deal decisively with violence against our own kith and kin from the rest of the African continent;
- (4) further acknowledges that Africa is one, from Cape to Cairo, Morocco to Madagascar, and we should not, under any circumstances, seek to entrench in our minds and in our actions the divisions brought by our colonial past which are essentially inimical to our development as a continent;
- (5) encourages all political parties, government departments, municipalities, churches and other civil society organisations to use their proximity to the people to educate them about the need for brotherly and sisterly love between ourselves and our African brothers and sisters; and

- (6) further encourages all levels of government to think more clearly about how we can prevent this afrophobic violence from flaring up again.

Agreed to.

THE PASSING OF LEGENDARY MUSICIAN, MR AL JARREU

(Draft Resolution)

Mr P J MNGUNI: House Chair, the ANC moves without notice:

That the House –

- (1) notes with sadness the passing of Mr Al Jarreau, legendary jazz and R&B singer and seven-time Grammy Award winner, on Sunday, 12 February 2017, at the age 76;

- (2) recalls that he embarked on a musical journey in the 1960s, releasing an album in 1965, and his major big

break through in the music industry when he was signed by Warner Records and released an album, "We Got By" in 1975, which brought him national status and attention;

(3) believes that his music crossed barriers and was loved by a range of different audiences;

(4) further believes that his music will continue to inspire us for generations to come; and

(5) conveys its condolences to his wife Susan, his family and his legends of fans.

Agreed to.

Mr T RAWULA: House Chair, we don't object to [imiphanga.] bereavements. Thanks.

The HOUSE CHAIRPERSON (Ms M G Boroto): I couldn't hear you, but anyway, whatever you said, it is fine.

SOUTH AFRICAN AIRWAYS - A NATIONAL LIABILITY

(Draft Resolution)

Mr L M NTSHAYISA: House Chair, I move without notice:

That this House -

- (1) notes that South Africa Airway, which is in a coma inducing state and has become a national liability;
- (2) also notes that this state owned entity has become a shadow of its former self and a burden to the state;
- (3) further notes that the SAA has been ordered by the South Gauteng High Court to pay Comair a whipping R554 million, after it had engaged in an anticompetitive conduct for a period not less than 14 years;
- (4) acknowledges that the National Treasury bailout of R5 billion to SAA in the previous year demonstrated the

extent to which this airline has tilted towards a debt spiral;

(5) also acknowledges that flocking a dead horse is an exercise in futility; and

(6) encourages the government to have proper management and oversight over SAA in order to produce maximum outputs and become efficient and productive.

SIX PEOPLE DIED AT A MILITARY FACILITY AT THE DURBAN HARBOUR

(Draft Resolution)

Ms N R MOKOTO: House Chair, I move without notice:

That the House –

(1) notes with sadness the passing of three members of the SANDF and three public works employees after inhaling

toxic gas fumes inside a sewer pit at a military facility in Durban harbour on Friday, 17 February 2017;

- (2) also notes that more people were taken to hospital after inhaling the dangerous fumes;
- (3) regrets the unfortunate accidents that have taken lives of our fellow South Africans;
- (4) supports the purported investigations to determine how the six people died and where the dangerous came from so as to avoid similar occurrence;
- (5) conveys its condolences to the families of the deceased and wish those who are injured a speedy recovery;

The HOUSE CHAIRPERSON (Ms M G Boroto): Are there any objections?

Ms E N LOUW: Hon House Chair, I do not want to object to it but I just want to check with you because that was the motion that hon Hlengwa read. We object to the laziness of the ANC for not doing

their work because that motion hon Hlengwa has read already.

[Interjections.]

The HOUSE CHAIRPERSON (MS M G BOROTO): Thank you very much, thank you. So, are you objecting to this or...?

Ms E N LOUW: It has already been read hence in that we object to it because it has already been read by Hlengwa. So they must get something else from the ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, let me be advised on what happens if a motion has been read.

I am informed that if a motion has been read before then it is overriding this one. No problem, we continue and I am not going to put a question. Hon Paulsen, what is your point? Why are you raising your hand?

Mr M N PAULSEN: It is not a question House Chairperson, but if they are not asleep on ... [Inaudible.][Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no no! That is not a point of order. I am switching off your mic.

Mr M N PAULSEN: ... but they are fast asleep, they are sleeping here, they are statues.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, sit down. I am not putting a question, I continue.

DISRUPTION OF LEARNING BY SADTU MEMBERS IN MPUMALANGA

(Draft Resolution)

Mrs H S BOSHOFF: Chairperson, I move without notice:

That the House -

- (1) notes with concern that the SA Democratic Teacher's Union, Sadtu, in Mpumalanga, has once again held learners to ransom when they led teachers away from their classrooms during school time to participate in a march;

- (2) further notes that as a result of Sadtu's actions, learners at Kanyamazane lost valuable class time after some teachers failed to show up for class;
- (3) acknowledges that there is absolutely no justification to interrupt our children's education for matters they do not positively contribute to learning;
- (4) further acknowledges that Sadtu's actions completely contradict the notion that children should be in class, on time, everyday, learning and that their teachers should be teaching;
- (5) believes that for as long as Sadtu is allowed to maintain its grip on the department, the Mpumalanga learners will continue to suffer;
- (6) condemns the actions of Sadtu; and

- (7) expresses the appreciation to those teachers from schools in Kanyamazane who were not intimidated and still showed up to their work to teach.

The HOUSECHAIRPERSON (Ms M G Boroto): Are there any objections to the motion.?

Mr P J MNGUNI: The ANC vehemently objects to this unfounded motion.

The HOUSECHAIRPERSON (Ms M G Boroto): Yes. In light of the objection, the motion may not be proceeded with. The motion without notice will now become notice of a motion.

Does any member of the ANC wish to make a statement? Hon Khawula, just relax, your time will come! It's guaranteed!

EDUCATION FOR MILITARY VETERANS AND FAMILIES

(Member's Statement)

Ms N A MNISI (ANC): Chairperson, the ANC government has made significant strides in ensuring that the military veterans and their dependants receive quality education as a basic constitutional right. The provision of education to military veterans and their dependants continues as a major priority for the Department of Military Veterans.

The department has supported approximately 5 800 beneficiaries, to the amount of R142 million against the initial budget of R26,4 million in both basic and tertiary education. Despite financial challenges, the significant achievements in the past two years have brought about empowerment and a positive change of life to military veterans.

The Department of Defence and Military Veterans led by the Minister, Ms Nosiviwe Mapisa-Nqakula, with the Advisory Council on Military Veterans and the SA National Military Veterans Association, Sanmva, resolved to continue to provide military veterans and their dependants with support on both basic and tertiary institution, for the 2017 academic year, including access to private institutions.

The HOUSECHAIRPERSON (Ms M G Boroto): Hon member, I just want to give a reminder, again, that there is only one and half minutes for statements. Thank you.

JUDGEMENT AT NORTH HIGH COURT

(Member's Statement)

Ms G BRYTENBACHT (DA): Chairperson, the judgment handed down yesterday by the North Gauteng High Court confirmed that the ANC-led government's withdrawal from the International Criminal Court, ICC, was unconstitutional, irrational and procedurally flawed. This is a victory for the rule of law and indeed for our country's human rights-based foreign policy that Zuma and his cronies have trampled on.

The ANC-led government now has an opportunity to reconsider the wisdom of withdrawing from the ICC and we urge them to do so. South Africa is currently out of step with other progressive and democratic African countries that have reaffirmed their commitment to the ICC. South Africa does not want to be lumped

together with pariah states who have no respect for human rights and who do not subscribe to accountability for those guilty of the most heinous human rights violations.

The judgment also confirms yet another breach of the Constitution, this time Section 231, and illustrates the ANC's willingness to steamroll over the founding principles of our country. The DA will be investigating avenues to hold those responsible for this breach, to account. [Applause.] Thank you.

GOVERNANCE DETORINATION IN THE EASTERN CAPE

(Member's Statement)

Mr Z R XALISA (EFF): The EFF is disgusted by the continuing degeneration of proper governance in the Eastern Cape, done with impunity by the ANC deployees in that province. The EMC for Co-operative Governance and Traditional Affairs, Fikile Xasa, has continuously overstepped his authority, encroaching on powers that should belong to the Premier. He appointed his girlfriend, Nomphele Roboji, firstly, as the Deputy Director General of the

department, despite her having no experience and having spectacularly failed her competency based assessment.

He then elevated her to the position of the acting Head of the Department, HOD, after they forced the previous HOD out. Ms Roboji then went on to employ various acting senior managers and advertised 200 positions without the knowledge of the Provincial Treasury. The competency based assessment specifically mentioned that she does not have the strategic capabilities required for the DDG and her personality prevented her from working in the constructive manner with the juniors. She is paranoid, and thinks that people are out to get her all the time.

It is the duty of the Premier to hire and suspend HODs, and yet, in this case, Mr Xasa went ahead to hire Ms Roboji without Mr Masualle's knowledge. Despite all what happened, the Premier, Mr Masualle has not taken any steps against Mr Xasa. The Eastern Cape therefore, will continue to be a skunk of this country until we remove the ANC and its corrupt leaders from power.

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((Member's Statement))

Ms V P MOGOTSI (ANC): House Chairperson, the ANC has committed itself to invest in the infrastructure that will unlock the mineral wealth of this country, creating jobs and support the local beneficiation of the mineral deposits for the benefit of the South Africans. We therefore welcome the initiative that comes from the ANC government in Gauteng to launch a R50 million road rehabilitation project between Meyerton, Alberton and Katlehong in Sedibeng.

This old road provides a link between Meyerton, and Katlehong and serves as an alternative route to the R59, which is an extremely busy road. That is why the provincial government has prioritised it to be rehabilitated, and is scheduled to be completed by August 2017.

The spin-off of this project is that the road under construction has two rivers that criss-cross it and which can help to stimulate industrial development in an area that is largely rural and agricultural in nature. The other important aspect of

the project includes the component of the local subcontracting and labour employment, which particularly will benefit women, youth and the disabled.

This project demonstrates that the ANC government in Gauteng is on course in delivering on infrastructure that will assist in expanding the basic needs of the region as well as making rapid strides in eradicating poverty and joblessness. That is the ANC government in Gauteng for you! Thank you. [Applause.]

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, I would like to address you in terms of Appendix A subsection 6 of the Rules if I may? What the subsection essentially says ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G BOROTO): Can you please repeat what you've just said?

The CHIEF WHIP OF THE OPPOSITION: It's of Appendix A to the Rules subsection 6.

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

The CHIEF WHIP OF THE OPPOSITION: It says here that, it is essentially the priority of members to attend plenary sittings in committee meetings. I am therefore seeking guidance from you because I can see that the hon Mr Molefe has done a runner already. This is inappropriate on your first day in the House to put in for a half day.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that's not a point of order!

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: I think that the hon Steenhuisen is grandstanding, hon Molefe is busy filling in forms here in Parliament.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I hear you. I have already ruled that it is not a point of order. Please! Where am I? The IFP! ... [Interjections.] It's coming, mom ...

IsiZulu:

Ngizokubiza ngegama manje, angizukubiza iqembu ngoba bayakuthathela isikhathi.

RHINOS MURDER IN KZN AND THE ILLEGAL POACHING

(Member's Statement)

Mr J A ESTERHUIZEN (IFP): House Chair, the horror attacks at Thula Thula Rhino Orphanage in KwaZulu-Natal that took place earlier this week, in which a young woman was raped; caregivers severely beaten and two baby rhinos killed must send a strong message to the government that we are at war for our rhinos. The poachers are brutal, savage and have no conscience. They will not stop to kill the rhinos until the last rhino in South Africa is dead. This brutish and careless attack at Thula Thula Rhino Orphanage is an evidence of a situation that is beyond control.

When will the government wake up? How many more rhinos must die? How many more antipoaching officers must be killed, and how many more caregivers must be sexually assaulted and be bitten up? Our

justice system is failing; our courts are not prosecuting poaching cases quickly enough as the legal technicalities in the system are exploited by poacher's legal representatives.

The IFP calls for the police to act swiftly in apprehending these miscreants and for them to face a full might of our law. Our thoughts and prayers are with the caregivers and the rhinos of Thula Thula. Thank you.

PROBLEMS OF HEALTH IN EASTERN CAPE PROVINCE

(Member's Statement)

Mr M L W FILTANE (UDM): Hon House Chair and hon members, in his foreword to the national Department of Health Annual Performance Plan 2016-17, the Minister of Health said and I quote:

I look forward to continue to progress our agenda as government for 2016-17 and I remain committed to develop a health system in South Africa that is based on the principle of social solidarity, equity health care as a

public good, affordability, efficiency, effectiveness and appropriateness.

This was a good statement of commitment that should have motivated all public health practitioners and public health institutions to discharge their duties with experience expertise, patience, empathy, dependability, compassion and absolute care.

However, Frere Hospital in the Eastern Cape looks like it does not subscribe to the Minister's position. An ailing 65-year-old Toto Kontyo is sitting at home waiting to die allegedly after he was turned away from this hospital whose chief executive officer, CEO, could only say and I quote, "...it is deeply regretted that because of an underlying medical condition, he is not able to access the renal transplant programme...". The provincial spokes person is allegedly to have said, "Because of the exorbitant costs of the dialyses therapy, the departmental policy prioritised young persons, over the elderly."

This is unconstitutional, since it is discriminatory. We implore the Minister to check if this is not being replicated countrywide. All of this happened whilst the East London court found out, two days ago, that the gross negligence of this hospital resulted in the death of another patient, Bonke Noggane. This matter has since being referred to the Director of Public Prosecutions, DPP, for possible criminal charges against the staff. Thank you. [Time expired.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much, hon member. I gave you extra seconds, but unfortunately your time has expired.

COMBATING CRIME AND SCOURGE OF WOMEN AND CHILDREN ABUSE

(Member's Statement)

Mrs E K M MASEHELA (ANC): Hon Chair, the ANC reiterates that combating crime and the scourge of women and children abuse remains its priority, and therefore welcomes the multiple sentences handed down recently to convicted paedophile, Warren

Knoop. He was sentenced to 32 life sentences and 170 years in prison, on 870 charges of rape and possession of child pornography by the Johannesburg High Court.

The ANC is pleased with the sentencing, which it believes is indicative that the wheel of justice is turning, and also commends the law-enforcement agencies and the justice system for their dedicated work in bringing the perpetrator to book.

The ANC calls upon all communities not to tolerate atrocious crime acts especially against children in our country, but to work with their local police stations to report any crime. Our children are the future leaders of this country; it is every citizen's duty to do more to protect them.

The ANC also calls on parents, communities and children to encourage conversations that promote the rights of children, and educate them on reporting any suspicious acts of the violation of their rights.

Government has put in place child protection mechanisms such as legislation and international instruments that the country has ratified as a commitment to the protection of children's rights. Thank you, Chairperson. [Applause.] [Time expired.]

NEGLECT AND ABUSE OF SENIOR CITIZENS IN OLD AGE HOMES

(Member's Statement)

Mrs C DUDLEY (ACDP): Hon Chair, at a Catholic Parliamentary Liaison Office round-table discussion on older persons and accommodation, in Cape Town this week, many spoke of old people having no voice of substance standing for them in their neglect and concluded that resorting to the courts may now be their only option.

Participants presented a litany of neglect and abuse telling of an old age home where the custodian locks the establishment at night and goes home leaving the elderly and frail people to fend for themselves, with no emergency call and no escape, should there be a fire. Many so-called homes for the elderly are

established purely for access to the subsidies or pensions of old people who are then neglected and abused.

The ACDP calls on parliamentary portfolio committees to exercise greater oversight in improving conditions of old people and holding departments accountable. We need to restore society's lost compassion and respect for the elderly and the vulnerable. While legislation is in place, monitoring and compliance is grossly inadequate.

The ACDP has been pressing for approval of the special housing needs policy and calls on Minister Sisulu to once again urgently approve the much needed policy. In 1990, there were 53 000 beds and today only 27 000, with many more beds being lost due to insufficient funds to maintain homes. Thank you.

BULLYING IN SCHOOLS

(Member's Statement)

Mr T Z M KHOZA (ANC): The ANC believes that bullying in schools should be taken seriously following the latest incident where a video involving pupils in acts of bullying from the prestigious boys' school in Johannesburg, went viral. Bullying is outlawed and schools should adopt a zero tolerance approach in accordance with the Bill of Rights to protect children from such abuse or degradation.

In the latest video, four learners were involved in an altercation after one learner allegedly posted a nude photo of a cousin of one of the other learners. The ANC urges teachers and parents to make an effort to address this matter as constructively as possible. Our schools should be places of learning and teaching and not the centers of bullying.

It is also the responsibility of parents to regularly speak to their children about bullying and to question if they are not victims of bullying or if they know anyone who is bullied. We urge pupils to treat each other with respect and refrain from acts of victimisation and bullying. I thank you. [Applause.]

JOHANNESBURG COUNCIL CHAMBER DISRUPTIONS

(Member's Statement)

Mr K J MILEHAM (DA): Hon Chairperson, earlier today, ANC councillors co-operated with a violent invasion of the Johannesburg Council Chamber and disrupted the adoption of the Adjustment Budget. [Interjections.] In what was obviously a preplanned move, the ANC asked for a caucus meeting and then led a group of violent protesters into the Council Chamber, smashing the front doors and the Speaker's desk and hurling bricks and shards of broken glasses at other councillors. They threatened to kill councillors and city employees. [Interjections.]

One councillor was injured and another pregnant councillor collapsed at the scene. Now notably, many ANC councillors arrived today in yellow jackets, for the first time, similar to those worn by the protesters and could clearly be used to distinguish between the ANC councillors and those others in the Chamber.

Today's incident is an assault to our democracy and it is clear that the ANC does not accept the outcomes of the last year's free and fair elections. The ANC is the shadow of its former self and it is no wonder that they were rejected by the voters of this city.

I have a message for the ANC: You will not intimidate us; you will not stop us from fulfilling the mandate for change that the residents of Johannesburg have given us. This was a blatant attempt to prevent the DA-led council from passing the Adjustment Budget and bringing real change to the residents of Joburg, an attempt which failed by the way. The DA will not be deterred and the people's business will be done. [Applause.]

An HON DA MALE MEMBER: Shame on you!

USOMLOMO: Mhlonishwa umama uKhawula we-EFF. Ngigqale ngegama ukuthi kungasukumi omunye.

An HON DA MALE MEMBER

HEALTH SERVICE CRISIS IN MNQUME MUNICIPALITY

(Member's Statement)

IsiZulu:

Nk M S KHAWULA (EFF): Sihlalo, hayi wena, namba wani. [number one][Uhleko.] Ngithi angizwakalise okukhulu ubuhlungu kwabantu basemakhaya ngaphansi koMnyango Wezempilo. Laphayana eMehlobo ngaphansi koMasipala uMnqume. Abantu bakhona bayahlupheka. Imitholampilo [clinics] ayikho. Bahamba amabanga amade behamba beya emitholampilo. Akukho ngisho omahambanendlwana bemitholampilo [mobile clinics] uqobo. Noma sekwenzekile kukhona oshaya ucingo ethinta imoto yeziguli [ambulance] ifika emuva kwesikhathi [late] mhlawumbe umuntu eseze washona ngani, inkinga yakona imoto yeziguli iyodwa ayikwazi ukuthatha umuntu oyedwa. Abantu abakhulelwe basemakhaya kwabona abanaso ngisho isikhathi lesi esisitholayo emadolobheni zokuxukuza nokuthi uma ezobeletha akwazi, baze begcina bebelethele emakhaya. Izingane uthole ukuthi kwazona azisekho. Okubuhlungu kunakhokonke, noma befika esibhedlela lapho ekuthiwa ise-Gcuwa, e-Butterworth Hospital, nakhona uthole ukuthi bazohlala kuze kube yingakusasa ngoba

udokotela munye. Futhi okubuhlungu kunakhokonke, kutholakale ukuthi nabakhona balaliswa phansi, akukho mbhede akukho lutho. Ngiyacela ngokukhulu ukuhlonipha ukuthi nabo labantu basemakhaya akuke babhekelelwe ngoba ekugcineni bangabakhokhi bentela. Ngiyabonga.

ANC WELCOMES THE SEPARATION OF CONJOINED TWIN GIRLS

Ms C N NCUBE NDABA (ANC): House Chairperson, the ANC congratulates the medical team and the management of Unitas Hospital in Pretoria for their successful operation in separating the conjoined twin girls on 2nd January this year, to 19-year-old Bongekile Simelane and her husband Mbongeni Sihlongonyane. The twin girls, Uwenzile and Uyihlelile Shilongonyane, who together weighed 4,21 kilograms at birth, were born joined at the abdomen. The Shilongonyane girls are the second set of conjoined twins that Dr De Villiers and Dr Stevens have separated, and are the first to have their separation surgery done at the Netcare Unitas Hospital.

The ANC wishes to acknowledge and take pride in the excellent work and high level of competence by the Unitas Hospital doctors and their medical team during the critical six-hour operation of separating the twins.

We congratulate the hospital management and the entire medical team and support staff who participated in this operation. They have done the country proud. We further extend good wishes to the Shilongonyane family and wish the twins long and healthy lives. I thank you

RULING PARTY BETRAYS SOUTH AFRICA

Mr M A PLOUAMMA (AGANG): Hon Chairperson, allow me to remind members how the ruling party betrayed South Africa.

[Interjections.] They gave us a man who was seduced by the Shabir Shaik; a man who is now under the spell of the Guptas. Our country is sold to the highest bidder.

It is now clear that the agenda of the ANC it is the agenda of the Guptas. They are now ravaging our state coffers in

partnership with the Zuma family. Our nation is defeated by these choices and betrayed by the ANC. It is an insult and lack of criticism for the ANC to still associate itself with heroes like O R Tambo, Nelson Mandela. Above all, they are suffering from an intellectual starvation to recognise what is bad leadership to good leadership.

The biggest strategy is leaders like our Deputy President and others, who have chosen to behave, like "armskepsels" and they call it a strategy ... [Interjections.] ... while it is a cowardice at its best. However, for them to remain quiet to this mess, betrays Steve Biko, Robert Sobukwe, Jafta Masemola, Dorothy Nyembe and Moses Kotane. Furthermore, Parliament is compromised with a cry baby hon Brian Molefe, who is allegedly swallowed by the Guptas. [Interjections.] This betrayal runs deep. [Time expired.]

NSFAS FUNDS NEARLY 300 000 EXPECTS TO ADMIT MORE FOR THE CLASS

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Ms S MCHUNU (ANC): Chairperson, the ANC welcomes the commitment by the Department of Higher Education to offer funding through National Student Financial Aid Scheme, NSFAS, to more than 400 000 students at universities and Tvet colleges in 2017 academic year. More than 500 000 school leavers are expected to take up opportunities at tertiary education institutions this year. According to the department, NSFAS will be funding 205 000 the first time entrants and continuing to support eligible students at universities and 200 000 students at Tvet colleges, will be funded this year, totaling R15, 2 billion.

The NSFAS funding will benefit about three quarters of tertiary education students this year. In the year 2016, a significant number of NSFAS qualifying students were financed. The ANC notes the delays in communicating the outcome of the results to some of the students due to a number of challenges, such as the changes in last year's academic calendars at some institutions and missing supporting documents in a significant number of applications, amongst others. Thank you.

PRESIDENT ZUMA'S STATUE TO BE BUILT IN POVERTY STRICKEN

RAMOTSHERE MOILOA LOCAL MUNICIPALITY

Ms J F TERBLANCHE (DA): House Chairperson, the North West government proposal to build a statue of President Zuma takes political crawling to a new level. The stated reason is that the multimillion rand statue build with taxpayers' money will promote social cohesion. If you've never heard hogwash before, you've heard it now.

The statue is planned for the poverty stricken Ramotshere Moiloa Local Municipality where thousands of residents do not have access to clean drinkable water and where the promises of proper sanitation remains dispromises year after year. There has been no consultation, only the ANC could think this would promote social cohesion. This divisive project should be seen for what it exactly is. A bid by Premier Supra Mahumapelo, a staunch supporter of President Zuma, to pay homage to Mahumapelo's main benefactor in the run-up to this ANC Conference later this year. If Mahumapelo wishes to solicit favours to advance his political and business careers, he should fund it out of his own pocket

and not use taxpayers funds intended for several impoverished communities. [Applause.]

DEVELOPMENT OF SMALL BUSINESSES AND CO-OPERATIVES

Ms N T NOVEMBER (ANC): House Chairperson, he ANC believes that the development of small businesses and co-operatives are critical in empowering our people, drawing new entrants ...

The ANC believes that such an initiative builds on its commitments in society to bring black-owned small companies and businesses ... [Interjections.]

IsiZulu:

Hhayi suka! [Uhleko.]

English:

The new Preferential Procurement Regulations have been signed into law and will take effect from April 2017. [Interjections.]

The legislation empowers state departments and agencies to restrict certain designated tenders by stipulating minimum

Broad-Based Black Economic, BBBEE, requirements or stipulating that tenders agree to establish a minimum of 30% of categories of exempted micro enterprises and qualifying ... [Time expired.]

I thank you

IsiZulu:

Nk M S KHAWULA: Ngiyabonga Sihlalo khona kubuhlungu nje uma ngabe sithula bese kuyahlekwa. Le nto iyalimaza ikhombisa ukuthi abantu abayi emphakathini bayozibonela, bayabhalelwa izinto abazozikhuluma lapha ngaphakathi eNdlini. Ngiyabonga.[Uhleko.]

USIHLALO WENDLU (Nk M G BOROTO): Angazi ukuthi umama ubekhuluma ngani uma ngabe ...

English:

... point of order, anyway it is not. [Interjections.] Hon member! Hon members, order! Hon Khawula, hon members, please! [Interjections.] Order! Hon Zulu, please! No, hon members can we continue! [Interjections.] That concludes member statements. Are there any Ministerial responses?

IsiXhosa:

Mnu L M NTSHAYISA: Kutheni ma-Afrika.

IsiZulu:

USIHLALO WENDLU (Nk M G BOROTO): Hhawu baba! Uyazi baba azikufanele lezi ...

English:

Are there any Ministerial Responses? Can I just remind you that we have six Ministerial Responses that are allowed and each response takes two minutes and not more?

Mr I OLLIS: Chairperson, can I just clarify something with you. Are there, in fact, six Ministers in the House? [Interjections.]

The HOUSE CHAIRPERSON (Ms M G BOROTO): I don't think it's for me to count. I am doing what is my job. Continue, hon Ngakula. Wait man! What is happening?

EDUCATIONAL SUPPORT TO MILITARY VETERANS AND THEIR DEPENDANTS

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(Minister's Response)

The MINISTER OF DEFENCE AND MILITARY VETERANS: Am I protected, Chair?

The HOUSE CHAIRPERSON (Ms M G Boroto): I don't understand what the noise is about. Can we continue with the business of the day?

The MINISTER OF DEFENCE AND MILITARY VETERANS: Comrade Chair ...

An HON MEMBER: Comrade?

The MINISTER OF DEFENCE AND MILITARY VETERANS: Of course she is a comrade. [Interjections.] One hon member raised a matter of support for education provided to military veterans - in fact, mainly their dependants.

She mentioned that, currently, we are at 5 800 at a cost of R14,2 million. In fact, that number has increased. We currently have a total of 8 700 dependants of military veterans. We had

budgeted R26 million but currently stand at R142 million. We have experienced an increase in the number of dependants of military veterans. However, our responsibility is to provide whatever support as long as we can prove that they are dependants of military veterans.

What we have done is to create a ceiling. We currently provide R42 500 to each dependant at basic education level. At the higher education and training level, we have capped it at R72 000. Of course, we do encourage particularly those at the higher education level to apply to the National Student Financial Aid Scheme as well for assistance.

All of this happens as a result of policy challenges. We are in the process of developing a new policy. The biggest challenge is that we established a department before we could pass legislation and determine which of the services we would like to provide in assisting our military veterans. We have also decided that, from next year, we would have a means test so that we agree who, even though they are all military veterans, gets what amount of money. Capping it at R42 500 for basic education and

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R72 000 for higher education still is rather too much. For instance, for a person like me who is employed and who earns a good salary, there is no way that I can expect to get the same amount as a person who is destitute. Thank you.

The second response ... it is time for one statement.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Please take your seat. May I allow the others to speak, and then you can come back for the other response?

BULLYING IN SCHOOLS

NEGLECT AND ABUSE OF SENIOR CITIZENS IN OLD-AGE HOMES

(Minister's Response)

The DEPUTY MINISTER OF HOME AFFAIRS: Chairperson, several of the statements made by members touched on the theme of good citizenship.

Whether it is the statement on bullying and cyberbullying at schools and amongst teenagers or whether it is, in fact, the abuse of our senior citizens at our old-age homes, I do think it is cause for us to reflect, as leaders in our society. Our Constitution does, after all, require us to build a caring and tolerant society. Whether one is a councillor or whether one is a Member of Parliament, we are enjoined to behave in a manner that contributes to nation-building and building a South Africa that is both caring and tolerant.

We, as South Africans, I think are capable of being formidable. We are capable of good things. We are capable of being bigger people and the kind of people envisaged in our Constitution, not bullies - not bullies - and certainly not people who abuse senior members in this House. Thank you very much. [Applause.] [Interjections.]

Mr N PAULSEN: On a point of order, Chairperson: The executive personal assistant of Home Affairs has said she ...

The HOUSE CHAIRPERSON (Ms M G Boroto): No! That is not a point of order. To start with, we don't have such a person. Please take your seat!

Mr N PAULSEN: No, Chairperson ...

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, no! We don't have such a person.

Mr N PAULSEN: She accuses us of bullying here. She must know that this isn't a schoolyard.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that is not a point of order, and we don't have such a person, so that is as good as not said. Hon Zulu?

DEVELOPMENT OF SMALL BUSINESSES AND CO-OPERATIVES

(Minister's Response)

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Chair, first and foremost I would like to say to hon November - and apologise to her - that we have people in the House who are political vagabonds and get up to insult others. [Interjections.] So, hon November is not a political vagabond. Therefore, I will read for you because I know why you were struggling.

The ANC believes that the development of small business and co-operatives are critical in the empowerment of our people, drawing new entrants into the economy, strengthening inclusive growth ...

Ms N V MENTE: On a point of order, Chair: The duty of the Minister or the Deputy Minister at this time is to give us responses, not to read statements of members. She is not allowed to do what she is doing. She is abusing this House.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue, hon Minister.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: The ANC believes that such an initiative builds on its commitments in society to bring black-owned businesses and co-operatives ...

Ms S V KALYAN: On a point order, House Chairperson: As you have heard from the previous speaker, it is the responsibility of the Minister to respond to a statement. Minister Zulu is now rereading a statement from a member who was rather incompetent.

[Interjections.] I would suggest that you would rule on this because the time allocated to statements has expired.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, perhaps I missed that part. I hear what you are saying. Hon Minister, can you please respond to the statements made in the House?

The MINISTER OF SMALL BUSINESS DEVELOPMENT: I can, Chairperson. The fact of the matter is that it is not correct either for political vagabonds to insult our own. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Continue with the response.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: The fact of the matter is that, as the statement was read, it is true that this government led by the ANC and my department, in particular, have signed transversal agreements with the relevant departments to make sure that small and medium enterprises are empowered, especially those owned by the youth, women, and black people. The 30% procurement that hon November referred to has been in the pipeline for a very long time. The Department of Small Business Development is happy that, finally, this will be implemented.

Thirdly, we would also like to say to all members of the ANC, the executive in particular, as well as the private sector that it is time for them to open up this space. When we speak of Operation Vula in the economy of the country, we speak about opening space for small and medium enterprises. I thank you.

Mr M L W FILTANE: Chair, on a point: It is not acceptable for the ANC to be so uncaring towards some of its members.

The HOUSE CHAIRPERSON (Ms M G Boroto): That is not a point of order, hon Filtane. We do have points of debate. I think the point was raised, and the Minister was advised to respond to the statements. Thank you.

Ms S V KALYAN: Madam House Chair, I wish to ask you to rule on the term "political vagabond". Is that parliamentary or unparliamentary? If it is parliamentary, I would submit that it takes one political vagabond to know another. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, now you are also saying it, which means if I have to make a ruling, I will be ruling on you and on the person who said it. [Interjections.] Thank you very much. I will look into the matter. I will look into that. I am not sure of the word, but we have conventions, and then we will look into whether the word had been used before and whether it had been ruled unparliamentary.

Mr P J MNGUNI: House Chair, here next you, please.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. I think we are done with this part. I will look into it, and then we will rule on it.

Mr P J MNGUNI: I don't refer to this part, House Chair. I refer to earlier on in the proceedings, but I didn't want to disturb the hon Minister. Hon Paulsen of the EFF referred to the Deputy Minister of Home Affairs as a personal assistant. That impugns on her dignity and deployment. I ask that you rule on hon Paulsen's unfounded and undesirable pronouncement. We cannot accept it. He must withdraw it.

The HOUSE CHAIRPERSON (Ms M G Boroto): The thing is that I did rule on the matter and indicated there had been no point of order, so it is not taken. Thank you. [Interjections.] Hon members!

Ms N V MENTE: Chairperson, May I address you and request you to apologise because when you do not hear what a member is asking

you, you should say so. I told you that the Minister was rereading the statement. You dismissed me. Then, when the DA member tells you the same thing, you overrule it. So, you need to apologise when you have not heard what was said. Do not just dismiss us.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. It is done. Yes, hon member?

IsiXhosa:

Mnu Z R XALISA: Ndicela ukuba ndilungise le ndawana. Ingathi nguwe lo owenza ukuba le Ndlu ingalawuleki. Okokuqala, xa kuphakama ilungu le-ANC awulibuzi ukuba liphakama ngowuphi uMthetho.

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that is not a point of order.

IsiXhosa:

Mnu Z R XALISA: Xa kuphakama ilungu elisuka kwimibutho ephikisayo ...

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): I've stopped doing that with your members. Please take your seat!

IsiXhosa:

Mnu Z R XALISA: Ndicela usiphathe ngendlela enye nefanayo apha kule Ndlu.

USIHLALO WENDLU (Nks M G Boroto): Hayi, nawe awukatsho nje ukuba uphakama ngowuphi na uMthetho, kodwa ndikuvumele. Uthetha njani kuba kudala ndiyiyekile le nto ... [Uwelewele.]

English:

... because I think you need to remind us. I said so. I said I was going to leave it because you need to be reminded. I have not been doing it all along. Thank you very much.

[Interjections.] We now have hon Masuku to respond.

INVESTMENT IN INFRASTRUCTURE IN GAUTENG

(Minister's Response)

The DEPUTY MINISTER OF ECONOMIC DEVELOPMENT: I am coming from Mpumalanga.

IsiZulu:

Ukulungiswa komgwaqo u-P46/1 osuka e-Meyerton udlule laphaya e-Alberton uye e-Katlehong usifaka esigabeni esilandelayo sethu zokulethwa [delivery] kwezingqalasizinda, [infrastructure] esikhuluma ngokuxhumanisa [link] ukulethwa kwezingqalasizinda kwethu kube ngehlanganise ngokuphelele [integrated] ukuxhumanisa izindawo [areas] zasemakhaya [rural] nezisemadolobheni, [urban] nokuxhumanisa umnotho [economy] wasezindaweni zasemakhaya nowase madolobheni. Lomgwaqo lona uxhuma [connects] izimboni [industries] zase-Sedibeng nezase-Ekurhuleni okusho ukuthi kuwukuvumelana [recognition] nalento leya eyayikhulunywa uMongameli nale esiyikhulumayo yokuthi izindawo zasemadolobheni ziqale ukukhula ngamakhaya [households] angu-400 ngonyaka. [per year] Okusho ukuthi uma sixhuma lomgwaqo lo wenza ukuthi kube

noxhumano [connection] phakathi [between] kwemisebenzi yezomnotho [economic activities] ezindaweni zasemakhaya nezase madolobheni.

Into futhi esijabulisayo ehambisana nalenqubo yokuthuthukisa izingqalasizinda [infrastructure development] ukuthi i-Gauteng iphinde yabeka ilanga lokuthi umgwaqo uzophela nini.

Kubalulekile kakhulu lokho yikhona ukuhlala kwezingqalasizinda isikhathi eside esisidla [costs us] imali eningi ngakho [so] lokhu ukuthi i-Gauteng ibeke uAgasti walonyaka [this year] kuyasijabulisa thina ngoba imali kusho ukuthi izokongeka siphinde sakhe ezinye izingqalasizinda. Siyabonga.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Chairperson, hon members, I thought we all know that if you are a voter, you have a right to be voted for. All of us are here because South Africans voted. It is not only that but parties also have a right to amend their lists. In my understanding - in this case - the ANC has a right to amend its list to Parliament too, irrespective of what you may believe. [Interjections.] It is such, whether you believe that he person who has come in should

have been here or not. I think it is proper that you do not ...

[Interjections.]

IsiXhosa:

Mama, khawume! Yima!

English:

It is the right of an individual to choose whether he or she wants to serve in Parliament or not. I think here we made choices, and that is the reason why he too has made a choice to be deployed to Parliament. Thank you very much.

NOTICES OF MOTION

Sepedi:

Mr E K MASEHELA: Mohl Modulasetulo, legatong la ANC, ke šišinya gore tulong ye e latelago:

Gore Ntlo e boledišane ka mekgwanakgwana ye e ka šomišwago gore re fokotše ditlamorago tše dimpe ka lebaka la madimo a

šoro gammogo le dipula tša maatla ditšhabeng tša ba dikobodimagetleng.

Mr M S F DE FREITAS: Chair, I hereby move on behalf of the DA that at its next sitting:

That the House debates the fact that the last festive season road crash statistics increased by over 1 700 compared to the previous festive season, the reasons for this and what should be done to improve this situation.

IsiXhosa:

Mnu T RAWULA: Sihlalo weNdlu ohloniphekileyo, ndenza isaziso sokuba, xa le Ndlu ihlala kwakhona, ndiza kwenza isiphakamiso egameni le-EFF:

Sokuba le Ndlu-

ixoxe ngomba oshushu kaMasipala weNgingqi waseMbizana owaziwa ngorhwaphilizo, ubuqhetseba nobusela bemali yerhafu;

emva kweminyaka e-15 lo masipala wohlulekile ukufaka umbane kwilali ekuWadi 16 nto leyo ekhokelele ekubeni abahlali baqhankqalaze ngokuthi bavale indlela iveki yonke benyanzelisa ukuba bafakelwe umbane;

uMasipala weNgingqi waseMbizana ufanisa abantu nezilwanyane ezingafanelwanga ngumbane; kwaye

lo masipala uyahluleka ukuzisa iinkonzo eluntwini ezifana namanzi nezindlu zangasese ezinesidima.

Mr T Z M KHOZA: Chairperson, I hereby move on behalf of the ANC that in its next sitting:

The House debates radical economic transformation in order to ensure that the people become more prosperous.

Mr M HLENGWA: Chairperson, on behalf of the IFP, I shall move at the next sitting of this House:

That the House debates the lack of funding for sport development and infrastructure in the townships and rural areas for youth to thrive in sport and recreation.

Mr M L SHELEMBE: Chairperson, I shall move on behalf of the NFP, that at the next sitting of this honourable House:

The House debates the general lack of transparency in government's continued failure to release statistics on rhino poaching in South Africa and its implications for nature conservation and the fight against rhino poaching.

Ms H B KEKANA: Chairperson, I hereby move on behalf of the ANC that at its next sitting:

The House debates tackling discrimination and oppression in whatever forms it takes, whether in the home, in the workplace, in the institutions of state, or on social media.

Mr M L W FILTANE: Chair, I hereby move on behalf of the UDM, that in its next sitting:

The House debates the consequences of the lack of funding and the lack of employment opportunities for agriculture students and graduates in the economy. In the Eastern Cape, 500 graduates wrote an aptitude test for five posts.

Ms B S MASANGO: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House –

debates how the Minister of Social Development has broken the social grant system.

I so move.

Sesotho:

Mong N S MATIASE: Modulasetulo ke ema lebitsong la mokgatlo wa EFF, hore kopanong e latelang:

Ntlo -

e tle e qoqe ka tlaleho ya manyofonyofo a tjhelete e kalo ka R570 ya dimilione ya deri ya dikgomo mane profenseng ya Foreisetata, e kentseng tshenyokako le tshebediso e mpe ya ditjhelete; le ho hlatsuwa ha tjhelete "money laundering" ke lelapa la ha diGuptas, la ha Mosebenzi Zwane le la Ace Magashule.

Ke sisinya jwalo.

English:

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

That the House -

debates celebrating the extraordinary life and supreme contribution of Oliver Reginald Tambo towards the attainment of our freedom in South Africa.

I so move.

Ms N A MNISI: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House -

debates expanding access to quality higher education for more South Africans from poor communities.

I thank you.

Mr L M NTSHAYISA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the AIC:

That the House -

debates the ways and means of preparing people to take centre stage in governance.

I so move.

Mr K J MASWANGANYI: House Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House –

debates promoting local economic development, particularly in centres where there is great potential for localising and empowerment.

Thank you.

Dr M J FIGG: House Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House –

debates ways to reduce the national debt from R2,2 trillion – which constitutes 50,7% of GDP – so that the cost of servicing this debt can rather be used for the benefit of the lost generation.

I thank you.

Ms M P MOOLA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House –

debates intensifying industrial incentive programmes, establishing special economic zones and investing in infrastructure in order to create more jobs for the people of South Africa.

Thank you.

Debate concluded.

The House adjourned at 17:43.