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NATIONAL ASSEMBLY CHAMBER

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 14:02.

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

REVIVAL OF LAPSED ITEMS

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Speaker, I hereby move the draft resolution printed on the Order Paper in the name of the Chief Whip of the Majority Party: That the following items that were on the Order Paper and which, in terms of Rule 351, had lapsed at the end of the last sitting day of the 2016 annual session, be revived for consideration by the National Assembly:

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- (1) Consideration of Report of Standing Committee on Appropriations on 16th Association of Public Accounts Committees, APAC, Conference 2016: "Consolidating 22 Years' Gains of Oversight: Accelerating Public Account-Ability", Bloemfontein, Free State, 18-22 September 2016;
- (2) Consideration of Interim Report of Portfolio Committee on Labour on Labour Laws Amendment Bill, in terms of National Assembly Rule 286 (4) (c);
- (3) Consideration of Report of Standing Committee on Appropriations on fourth quarter expenditure patterns for 2015-16 financial year and first quarter expenditure patterns for 2016-17 financial year;
- (4) Consideration of request for permission in terms of Rule 286(4) (c) to inquire into amending other provisions of the Magistrates' Courts Act, Act 32 of 1944, in light of the

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Interim Report of the Portfolio Committee on Justice and Correctional Services on the Courts of Law Amendment Bill;

(5) Consideration of Report of Standing Committee on Auditor-General on Integrated Annual Report of the Auditor-General for financial year 2016-17;

(6) Consideration of Report of Standing Committee on Auditor-General on Auditor-General South Africa 2017-2020 Strategic Plan and Budget;

(7) Consideration of Report of Portfolio Committee on Mineral Resources on Oversight visit to Free State Province;

(8) Consideration of Report of Portfolio Committee on Small Business Development on Oversight visit to KwaZulu-Natal Province during 14 to 15 September 2016;

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- (9) Consideration of Report of Portfolio Committee on Telecommunications and Postal Services on Cost to Communicate;
- (10) Consideration of Report of Portfolio Committee on Telecommunications and Postal Services on Deliberations on the Strategic Plan of National Electronic Media Institute of South Africa;
- (11) Consideration of Report of Portfolio Committee on Water and Sanitation on Workshop held on 14 to 16 September;
- (12) Consideration of Report of Portfolio Committee on Water and Sanitation on Fourth Quarterly Progress Report for Department of Water and Sanitation for 2015-16 financial year;
- (13) Consideration of Report of Portfolio Committee on Water and Sanitation on Third Quarterly Progress Report for Department of Water and Sanitation for 2015-16 financial year;

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- (14) Consideration of Report of Portfolio Committee on Water and Sanitation on Oversight visit to North West Province;
- (15) Consideration of Report of Portfolio Committee on Telecommunications and Postal Services on Site visit to Telkom Submarine Cable;
- (16) Consideration of Report of Portfolio Committee on Labour on Oversight visit to Northern Cape;
- (17) Consideration of Report of Portfolio Committee on Labour on First Quarterly Report on Performance of Department of Labour;
- (18) Consideration of Report of Portfolio Committee on Police on 2016-17 Budget, Annual Performance Plan and Strategic Plan of Private Security Industry Regulatory Authority;
- (19) Consideration of Report of Portfolio Committee on Home Affairs on Department of Home Affairs

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Fourth Quarter 2015/16 and First Quarter 2016-17 Expenditure and Performance;

- (20) Consideration of Report of Portfolio Committee on Agriculture, Forestry and Fisheries on Oversight visit to Limpopo Cape Province;
- (21) Consideration of Report of Joint Standing Committee on Financial Management of Parliament on Parliament of the Republic of South Africa's 2015-16 Annual Report;
- (22) Consideration of Report of Portfolio Committee on Defence and Military Veterans on Oversight visit to selected military bases and Council of Scientific and Industrial Research in Gauteng;
- (23) Consideration of Report of Portfolio Committee on Trade and Industry on Colloquium on local public procurement and its linkages to industrialisation drive;

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- (24) Consideration of Report of Standing Committee on Finance on Money Bills Amendment Procedure and Related Matters Act, Act 9 of 2009;
- (25) Consideration of Request for Approval by Parliament of Draft Revised Rules of Procedure 2015, in terms of section 7(5) of the Promotion of Administrative Justice Act, 2000 and as per the Report of the Portfolio Committee on Justice and Correctional Services;
- (26) Consideration of Request for Approval by Parliament of Draft Revised Rules of Procedure for Application to Court in terms of section 79(5) of the Promotion of Access to Information Act, 2000 and as per the Report of the Portfolio Committee on Justice and Correctional Services;
- (27) Consideration of Report of the Portfolio Committee on Environmental Affairs on Report to Parliament on International Environment Instruments for 2015-2016; and

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- (28) Consideration of Report of the Portfolio Committee on Labour on Oversight visit to Mpumalanga farms.

Motion agreed to.

**CONSIDERATION OF REPORT OF AD HOC COMMITTEE TO INQUIRE,
IN TERMS OF SECTION 15A(1) (B) OF THE BROADCASTING ACT,
ACT 4 OF 1999, INTO THE ABILITY OF THE SOUTH AFRICAN
BROADCASTING CORPORATION, SABC, BOARD TO DISCHARGE ITS
DUTIES AS PRESCRIBED IN THE ACT**

Mr V G SMITH: Hon Speaker, hon members, comrades, allow us to take this opportunity to thank the general public for the interest shown in the work of this ad hoc committee. We also thank those witnesses who participated, as well as the committee staff for their professional support. Lastly, let me thank all the members of the ad hoc committee for their team work and determination. We always knew that this task was going to feel like a marathon. We also always knew that the work would test our physical and emotional endurance to the very limit. It is our humble view that the ad hoc

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committee, through its work, contributed in a small way toward further restoring the dignity of and respect for this august House.

Hon members, the primary mandate given to the ad hoc committee was to ascertain the fitness or otherwise of the SABC board. The starting point had to be whether the SABC board members had exercised their fiduciary duties as expected by the various pieces of the relevant legislation. These duties include, amongst others, that the board protects the financial and human resource assets of the organisation.

So, one cannot divorce the responsibility of the board to carry out effective oversight over the SABC administration - as is their fiduciary duty - from what prevails currently in terms of corporate governance. In the absence of getting to the bottom of the root causes of the problems at the SABC, the interim board and the permanent board would be set up for failure from the very outset.

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Hon members, to argue that the inquiry should have ceased with its work once the then chairperson had resigned would have been an exercise in futility, in so far as making sure that the SABC of tomorrow is in a better place than the SABC of today. The SABC board was dysfunctional and inoperative at the time the ad hoc committee commenced with its work.

In reporting back to this House on our primary task, we recommend that the National Assembly formally dissolve the SABC board, including the membership of the three executive board members.

Speaker, section 55(2)(a) of the Constitution is very clear in so far as making it obligatory for the National Assembly to provide for mechanisms to ensure that all executive organs of state in the national sphere of government are accountable to it. Furthermore, section 56 states that the National Assembly may summon any person to appear before it to give evidence on oath or affirmation as well as to produce documents.

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Hon members, from the very beginning of the work of the ad hoc committee, the then chairperson of the SABC board, the SABC executive directors and management displayed behaviour in total disregard to these sections of the Constitution. Members of this House were told that they are not fit to exercise oversight over the SABC because members were biased or had already arrived at a pre-determined outcome. The then SABC chairperson went as far as taking the National Assembly to court in an attempt to frustrate or delay this House from exercising its constitutional obligation.

In an unprecedented act of defiance of the Constitution and the rules of the National Assembly, the then chairperson, accompanied by executive management of the SABC, walked out of a parliamentary committee session and went out to tell South Africans and the world that the work of the ad hoc committee and, by extension, the work of the National Assembly, was tantamount to a kangaroo court.

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Hon members, it is our view that the National Assembly or indeed Parliament can never again allow this level of undermining to ever re-occur.

At its 53rd conference, the ANC resolved that a stable corporate governance mechanism is required to provide long-term stability. This includes strengthening the SABC's accountability to Parliament, the shareholders and the public in acknowledgment of the fact that public ownership of the SABC is central to its existence and sustainability.

In the four years since this resolution was adopted, we have seen at least three SABC boards and at least four group chief executive officers. During this period, the SABC has been plagued by many challenges, including divisions at board level. Human resource management and compliance with policy is almost nonexistent, as can be seen by the high number of Commission for Conciliation, Mediation and Arbitration, CCMA, and Labour Court challenges that the SABC has faced and lost at a very high cost.

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Hon members, this leadership instability has a direct bearing on the demise of good corporate governance within the institution, as can be seen in the Auditor General's report. Irregular expenditure amounting to R5,1 billion and fruitless and wasteful expenditure of R92,8 million indicates the extent of the problem.

As we stand here today, the SABC has an acting group chief executive officer, an acting chief financial officer and an acting chief operating officer. This state of affairs cannot be allowed to continue for much longer.

The SABC must have a credible accounting authority which is in line with the Public Broadcasting Act, the Public Finance Management Act and the Companies Act. The ad hoc committee recommends that the process of appointing an interim board and eventually a permanent board be finalised expeditiously.

Hon members, section 16 of the Constitution - which is part of the Bill of Rights - guarantees freedom of expression, which includes freedom of the press and other media, as well as freedom to receive or impart

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information or ideas. The services expected from the SABC are thus at the very centre of our constitutional democracy and the public broadcaster is the supreme vehicle through which the very important provisions as enshrined in the Bill of Rights must become a reality enjoyed and experienced by all South Africans.

Hon members, significant entry barriers remain in place in the pay commercial broadcasting sector. Efforts to regulate this sector so as to enforce effective competition have not produced the desired results. It is recommended by the ad hoc committee that any SABC contract that seeks to do business with its competitors must be reviewed.

The SABC has a footprint that covers every corner of the country and is accessible to South Africans from every walk of life, the majority of whom are the working class and the lower income groups, including pensioners and the aged, both black and white.

With this as a background, we raise serious concerns around the fact that the 24 hour news channel and the

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Encore channel are only available on pay TV. This has the effect of excluding many South Africans on the basis of affordability.

The SABC is a national asset and also a national keypoint and must therefore at all times be managed by competent and appropriately skilled men and women who are adequately vetted, in order to mitigate obvious state security concerns. Those given the task and responsibility of managing this very important asset on behalf of South Africans must be beyond reproach and must be held to the highest level of accountability.

Finally, hon members, this enquiry took place with maximum transparency. It took place with absolute fairness and consistency. Of course, hon members, like in all aspects of life, there will be those who support the product of this ad hoc committee and likewise, there will be those who criticise or reject the report.

Notwithstanding the criticism, we take solace from the words uttered from this very podium on 26 March 1999, when Madiba, during his farewell speech to Parliament, said:

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I would like to take this opportunity to pay tribute to all the parties represented in this Parliament for their contribution to the progress we have made. Though we have our differences, often important and sometimes profound, we have as a collective demonstrated our overriding commitment to the new order that we have together established. You have ensured that this Parliament is no rubber stamp in the hands of government and given birth to a new democratic political culture.

The ad hoc committee remained true to the sentiments echoed by President Mandela. And with that, on behalf of the ad hoc committee, we table this report for your consideration and adoption.

Mr M WATERS: Hon Madam Speaker, at the outset, let me thank the Chair of the ad hoc committee, hon Smith, for the manner in which he chaired the committee. Thank you, hon Vincent. [Applause.] Millions of South Africans tuned in to see how Parliament was going to save the SA Broadcasting Corporation, SABC, and many were surprised at how Members of Parliament, MPs, from across the

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political spectrum held the Minister and board members to account. In the main, political differences were put aside for the good of the people. I want to thank all my colleagues on the committee for that.

The 82-page report has all the ingredients of a Shakespeare tragedy from treachery, corruption, deceit, intimidation, abuse of power, trickery and sheer greed, with the modern twist of communications being intercepted by the State Security Agency. The main characters in this tragedy are the Minister of Communications, hon Faith Muthambi, and Mr Hlaudi Motsoeneng, likened to Lady Macbeth and Lord Macbeth, with the journalists and staff being the victims.

Both the Minister and Mr Hlaudi believed that the SABC was their own fiefdom to do as they pleased to further a broader political agenda. The reign of terror was aided and abetted by some but not all the members of the board, the company secretary and by the majority of the MPs serving on the Communications Portfolio Committee. I am proud to state that the DA MPs did everything in their power to expose the Minister's blatant abuse of power.

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In addition, she committed perjury by giving the committee false evidence while under oath. This, Madam Speaker, is of such a serious nature that criminal charges must be brought against the Minister.

But let's start at the beginning of the Minister's term of office, back in 2014, where on 26 September the Minister signed a Memorandum of Incorporation, MOI, for the SABC. This MOI, as hon Davis pointed out on 8 February in a letter to the then board Chairperson, Professor Maguvhe, would destroy the independence of the public broadcaster and would waive the requirement for the board to advertise and shortlist candidates who apply for the chief executive officer, CEO, position and the chief operations officer, COO, position. Paragraph 9.1.2 states that, and I am quoting:

During her evidence the Minister insisted that amendments to the MOI were effected in accordance with both the Broadcasting Act and the Companies Act. She stated that although legislation did not require her to do so, the Minister had consulted the board on the amendments as a courtesy before they were submitted to the Companies and Intellectual

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Property Commission, CIPC. She had also briefed the portfolio committee on the MOI in June 2015.

According to the Minister, neither the board, nor the portfolio committee had raised any reservations about the impact of the amendments or the manner in which they were processed.

Let us unpack the paragraph. No MOI. I repeat, no MOI was ever submitted to CIPC. The ad hoc committee asked the CIPC for proof of any submission by the Minister which they failed to provide because it is simple, there was not any. It is a pity because the Minister is not even here today.

With regards to the Minister's statement that neither the board nor the portfolio committee had raised any reservations about the impact of the amended MOI, well the facts speak themselves, Minister. The minutes of the board meeting clearly show that some board members did have reservations with regards to the MOI. As far as portfolio committee minutes or concerns, the DA's hon Davis as well as the Cope MPs and the EFF MPs all raised reservations. So, why the lies, Minister? Well, I can

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answer that for you. You knew that the amendments to the MOI, probably assisted by Mr Motsoeneng, were a transgression of the Broadcasting Act.

In fact, in the report we stated that the MOI signed in October 2014, as well as the proposed amendments to the Broadcasting Act, demonstrate efforts to concentrate power in the Ministry by curtailing and removing the powers of both the board as the accounting authority, and Parliament's role in the appointment and removal of nonexecutive board members. It also strips the board of its role in the appointment of the executives. What the Minister was trying to do was to remove Parliament out of the question and silence us and do what she pleases with the board of the SABC.

In addition, paragraph 23.2.2 states that the committee also notes from board minutes of a meeting that took place on 7 July 2014, that the Minister may have directly or indirectly, pressurised the board to appoint Mr Motsoeneng in the COO position. Was it coincidental that the Minister just happened to be lurking in the passages of the SABC at 23:00 at night, on the very night that the

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board decided to appoint Mr Motsoeneng as the COO? I think not. She was there to put pressure on the board to do her bedding.

Despite the Public Protector having found adverse findings against Mr Motsoeneng, the Minister so found it fit not to advertise the position of the COO and to appoint him into that position without having the necessary qualifications. Shame on you, Minister!

The ad hoc committee found that the Minister displayed incompetence in carrying out her responsibilities. In addition, the Minister interfered in some of the board's decision-making processes.

The report recommends that, given the Minister's violations, Parliament must refer these violations of the Constitution, Privileges Act, the Executive Code of Ethics and the Broadcasting Act to the Ethics Committee and the Presidency for processing. In fact, we call on the President to reconsider her position in the Cabinet.
[Applause.]

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As the Executive Members Ethics Act dictates that Public Protector investigates any violations we, the DA, will write to the Public Protector for such an investigation.

In conclusion, the late great George Michael said: We got to have faith. Unfortunately, the DA no longer has faith in Minister Muthambi and she must be fired. I thank you very much. The DA supports the report. [Applause.]

Mr F MOKOENA: Hon Speaker, let me greet the leadership of the EFF, in particular, the treasury general, TG, and the deputy secretary general, DSG. Look, Speaker, the problems of the SABC are symptomatic of a fascist and apartheid state that believes that the state must colonise and control national communications for purposes of sowing propaganda and for consolidating power. It is an ideology that has its roots in Hitler's Third Reich with his Minister Joseph Goebbels - that is where it comes from.

What happens is that the SABC is being used to control national journalists and practices to control programming and to control culture and entertainment for purposes of

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narrow propaganda. We saw what happened at the Metro FM Awards with the corrupt Mabala Noise. Fundamentally, at the heart of problems of the SABC is that it is being used to undermine democracy and to fight internal battles of the SABC. This is what we heard in the evidence given to the ad hoc committee. We heard that it was used to stifle election campaign for opposition parties, in particular the EFF. We heard that it was used to elevate individuals within the ANC in order to fight for the soul of the ANC. We heard that it was used as a tool of a Marks ladder scheme of handing over state-owned entities to the corrupt family of the Guptas.

However, the report fails to place the SABC saga at the heart of the state capture. The EFF made the point that the report must make the point that the SABC was at the heart of state capture. However, the report does make some key interventions. First, it identifies governance failures of the SABC including the fiasco caused by the incompetent Minister Muthambi who failed to steer the entity in the interest of South African public.

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It recommends that criminal prosecutions of corrupt individuals in the entity and most importantly the recommendations to the President to fire the incompetent Minister who is not here today. We sincerely hope that the President will set aside his factional and self-enrichment interest and do the right thing for once in his life. The EFF supports the report in the interest ...
[Interjections.]

Mr B A RADEBE: On the point of order, Speaker.

THE SPEAKER: What is your point of order? Please take your seat, hon Mokoena.

Mr B A RADEBE: According to Rule 85 when the member is going to make allegations to the President or the member of this House must make it through the substantive motion. Therefore, he cannot say that the President is corrupt or is doing this thing without putting it on the table. Thank you.

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The SPEAKER: That point of order is sustained. Hon Mokoena, of course, you know this that if you are going to make ... [Interjections.]

Mr M Q NDLOZI: Speaker!

The SPEAKER: I am just on the floor, hon Ndlozi. I am speaking, hon Ndlozi.

Mr M Q NDLOZI: Speaker, consider our intervention before you rule because hon Mokoena did not say such things.

The SPEAKER: Hon Ndlozi, take your seat. I am on the floor. Hon Mokoena, I am addressing you. Would you like to withdraw what you said or submit what allegations you are making through a substantive motion?

Mr F MOKOENA: Hon Chair, a substantive motion was tabled to this House.

The SPEAKER: No, I am talking about now. I am talking about right now in terms of what you said right now. Could you please withdraw?

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Mr F MOKOENA: Is the Chair saying that I must submit a substantive motion now? What are you saying?

The SPEAKER: No, I am not saying you must submit a substantive motion now. I am saying that withdraw what you said. If you do not want to withdraw, then the alternative you have is to then come back with a substantive motion.

Mr F MOKOENA: But, Speaker please ... [Interjections.]

The SPEAKER: No, I do not want to interact with you. I do not want us to have a dialogue.

Mr F MOKOENA: Okay, that is fine I withdraw.

The SPEAKER: Okay, proceed.

Mr F MOKOENA: It recommends that criminal prosecutions of corrupt individuals in the entity, most importantly, it recommends that the President must fire Minister Muthambi who is incompetent. The EFF supports the report in the interest of rebuilding the SABC and its governance. We

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support the report in the interest of rebuilding and restoring our constitutional democracy. I thank you very much. [Applause.]

Mr N SINGH: Speaker, the SABC is today a cautionary tale, replete with all the high drama and trappings that could easily make up a complex thriller in one of the many fictional movies on its channels. It is a tale of unchecked greed, power, corruption, mismanagement, incapacity, incompetence, irregularity, unlawfulness and no respect whatsoever for remedial action as prescribed by the Public Protector.

It finds itself today in an almost crippling state, in which there is no silver bullet or universal panacea that can be applied to return its operations to that of a healthy and well-functioning corporate entity. It will require concerted effort, time, energy, resources and continuous oversight by the department and this Parliament to ensure its eventual return to a model of good corporate governance and profit, whilst at the same time serving the broadcasting needs of all South Africans.

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Aside from its current status quo of abysmal operational financial and management defects, it is also straying with wanton impunity from the reserve of its founding charter. One example being its defiance of the corporation's code of practice in ensuring that its services provide for the equitable treatment of all segments of the South African population, and another being that it must provide for a wide range of audience interests, beliefs, and perspectives.

The *ultra vires* decision in respect of the 90/10 content being played on SABC channels has in some instances alienated large sections of listener bases. It is not only contrary to the express mandate as contained in the code but also detrimental to the SABC as advertising revenues have tapered off with business no longer being able to satisfactorily reach certain target audiences.

Evidence before the committee and as stated in our report, will show that the current Minister of Communications has not fulfilled her mandate as required by the Act. In certain instances it seems that she has gone way beyond what was required of her and exerted

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undue pressure on the board and management to take decisions which one cannot be proud of. It is for this reason, amongst others, that as the IFP supported by all the members, our report recommends that the President must seriously consider removing the current Minister from this portfolio.

Senior positions must also be filled with suitably qualified and experienced individuals and the work of rebuilding the image and services of the public broadcaster must begin *de novo*.

The lesson we have learnt from this, in the last few seconds I have, is that the keen interest that the public has taken in ad hoc committees, like Nkandla and SABC, behoves us as Parliament and all the committees to ensure that we use Rule 167 and have more of these kind of protracted hearings into organisations like Eskom, SA Social Security Agency, Sassa, SA Airways, SAA, amongst others. I think it will do good governance in South Africa and serve the interest of the public well; and this Parliament can then hold itself up high. I thank you, hon Speaker. [Applause.]

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Prof N M KHUBISA: Hon Speaker, hon members, the NFP welcomes the comprehensive report of the ad hoc committee, established to enquire into the fitness of the board, tabled here today. Perhaps it is important that one refers briefly to the terms of reference for the enquiry which were wide-ranging, and yet very specific. Among others, the committee had to interrogate the SABC's financial status and sustainability; the response of the SABC to the Public Protector report; the SABC's response to recent court judgement affecting it; and the response of the SABC to Icasa's ruling against the decision of the broadcaster to ban coverage of violent protest.

Furthermore, the committee was tasked to investigate the current board's ability to take legally-binding decisions following the resignation of a number of nonexecutives, the board's adherence to the Broadcasting Charter; the board's ability to carry out its duties as contemplated in the Broadcasting Act; and several human resources related matters such as governance structures, appointments of executives and the terminations of services of the affected executives.

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As the report confirms, each and every one of these terms of references were broken and violated by the SABC board, and the NFP believes that there needs to be consequences for that. Prof Maguvhe and his entourage left us and he went to address the media and put the whole thing in disdain.

In all fairness, I must say, the board inherited some of the problems before. The board inherited an SABC which had become a terrain of political contestation, an organisation where a total disregard and violation of governance has become the norm and order of the day, where fiduciary duty had been assigned to the dustbin of corruption and nepotism.

I must say that the enquiry reported on here today interrogated multiple transgressions of the board in great detail, reflecting on suspicious deals such as multichoice deal and many other deals. They blatantly disregarded the courts, the Public Protector recommendations and the remedial action, the Auditor-General report and Icasa. The enquiry also lay bare how the editorial policies and regulations were undermined,

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flouted and a climate of fear and distrust created at the SABC.

The NFP critically evaluated the findings, observations and recommendations contained in the report, which we support and agree to. Two issues in particular, which we feel strongly about, is the interference of Minister Muthambi and the political oversight. The Minister had to come into a meeting where the chief operation officer, COO, was to be appointed and that came with an influence on who was to be appointed for that position.

The Department of Communications is in deep crisis and the Minister has not been cracking the whip. Rather, she has been shown to interfere a great deal and through her conduct she has become complicit in the management of the SABC. Under her watch the Memorandum of Incorporation, MOI, of the SABC has been distorted, legislative confusion was introduced and senior executives were appointed without following due process.

The NFP believes that if these recommendations that are contained here are implemented without delay, and if a

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firm time frame is set for the incoming board to comply, then the SABC may well be stabilised and eventually functioning in accordance with its mandate. South Africans have the right to unbiased information, and the SABC has primary responsibility to give effect to this right. However, that could not happen if the SABC was to be governed in terms of the unacceptable corporate practices guided by a Minister who doesn't understand what is required.

Therefore, the NFP agrees with the report that this Minister must resign and the new incumbent must come in. Thank you.

IsiXhosa:

Mnu N L S KWANKWA: Somlomo, eneneni ibingumdudo wamasele phaya kwa-SABC kodwa ndiyabona ukuba ...

English:

... they are taking pre-emptive stride.

Hon Speaker, from the outset, I would like to take this opportunity to appreciate the hard work and the enduring

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professionalism of the committee members throughout the life of this committee. For the first time in many years, the country and the African continent rewarded the committee with a resounding cheer for raising the bar of parliamentary oversight.

Nowhere is this decision more evident than in the quality of the report that is tabled in Parliament today; well done colleagues! In fact, there quite a number of recommendations that would more than help in forwarding the cause of building an SA Broadcasting Corporation, SABC, that adheres to its mandate as outlined in the Broadcasting Act and the SABC Charter. Chief among them are the need for the Memorandum of Incorporation, MOI, to be amended in order to align it with the Broadcasting Act; the need for the interim board to engage with the Auditor-General to address all its findings relating to irregular, fruitless and wasteful expenditure as well as to initiate disciplinary steps against any culprit, among others.

The report also lays bare the central role the Minister of Communications played in the SABC quagmire such as her

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role in amending the MOI. For these reasons we must not mince our words in calling for the Minister of Communications to bite the dust.

You will however recall that the committee did not accede to the UDM's request to give Mr Hlaudi Motsoeneng a fair opportunity to give his side of the story, although to a large extent everything that was discussed in the enquiry centred on him. Subsequent to this request and in a letter dated 16 February 2017, Majavu Incorporated made a similar request cautioning the committee about the dangers of its refusal to grant Mr Motsoeneng an opportunity to state his side of the story. Majavu attorneys argue quite correctly that the committee's refusal to give a hearing to Mr Motsoeneng "has bridged a foundational principle of our constitutional democracy, the right to be heard." This too fell on deaf ears.

Some have incorrectly argued that all our call seeks to glorify Mr Motsoeneng. Nothing could be further from the truth. We make this call because we know as you all do, that he too deserves to be treated fairly like everyone

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else. As lawmakers, we should not only treat fairly those whom we like and ill-treat all those we don't like.

Regrettably, what started out as a good process will now go down with a double stigma of bias and illegitimacy. For these reasons, the UDM does not support this report.

IsiXhosa:

Kwaye abo banengxaki bangahamba baye kuzixhoma ngentambo yesigcawu emthini wetumata, asicuntsulwanga mntwini.

Enkosi.

Adv A D ALBERTS: Speaker, two conclusions can be made regarding this committee's process and the findings made - on the one hand, the report is a statement of how not to run a public enterprise and on the other hand, how Parliament should exercise its oversight role. We wish to commend the ad hoc committee's aggressive and thorough interrogation of the affairs of the SABC. At the same time, we condemn the SABC senior management's misconduct and abuse of power, as laid bare in the report. We further condemn the SABC board's lack of proper oversight

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– save for those board members who followed their conscience.

We reserve special condemnation for the SABC's previous COO, Hlaudi Motsoeneng, and his ally, the Minister of Communication, Faith Muthambi, who flouted the law in every conceivable manner, to ensure control over the SABC and the entrenchment of self-interest.

Afrikaans:

Daar is sekere aspekte van die komiteeverslag wat spesiale vermelding verdien.

Eerstens, die Voorsitter van die SAUK-raad se aktiewe ondermyning van die komitee deur sy weiering om te verskyn en inligting te verskaf is skreiend en sy poging om die ondersoek te stop deur 'n hofaansoek is tekenend van sy disrespek vir die Parlement. Die vraag is hoe hy ooit aangestel is as Voorsitter van die SAUK.

English:

Secondly, we have noted the financial mismanagement of the SABC and are taking action to ensure that those who

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have taken irresponsible decisions are held to account. In this regard, we are in the process of requesting the Companies and Intellectual Property Commission to investigate Hlaudi Motsoeneng's decision to increase the local content quotas before using all of the content acquired from foreign suppliers. This would have been paid in US dollars and will result in huge amounts to be written off by the SABC.

We are asking the Companies and Intellectual Property Commission to hold Mr Motsoeneng personally liable for this in terms of the Companies Act.

Lastly, the Minister's circumvention of the Broadcasting Act and her further unlawful acts to intervene in the affairs of the SABC and to protect certain individuals are unbecoming of a Minister who is supposed to uphold the rule of law and the Constitution.

Afrikaans:

Gegewe die gemors by die SAUK kan mens jou net indink hoe dit by ander openbare ondernemings gaan. Die gelekte Dentons-verslag dui daarop dat dit nog slegter by Eskom

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gaan. Wat weereens deur hierdie gebeure bevestig word, is dat die regering nie in staat is om enige ekonomiese sentraal te bestuur nie en dat hulle hulle hande van die privaatsektor moet afhou.

English:

Based on this committee's work, we recommend the following steps: that Parliament appoints an ad hoc committee to investigate the veracity of the findings in the Dentons-report and continues its aborted investigation on another state enterprise, namely Eskom; that the SABC management is purged from personnel not appointed on merit; and that Minister Faith Muthambi is fired. Thank you.

Ms D CARTER: Hon Speaker, firstly, my apologies, but the actual list showed differently that the ACDP was first. The SABC report sets out a sorry saga - a saga that is symptomatic of all that has gone wrong with the governance of our state. If all organs of our state were subjected to the same level of honest and rigorous scrutiny, as that which we have witnessed in the SABC enquiry, similar abuses of power, corruption, capture,

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unethical conduct, and gross maladministration would be exposed.

The report documents the gross abuse of power committed with impunity by a member of our executive and by a board and a SABC executive gone rogue. It points to a Parliament that, for years, has failed in its obligations and duties to exercise oversight and to hold those in power and authority accountable. It points to those in positions of power and authority, having had licence not to account.

The ultimate questions in all of this are: Who gave the Minister, the SABC board and its executive the license to act with impunity? Who coerced Parliament to abdicate its responsibilities to not exercise oversight, and to not hold those in power and authority to account? Who has been pulling the strings? These questions are not answered by the report.

It is the ANC and Mr Zuma, the President of the Republic, to whom the question must be posed and with whom the answer lies.

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All the values that underpin our Constitution and that are the difference between good and rotten governance, have been violated, be it the supremacy of the Constitution, loyalty of the state to the Constitution and its people, the rule of law, oversight, accountability, efficient and effective governance.

The SABC report sets out a sorry saga - a saga that is symptomatic of all that has gone wrong with the governance of our state under the once proud liberation movement.

Nonetheless, the Congress of the People would like to thank the multiparty ad hoc committee for a sterling job done. Under the chairmanship of the hon Vincent Smith, the committee worked tirelessly and performed a daunting task under strenuous circumstances, within the time period.

As the Congress of the People, we will support the report. It is crucial that the relevant authorities implement the committee's recommendations as a matter of

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urgency and that the appointment of an interim board is expedited.

Now, I can hear that there is a cat on heat again in the House, but if the President has any iota of integrity left, he will fire the Minister with immediate effect.

[Applause.]

Mr B A RADEBE: Speaker, on a point of order,...

The SPEAKER: Hon member, what is your point of order?

Mr B A RADEBE: It is on Rule 84. The speaker just said that the President does not have an iota of integrity. So, that is insulting to the President. [Interjections.]

The SPEAKER: The speaker is no longer on the podium. She managed to get away from her issue just in time.

[Interjections.]

Mr S N SWART: Speaker, this has been one of the most thorough and far-reaching inquiries that I, as a member of the ACDP, have been involved in at Parliament. My

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thanks to all involved - the chairperson and all the staff. This is what Parliamentary oversight should look like. This is what the public expect of us as parliamentarians.

We were united across political lines in our focus on getting to the bottom of the rot that has beset the SABC. The inquiry made for riveting public viewing with many citizens being encouraged to see us working together to expose problems at the public broadcaster.

Regrettably, as highlighted by other members, the SABC did not accord Parliament the due respect it deserves, initially walking out of the inquiry, bringing a failed High Court urgent application to prevent the inquiry taking place, and accusing it inter alia of bias and Motsoeneng bashing.

While we admit that the funding model of the SABC needs to be reconsidered, and we might not understand all the commercial sensitivities, let us make it very clear that we will not tolerate any disrespect for this august institution.

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What was also most disconcerting was the intimidation and death threats experienced by certain witnesses, mainly among the SABC-eight. We consider these threats, which even continued while we were holding the inquiry, as a threat against Parliament itself. Witnesses should be free to give evidence before any parliamentary committee, without any threats or intimidation.

It is also very clear that there has been significant political interference at the SABC, over many years. While this was not confined to the present Minister, the committee found that the Minister displayed incompetence in carrying out her responsibilities as the shareholder representative.

The evidence also suggested major shortcomings in her conduct, particularly relating to her apparent failure to lodge the October Memorandum of Incorporation, MOI, amendments, as well as her role in Mr Motsoeneng's permanent appointment as COO. The ACDP consequently supports the correctional recommendations suggested in the report.

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The ACDP also focussed on the conflict of laws between the Broadcasting Act and the Companies Act. The committee was of the view that the Broadcasting Act clearly trumped the Companies Act. However, the SABC and the Minister seem to hold a different view, while we therefore support the recommendation that, if it was not abundantly clear, then the Broadcasting Act, being the principal Act, must be amended to make it clear that it trumps the Companies Act.

The ACDP also spent a lot of time going through the Auditor-General's management letter and it is very clear that the SABC is not technically insolvent - its assets exceed its liabilities. There are serious concerns about its cash-flow challenges, given the significant deterioration in its cash reserves.

Lastly, the ACDP supports this report but encourages that we have similar ad hoc committees looking at Eskom and other parastatals, as it is exercising our oversight function. Thank you.

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Mr L N NTSHAYISA: The role of the ad hoc committee to enquire and make recommendations regarding certain departments, State Owned Enterprises, SOEs, and its subsidiary bodies is of great importance [Inaudible.] The South African Broadcasting Corporation, SABC, is one of the subsidiary bodies that have to be looked into thoroughly.

The AIC is encouraged that it has exercised complete oversight on the work of the executive. After all, Minister Muthambi is the Accounting Officer in the communications department. We widely support this report's recommendation that an urgent interim board be constituted. This should herald a new dispensation in the area of broadcasting, where corporate governance, ethics and integrity defines the order of the day. Board members should demonstrate independence, good governance and serve public in a manner that is expected and safeguard the ethos of broadcasting.

The report heralds a renewed sense of hope in the appointment of qualified, ethical and sober minded Chief Operations officer, a Chief Executive Officer and a Chief

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Financial Officer. We appeal to all South Africans with the requisite skills and a sense of patriotic vanity to respond to this call.

We endorse the reports declaration that a Forensic Independent Consultant should be appointed to investigate the finances of the SABC, including the legality of the contracts issued in the past, irregular appointments, salary increments and performance bonuses paid to the SABC staff during the period in question.

The AIC has always been convinced that the centre in the SABC was shaky and mired in controversy. We have seen how Independent Communications Authority of South Africa, ICASA, has been disrespected by the former SABC COO. The report of the ad hoc committee salvages this situation. The SABC is to obliterate its current editorial policy, which was often at pains with the work of journalists.

The ICASA will be spared some time off, as many journalists will be working in a very conducive environment, away from the spectacle of managerial intimidation and interference.

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Minister Muthambi had appointed Mr Motseoneg using a dodgy instrument called Memorandum of Incorporation. In terms of the committee's report, this instrument will be subject to investigation by the newly appointed board. The AIC has not minced its words on the legality of Hlaudi Motseoneng's appointment as the COO of the SABC, least his intellectual make-up, which may have been suspended.

We cannot have SOEs that operate in abstraction and absolute impunity. It is time now to raffle feathers and demonstrate leadership. Parliament cannot sit in its metaphorical ivory tower whilst the cat has been set among pigeons. We endorse the report because it is going to take us forward. I thank you hon Speaker.

Mrs J D KILIAN: Hon Speaker, hon Ministers and hon colleagues here. First of all, from our side also, a word of special thanks to hon Smith for his able stewardship of this process, and thanks to the opposition for having resisted the temptation to play petit politics with a matter that was of significant importance to South Africans.

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We had one common goal and that was to identify the extent and the root causes of the systematic governance failures of the SABC board. We had to find out, going forward, how this Parliament could ensure that the SABC fulfils its public mandate and upholds the values enshrined in the Constitution, the Broadcasting Charter and other relevant legislative provisions.

We all know that there was only one person standing at the time when the committee started its process and soon thereafter he resigned. But the fact is, whether we like it or not, the new Companies Act compels all directors and makes no distinction between executive and non executive directors of companies to exercise fiduciary responsibilities. So, consequently, the committee had to proceed with its work.

The committee felt that, the SABC board did not, over several years, understand or execute its fiduciary duties. A whole lot of indications were already given in how many respects they have failed. I would like to focus on the fact that there were so many irregular, unplanned and unscheduled meetings that were called. That resulted

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in lack of quorum and round robin decision making. Some of the approvals were only adopted by a formal board meeting months after the event.

Some board members failed to understand their oversight role and they were manipulated by executives who had ulterior motives. They failed to understand their role to account to Parliament. The board closed their eyes to the harassment of newsroom staff and purging of others. They were oblivious about apparent purging of highly qualified and experienced senior managers.

The question is what were the root causes? We have discovered that there was most definitely a role played from the Minister's office. There was an interchangeable use of the Broadcasting Act and the Companies Act when it came to the removal of board members. There was growing erosion of board powers to hold the executive management to account and there was an absolute erosion of their role vis-à-vis the disciplining of senior managers.

Interference by management in newsroom activities was totally unacceptable. We must understand that there were

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some critical points in recent times; one of them was the appointment of the acting COO in a permanent capacity, Mr Motsoeneng, as already mentioned by some of the members.

The ad hoc was not convinced that there was no pressure on the board to appoint Mr Motsoeneng. There was also evidence presented that the Minister was involved in the irregular removal of some board members – they voted each other out of office. That cannot happen because it was totally irregular and this matter is before the courts at present.

Parliament was unfortunately also not an innocent bystander. Despite a legal opinion presented to the Committee on Communication that the board member removal was irregular, the portfolio committee unfortunately did not stand their ground to oppose the irregular removal of board members and that calls for better oversight.

As far as the Memorandum of Incorporation, MOI, is concerned, we have to indicate that the irregular changes to the Memorandum of Incorporation is posing a very serious risk to the SABC. Fact of the matter is, with a

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specific MOI having been registered with the Companies and Property Intellectual Company Commission and another one being effectively implemented it means that there is no legal basis for the delegation of authority framework. This means that some contracts and some disciplinary action against officials of the SABC could be ultra vires. It could expose the SABC to significant legal challenges. This is a matter that the newly soon to be appointed interim board should address immediately; they should conduct a risk analysis for the SABC.

What we have learned from this process is that we need to review our laws and make sure that they talk to each other. The Broadcasting Act is an Act of special application and the Companies Law addresses specific matters relating to fiduciary responsibilities of directors. But the two must speak to each other; you cannot have one process to appoint your board through Parliament - through a public process - and then board members who have internal strife vote each other out. It cannot be like that. So, we must amend and make sure that we address certain grey areas in the Acts relating the SABC.

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The Broadcasting Amendment Bill that was tabled in Parliament is not the answer. That bill will do away with Parliament's role to appoint the board members and it will pave a way for direct interventions by the shareholder into the operations of the SABC. It will change the character of the public broadcaster completely.

We can never sacrifice the principles enshrined in our Constitution, freedom of expression, access to information and public accountability as well as the duty to promote our rich cultural heritage. The SABC is a special institution and we must keep it like that. It belongs to all South Africans, irrespective of creed, language or political affiliation. Its role is to educate and entertain and ensure public broadcasting without commercial or political influence.

The ad hoc has completed its task and it now hands the report to Parliament for further action and to the Portfolio Committee on Communications.

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The interim board, once appointed, should restore stability and credibility and should take action against those executives who threaten and manipulate thousands of good people working at the SABC. Heads should roll. Thank you Speaker. [Applause.]

Mr M A PLOUAMMA: Thank you, hon Speaker and hon members. I also want to thank the chairperson hon Smith and members of the committee.

Hlaudi Motsoeneng and the board are holding the SA Broadcasting Corporation, SABC, hostage with his stooges. He has made the SABC a headquarters of ANC propaganda. He has turned the SABC into a state-controlled broadcaster. Our people are fed with distorted and skewed information.

The question is, how has this counterproductive force called Hlaudi Motsoeneng managed to hold our institution to ransom, terrorising journalists like its still apartheid times. It is truly a sin for this buffoon and cohorts to suppress and undermine our journalistic talents.

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With Minister Muthambi and Hlaudi Motsoeneng at the helm, we are truly reversing the gains and sacrifices of great South Africans like the late Zwelakhe Sisulu and Percy Qoboza who fought hard for the independence of journalists and freedom of expression.

We need a board that is independent from political interference. We need to inject it with a new ethos to serve our nation and her people. A public broadcaster must be the nation speaking to itself, unlike what Hlaudi Motsoeneng has done in turning the SABC into a house of paranoia. We must act swiftly to prevent this truth from decaying further, in order to put the SABC onto a path of glory and to stop it from being government's mouthpiece.

While we support these recommendations, this experience must teach us not to trust the ANC and to always remain vigilant for a mere fact that Minister Muthambi still parades herself in public. It is a shame and an embarrassment to our nation. We really don't know whose interest she is serving.

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An independent public broadcaster allows the nation to reflect and reflect upon itself. We should not allow ourselves to return to the dark ages of the past.

Mr L R MBINDA: Thank you, hon Speaker. As the PAC we have been saying time and time again here in this House that we are against political interference by the ruling elite so as to advance and safeguard their interests and that of their masters at the expense of state institutions. The SABC just recently suffered from this.

South Africa's Constitution guarantees press freedom, and that we cannot attain while the political principals make it their business to weaken the public broadcaster so that it is unable to discharge its duties, especially in exposing wrongdoing in government by government officials.

One of the greatest risks of allowing political interference is that when the ruling party is suffering from factionalism and infighting, it spreads out to all institutions where political interference has been ongoing for a long time, as is the case with the SABC.

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Our public broadcaster has an important role to play in our society and as the PAC we want to make it clear in this House today that the employment of people due to their political affiliation and/or relations, and not their qualifications, reputation and skills must be condemned with the contempt it deserves.

As the PAC we have also noted the negative attitude of some political editors within the SABC. It is our view as the PAC that the changing of names of board members and hoping that the situation will change itself might be wishful thinking on our part, but what we need is a policy change in the running and dealings of the SABC and its board.

Underqualified people can no longer be given millions of rand in bonuses for doing absolutely nothing apart from noisemaking with no content, advancing the cause of a particular faction of the ruling party.

The PAC supports the report and fully agrees that in the interim our public broadcaster needs leadership as a matter of urgency. However, in the medium to long term we

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need to critically look at the policy framework so as to avoid the massive wrongdoing our SABC has recently been subjected to.

Mr N T GODI: Thank you, Speaker. The APC stands to welcome and support the report of the ad hoc committee on the SABC. The work of the ad hoc committee by and large put oversight and Parliament on a higher pedestal and consciousness of the public. By and large it is a practice that can be emulated and enhanced by other committees in the House.

The SABC is an important public entity whose good governance should be of concern to all of us for sometimes governance has been a challenge leading to financial losses and instability of its boards and senior management. As we speak the SABC has no board and almost all senior managers are in an acting capacity.

The process of strengthening or rebuilding the SABC starts with this House appointing boards that will serve their full term and have one agenda which is the common good of the people. The appointment of senior managers to

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permanent posts is to ensure that the SABC is run in compliance with the law ... so for the SABC, so for all institutions of state that have shown weaknesses, distress and going concern challenges. There is a need for sustained engagement with the SABC.

The only sting of the entire process is the fact that the elephant in the room called Hlaudi Motsoeneng was not called to appear before the committee. We hear some members describing him in very colourful language, yet he did not have the opportunity to come and put his side of the story.

When you talk about looting and ailing institutions, its unfortunate that we had to stop somewhere but I know there is one Adv Dali Mpofu who was a chief executive officer, CEO, of the SABC and at the time when that institution was really on its knees he pocketed about R10 million as a golden handshake. I think it is those kinds of people who should be ... [Inaudible.]

The SPEAKER: Order, hon Godi. Can you take your seat, hon Godi? Can I take ...

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Mr N T GODI: Well, I'm ... [Inaudible.]

Mr M Q NDLOZI: Point of order. Take a seat. Huh uh! Hey Standing Committee on Public Accounts, Scopa! Speaker, look, Scopa is running away from accountability! [Laughter.]

The SPEAKER: Well, he is gone.

Mr M Q NDLOZI: The advocate of the people never did such a thing. Hon Godi is deliberately misleading the House. It's regrettable. That's why he is running away.

Mr J SELFE: Speaker, I want to commend the ad hoc committee for the rigorous way in which it conducted its enquiry into the SABC.

The report reads like a horror story. It's a story of maladministration and corruption; of fear and intimidation; of nepotism and the abuse of power. At the centre of this story sit two malignant individuals, Mr Hlaudi Motsoeneng and the Minister of Communications.

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Like so many public institutions, the SABC has failed the public. Viewed cumulatively, the report portrays the SABC as indistinguishable from that which existed under apartheid – biased, partisan, irresponsible, profligate and unaccountable.

As Members of Parliament we need to introspect about how we allowed that to happen. Ultimately, it was left up to the Public Protector to expose the rotten state of the SABC in her report, *When Governance and Ethics Fail*, released in February 2014.

When we realised that the government and Parliament would not implement the Public Protector's remedial action, the DA approached the courts in a two-part application:

Firstly, to suspend Mr Motsoeneng and subject him to a disciplinary hearing, which the Public Protector had ordered; and

Secondly, to declare that his appointment as chief operating officer, COO, was irrational and therefore illegal.

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On 24 October 2014, we got an order compelling the SABC to suspend Mr Motsoeneng and to subject him to a disciplinary hearing. He and the SABC sought leave to appeal. On 23 April 2015, he was granted leave to appeal but the SABC was ordered to implement the disciplinary hearing pending the appeal. He and the SABC appealed again. The case was adjudicated by the Supreme Court of Appeal on 8 October 2015 and the appeal was dismissed.

On 27 November 2015, the Western Cape High Court reviewed and set aside the appointment of Mr Motsoeneng as COO. He and the SABC appealed. On 23 May 2016, leave to appeal was dismissed. The SABC and Motsoeneng petitioned the Supreme Court of Appeal for leave to appeal and in September 2016 these petitions were dismissed by the Supreme Court of Appeal.

The SABC then convened a sham disciplinary hearing against Mr Motsoeneng in December 2015, which predictably exonerated him as key witnesses were not called. The DA again approached the courts to review and set aside this disciplinary hearing. The SABC in turn applied for a stay

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to these proceedings. The application for a stay was dismissed on 14 June 2016.

Judgement in the DA's case was delivered on 12 December 2016. The disciplinary hearing of December 2015 was set aside and a new one was ordered, and Mr Motsoeneng's appointment as group executive of corporate affairs was set aside. The court ordered that he could not occupy any senior position in the SABC until after the disciplinary hearing.

Mr Motsoeneng and Mr Aguma were ordered to pay our costs personally. Guess what? The SABC and Mr Motsoeneng applied for leave to appeal. On 7 February 2017, this application for appeal was dismissed. At every stage the SABC and/or its executive directors were ordered to pay the DA's costs, which now amount to millions of rand.

These cases show what happens when the board and its executive directors act with impunity. This culture of impunity must end in the public broadcaster immediately.

[Applause.]

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Dr M B KHOZA: Madam Speaker, first of all let me also echo my appreciation to all the different political parties under the stewardship of hon Smith. This was, indeed, not a very easy process. Nevertheless, we managed to navigate through it. Unanimously, the committee agreed that that governance compromises the financial status and sustainability of the SA Broadcasting Corporation. It is within this context that the ANC, as the leader of society, takes into account the fact that if you want to lead a society or if you assume a leadership position as a leader of society, you have to assume a high moral ground. Notwithstanding that, I have no doubt in my mind that the ad hoc committee was meticulous in its execution of its task. It is within this context that the ANC is supporting this report and that the ANC cannot resist logic and sense.

The ANC 53rd national congress resolution in Mangaung clearly states what has to be done about the SABC, and yet we were betrayed. We have to say this clearly. We were betrayed by those entrusted with the responsibility of leading that institution. As the ANC because we are humble servants of our people, we are acknowledging that

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and we are correcting what has been happening at the SABC. Evidence emanating from the 2016-17 parliamentary inquisitorial process on the SABC awakened us to the critical importance of the legislative authority, which is Parliament to perform effective oversight over the executive.

It is within this context again that we draw our strength from the publication of James Davison Hunter in his book entitled *The Death of Character: Moral Education in an Age Without Good or Evil*. He has this to say:

We want strong morality but without the emotional burden of guilt or shame; we want virtue but without particular moral justifications that invariably offend; we want good without having to name evil; we want decency without the authority to insist upon it.

It is within this context once more that this committee decided that for it to deliver on its mandate as entrusted by this honourable House it had to assume high moral ground. It was, nevertheless, disturbing that Prof

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Maguvhe and the current acting chief executive officer, CEO, did not seem to understand the difference between the public service and the commercial service that the SABC has to perform. We wish to remind them that part 4 of section 11(1) (d) and (e) of the Act, states that:

- (1) The commercial services provided by the corporation must -
 - (d) subsidise the public services to the extent recommended by the board and approved by the Minister; and
 - (e) be operated in an efficient manner so as to maximise the revenues provided to its shareholder.

It is therefore important that we make sure that the SABC is turned around and returned to its profitability because it is true that those revenues that we are going to get from the commercial services of the SABC that we shall be able to deliver on our public service mandate.

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Although the SABC punches holes on the evidence led by its own former senior staff members and alleges that they were guilty of gross misconduct, it is very disturbing to note that the very staff accused of gross misconduct were actually given golden handshakes by the very SABC when terminating their contracts.

We have to go into the root causes of some of the questionable transactions. Without that there is no way we can bring the SABC to its financial sustainability. We have a vision to review contracts, *The New Age* media arrangement and the *Multi Choice* agreement. All these contracts are extremely questionable and we are hoping that this interim board that is coming in is going to get into the root cause of this.

In supporting this report we want to make sure that the SABC cash flows are returned back to their normalcy. As hon Swart has already said we are extremely concerned about the cash reserves of the SABC. They have been shrinking in an alarming pace. Within four months the SABC has almost lost more than 40% of its reserves and we don't think this is a healthy financial situation.

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On that note we are saying, the SABC will also have to review their policies that have been adopted which have led to the net loss of R411 million during the 2015-16 financial year. In our view as the committee we attribute this to the net effect of the SABC's erratic and ill process policy choices that have cost the public broadcaster millions of rand.

We are therefore tabling this report to say as the ANC that we support it. We also welcome the fact that all the other parties worked with us because they do believe that the public broadcaster is a strategic asset and that we have to defend it at all costs. I also welcome all the positive contributions that we received from the other members of the other parties and I want to say, keep it up. That is how South Africa would prosper. I thank you, Madam Speaker. [Applause.]

Debate concluded.

Question put.

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

That the Report be adopted by this House.

Motion agreed to (United Democratic Movement dissenting).

Report accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
COMMUNICATIONS - RECOMMENDATION OF CANDIDATES TO FILL
VACANCIES ON COUNCIL OF INDEPENDENT COMMUNICATIONS
AUTHORITY OF SOUTH AFRICA, ICASA**

Mr C H M MAXEGWANA: House Chair and members, good afternoon. The Portfolio Committee on Communications, having considered the request from the Minister of Communications to fill two vacancies in the Independent Communications Authority of South Africa, Icasa, council, advertised the call for nominations of persons to serve in Icasa. We received 35 nominations. After short-listing, we publicly interviewed six candidates. As the subcommittee, we tabled our report to the committee, and the committee endorsed our report.

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I have to add the committee unanimously agreed on two of the applicants, namely Adv Qocha and Ms Nomonde Gongxeka. However, the third name, Ms Palesa Kadi, was agreed on by the committee, but the DA abstained from that third name. The reason they put forward was that the DA person who was part of the interview was not present. This person went through the curriculum vitae and interviewed the people with us but was not part of the committee where we endorsed the three names. The committee therefore recommends to the House the names of Palesa Kadi, Adv Qocha and Ms Gongxeka.

Those names will be forwarded through processes of Parliament so that two of these three people are part of the council. Remember, the Icasa council members are the people who take decisions, and they serve full time. Any of these three who might work somewhere else would have to resign from that employment and commit full time to Icasa. House Chair, those are the names we recommend for approval by the House, as I have submitted. Thank you very much. [Applause.]

Debate concluded.

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Question put: That Adv Dimakatso Qocha, Ms Nomonde Gongxeka and Ms Palesa Kadi be recommended for appointment to the Council of Independent Communications Authority of South Africa.

Declarations of vote:

Afrikaans:

Ms V VAN DYK: Voorsitter en lede van die Huis, die DA onderskryf die aanstelling van Adv Dimakatso Qocha en Me Nomonde Gongxeka om twee vakatures in die raad van die Onafhanklike Kommunikasie-owerheid van Suid-Afrika, Okosa, te vul.

Ons maak egter ten sterkste beswaar teen die insluiting van die derde kandidaat, Me Palesa Kadi. Sy beskik nie oor die voldoende vaardighede en ondervinding nie, en haar insluiting op die lys was prosedureel gebrekkig. Ondanks die feit dat die komitee 'n onderhoud met haar gevoer het, is sy nie gekies as een van die finale kandidate nie. Op 23 November 2016 toe die komitee die finale keuses bespreek het, was Me Kadi glad nie ter sprake of bespreek nie.

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English:

One of the candidates we discussed on the final day was Mr Linden Petzer. He is one of South Africa's most respected specialists in the field of radio frequency spectrum, and his skills are much needed on Icasa's council. He has a vast amount of experience and subject knowledge and was the DA's preferred candidate. Surprisingly, Ms Kadi was introduced to the list on 20 February 2017, this because of the failure of two of the other candidates to receive police clearance.

She was not the first choice of any of the parties, but the ANC preferred to accept her inadequacies rather than appoint Mr Petzer, the best person for the job. This move that further aggravates the dearth of appropriately skilled technical people on Icasa's council gives credence to the view that undermining the integrity of Icasa is a deliberate ANC strategy.

The DA maintains that the process was flawed and that Ms Kadi is by no means suitable for the council. The DA further argued that the Rules indicate that the National Assembly must submit a candidate list with at least one-

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and-a-half times more candidates to the Minister for endorsement, providing the number of posts to be filled is more than one. Therefore, in terms of this provision, Mr Petzer's name should have been added to the list, but he ended up a casualty of the ANC's insistence on incompetency, which underscores its bias towards broadcasting knowledge at the expense of telecommunications.

The recent collapse of the SABC due to an absolute failure to properly vet and monitor board members and senior officials should serve as a warning to all parliamentary committees making selections in future.

Afrikaans:

Wanneer dit kom by Okosa en ander liggame wat deur die staat befonds word, moet ons versigtig wees ten einde te verseker dat politieke agendas nie ons oordeel vertroebel by die kies van kandidate wat die belastingbetalers van Suid-Afrika moet dien nie.

English:

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As members of this House, we need to start taking our responsibilities and mandates seriously by ensuring that vacant positions are given to the best candidates. We condemn state entities to perpetual failure by packing their boards with inadequately skilled comrades. This House must shoulder some of the blame for these entities' failures.

Afrikaans:

Die DA erken Okosa se onlangse beslissing om 'n aansoek deur e.tv teen te staan om sy lisensie voorwaardes te wysig ten einde hul nuusuitsendings uit die spitstydgleuf te skuif. Dit is 'n belangrike mylpaal en die versekering dat 12 miljoen Suid-Afrikaners wat staatmaak op nuusuitsendings in spitstyd as 'n bron van inligting sal voortgaan om toegang tot nuusuitsendings op 'n redelike tyd te hê.

English:

The DA looks forward to Icasa's response to our request to conduct an inquiry into the recent proliferation of fake news in South Africa's broadcast media space.

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Afrikaans:

Die DA sal voortgaan om te veg vir elke burger se reg tot akkurate inligting en om te verseker dat alle besluite geneem word in belang van elke Suid-Afrikaner. Dankie.

[Applous.]

Mr M L W FILTANE: The UDM supports this one. Icasa plays a very important role as an independent regulatory body of the South African telecommunications and broadcasting sector. It does this in the interest of the public. Icasa has to be effective in regulating the South African Broadcasting Corporation, SABC, so that it plays its role as public broadcaster in the public interest and promote democracy.

Isixhosa:

Masiqinisekise ukuba isebenzela ilizwe lonke, ingabi yeyegcuntswana.

English:

The filling of vacancies in this institution should go a long way in ensuring that Icasa continue to be an effective regulator. In its nature, Icasa should be about

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protecting citizens' interests and play its role as a watchdog for a democratic society. It is therefore required to be effective and truly independent.

Icasa has to be transparent, accountable and participatory and run professionally by people who have the requisite knowledge and skills to discharge this important societal task. We have confidence that the recommended names will add value to the mandate of Icasa in discharging its duties and hope that Icasa will ensure that radio stations ...

Isixhosa:

... ezifana no-Umhlobo Wenene umzekelo nosisikhululo solwimi lwesiXhosa, zisasaza ngolwimi lwazo. Kukho ababafana batsha nala mantombazana athanda ukusasaza ngesilungu kakhulu endaweni yokusasaza ngolwimi lwesikhululo eso. Le nto iyasigulisa ke thina kuba abantu bakuthi abasiva isilungu. Bathi abaphulaphuli besamamele Umhlobo Wenene bavele basasaze ngesilungu.

Ndiqinisekile ukuba kunjalo ke nakwezinye iilwimi. Kukho olu lutsha lufunde kwezi zikolo ezibizwa ngoku zi-model

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C. Ngoko i-Icasa mayiqiniseke ukuba iyayinqanda le nto. Ukuba isikhululo sesolwimi lwesibhulu makusasazwe ngolo lwimi kungabe kuxutywa-xutywa. Silindele loo nto ke kwaba bantu batyunjelwe ukuba bangene apha. Enkosi.

Mr M Q NDLOZI: House Chairperson, there is three points that we want to make. We cannot as well put our weight behind the last name for the obvious reasons of procedure. Our recommendation as a matter of fact was that, for any additional candidate to be found, we have had to restart the process to find a suitable candidate.

I think that we must also record that it is concerning that the Minister of Communications is not in the House to hear these recommendations, including the recommendations on the last item. I think Parliament has to express itself that when important recommendations like members of the board that she has to apply her mind on are being submitted and she is not here, it's really concerning.

So, we want to register that that will result in the same type of incompetence that she displayed in relation to

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the SABC. It was important for her to come and hear some of the substantial disagreements that happened around these recommendations. As the EFF, we want to put it on record that in as much as we are comfortable with the first two names in relation to the last name because of these procedural flaws, we cannot support. Thank you very much.

Mr A M SHAIK EMAM: House Chair, hon members of the House, let me also acknowledge the President of my party, hon Zanele Magwaza-Msibi. [Applause.] The NFP welcomes the report tabled here, today, by the Portfolio Committee on Communications.

The Icasa plays a pivotal role in regulating our communications, broadcasting and postal services sector. The NFP expresses its concern with the lapse of time since the office of the previous chairperson of the council expired on 20 June 2015. This means that Icasa had to function for more than 19 months now without the benefit of a guiding hand of a chairperson.

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Moreover, the vacancy which arose with the resignation of former councillor, Dr Masiya Sosikwa, has now existed for 25 months. We submit that such vacancies are counter productive to the requirement for effective governance. The longer these vacancies persist, the longer it will take the Icasa to be operational at maximum capacity.

We need to have a closer look at our processes in facilitating nominations of this kind. We understand the restrictions which public participation places on the pace at which the nomination process is managed. We have to find ways to expedite the process. State bodies such as Icasa can only function at a maximum capacity if they have the full complement of expertise available to it as provided for in legislation.

If we are to make our democracy work the way it is intended, then we need to ensure that undue delays in the filling of vacancies be dealt with as swiftly as possible. To conclude, the NFP supports the recommendations contained in the report tabled here, today. I thank you.

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Mr L M NTSHAYISA: Hon House Chairperson, as the AIC, we also support the appointment of these councillors. We know very well that the filling of vacancies in any institution does give hope. The fact that Icasa has been without these three councillors has been big gap indeed. That means the work has not been done properly.

This also contributes a lot to the reduction of unemployment, which is one of the challenges facing our country. We therefore support the fact that people should be appointed so that a lot of people get work in our country. Thank you very much.

Tshivenda:

Vho R M TSELI: Mudzulatshidulo wa Buthano ja lushaka. Sa ANC, ri tikedza muvhigo wa komiti ya zwa vhudavhidzani.

English:

We support the report largely because the three recommended candidates proved beyond reasonable doubt that in the interviews that they have the necessary expertise and experience in the media industry and possess suitable qualifications.

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We are satisfied as the ANC with the selection process that involved participation by the public in the nomination process as required by the Icasa Act, which led to 35 nominations as reported by the Chairperson. We can report to this august House that the third candidate that the other colleagues are objecting, Palesa Kadi, is a dynamic youth activist, who is currently an executive in the Film and Publication Board, FPB. She is very excellent in corporate governance and media development. As the ANC, we are confident that, if she is considered for appointment as a councillor, she can make a meaningful contribution in taking the regulator to greater heights, like the other two candidates.

We want to thank all the candidates that supported this report and to those that have objected, we want to indicate that we have given them ample time to convince us to agree to their candidacy but they dismally failed. As the ANC, once more, we support the report. Thank you very much. [Applause.]

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, if I may, the Act governing Icasa requires that the

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recommendations to the President are made after a process involving public comments and also a public advertisement. I would like to seek your guidance whether the person who was injected into the process at a later stage has met the requirements in terms of the Act, the publication and public comments around that particular name. We seek your guidance on that matter.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Steenhuisen, I would have to confirm with the Chairperson, but from his presentation, there was no suggestion that all processes were not followed, but perhaps we can ask the Chairperson of the committee to clarify. Chairperson!

Mr M H C MAXEGWANA: House Chair, again, the vacancies were advertised. The subcommittee of the portfolio committee short listed and interviewed. All parties were part of the interviewing process including, hon Phumzile Van Damme, who is part of the subcommittee of the portfolio committee.

So, I do not know where the DA missed all this, however, all processes were open, interviews were done in an open

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platform, we interacted with them. In our view, the processes of Parliament were all followed. Thank you.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member, it looks like there is a dispute that all the names that are recommended here were part of the process. Can you just clarify that all the names that were put forward were they part of the ...

Mr M H C MAXEGWANA: All of them, hon House Chair, were part of the six that were shortlisted. Palesa Kadi, who is apparently a dispute, was part of that, in fact, she is part of the first three members to be interviewed in the presence of everybody from the committee.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Steenhuisen, I was also just being advised that the report was publicised in February to allow for public comments, if any and I am not sure whether there might be any other processes in your view that were not followed.

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, it was the late injection of curriculum vitae of the

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candidate who is in dispute. I have a concern that section 5(1)(a) and (c) of the Icasa Act have not been followed, but if you are giving the House the assurance that that has been done; obviously we have to accept that. I believe it is very difficult to shortlist and to involve the public in a process when somebody is injected into that process at a very late stage as a shortlisted candidate.

The HOUSE CHAIRPERSON (Ms A T Didiza): Thanks for your understanding, Hon Steenhuisen, but from the clarification it does seem that all the candidates that are now recommended to the House were part of the shortlist that happened in the committee. And in terms of the processes, they actually met all the criteria.

There was no debate.

Question put: That Adv Dimakatso Qocha, Ms Nomonde Gongxeka and Ms Palesa Kadi be recommended for appointment to the Council of Independent Communications Authority of South Africa.

Division demanded.

House divided.

[Take in from minutes.]

Question agreed to.

**PROMOTING HARMONIOUS CO-EXISTENCE AND RESPECT FOR THE
RIGHTS OF ALL PERSONS, INCLUDING FOREIGN NATIONALS, AS
ENJOINED BY OUR CONSTITUTION**

(Subject for Discussion)

Ms T E KENYE: Hon Chairperson, hon Ministers and Deputy Ministers, distinguished guests in the gallery, the ANC moves that, we as this Parliament, in light of the recent eruptions of violent events towards foreign nationals, including the most recent event in Olievenhoutbosch in Gauteng, debate the importance of promoting harmonious co-existence and respect for the rights of all persons in South Africa as enjoined by our Constitution.

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Chapter 2, subsections 7 to 39 of our Constitution contains the Bill of Rights which is the cornerstone of our democracy. Our government respects and protects these rights vigorously through our independent judiciary, law enforcement and various Chapter 9 institutions. These rights cover all those who are in South Africa at any given moment such as citizens, visitors, foreign nationals and so on.

The preamble of our Constitution ...

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, mama Kenye, can you please hold on. Order! Hon members, those of us who are leaving the chamber can we do that quietly and those who are conversing can also do it in a manner that respects the speaker. Order! Hon member, you can proceed.

Ms T E KENYE: ... which is extracted from the Freedom Charter states that, "South Africa belongs to all who live in it." It is worth remembering that in our commemoration of the centenary of Tata Oliver Tambo, the longest serving president of the ANC; it is him who started the tradition of annual themes to keep us

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focussed on the emancipation of our people. It is therefore befitting to refocus ourselves during his commemoration of what would have been his 100 years birthday, on one of our founding principles that he worked tirelessly for, as an internationalist, that of harmonious and peaceful co-existence of nations and peoples of the world and more especially Africans. Hence, the last clause of the Freedom Charter which states that, "There shall be peace and friendship."

Our government has always stood up and will do so in the future whenever there are perpetrators of violence masquerading in different forms in our society. Chairperson, in 2015 our government offered a comprehensive response to the eruption of violence towards foreign nationals. That included our Hon President Zuma, personally getting involved by visiting those who were affected, an Inter-Ministerial Committee, Parliament's multiparty Ad Hoc Committee, among others. These structures visited the communities of Alexander and Durban.

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From our interaction with these communities the feedback we got laid bare some of the underlying causes, mainly socioeconomic issues, breakdown in law enforcement and so on. It became very clear to us that South Africans couldn't be stereotyped as xenophobic as poor communities frequently fought over limited resources and the pinch of our economy drives some to despondency and resentment. I think the name xenophobic means severe hatred of foreigners and I do not think that South Africans are xenophobic.

Poor communities with little or no job skills saw themselves as fighting for the same low-income jobs and small businesses with foreign nationals, which they deemed can take the lowest offer because of their circumstances.

IsiXhosa:

Bathi abantu esasiye kubo, siyile Komiti yeThutyana eyayonyulwe apha ePalamente, eGina Stores, eThekwini baye baqhankqalaza befuna ukunyuselwa imivuzo. Abantu ababathandayo nabahlala nabo abasuka kumazwe angaphandle baye bangena kwizithuba zabo xa begxothwayo nangona

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uqhankqalazo lwabo beluvumelekile lusemthethweni. Iye yabaxabanisa ke loo nto.

English:

This confirms what we know that, since time immemorial Africans had had a history of harmonious and peaceful co-existence irrespective of their nationalities. This is imprinted in the cultures of some of our biggest townships such as Soweto, Khayelitsha, Mdantsane, etc. We should be careful of loaded terms that might drive hidden agendas in our communities. We are left to wonder, in some instances, whether some of these conflicts are not used as political tool to cause instability.

I wish to state that South Africa is underpinned by the rule of law which allows everything else to operate normally, and only under subsection 36 of the Constitution are rights of those who live within our boundaries limited under reasonable and justifiable circumstances based on human dignity, equality and freedom. This means that the law is applied equally, without fear or favour to all those who live within the

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boundaries of this beautiful land - be they citizens, visitors and foreign nationals.

It is a known fact that the ANC was an inclusive liberation movement that accommodated Africans across the continent and that has been the driving motive of this ANC-led government emboldened further by the years we spent among other nations, more especially African countries in the continent that housed or embraced us during our exiled years. We shall never forget such hospitality from our own brothers and sisters. It is therefore a historical fact that the ANC-led government is the main driver and leader of harmonious co-existence of Africans wherever they find themselves. It has been the ANC-led government's commitment and practice to work towards a better Africa and a better world.

Our country needs to deal decisively with all those issues, group of people, individuals or elements that seek to cause political instability by perpetrating criminal activities under different disguises. We pledge law enforcement agencies to prevail on them; the arm of law to catch up with them; and that they be dealt with

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decisively by courts of law. We ask all those who have been wronged, especially fellow Africans to allow the law to take its course and not take law into their own hands. We have a handful of laws to assist us with dealing with these situations. I so move, thank you.

Mr S C MOTAU: Hon Chair, thank you very much. Hon members, there is no doubt in my mind that all the good people of this country cherish the promotion of harmonious co-existence and respect for the rights of all persons, including foreign nationals. This is the case because we want to establish a society based on democratic values, social justice and fundamental human rights for all who live in the country; a country that is peaceful and a country that is free of crime.

Sadly, we seem to be failing behind in our noble national mission. As matters stand, this country seems more divided and violent than at any time since 1994.

Xenophobia, homophobia, racism and religious intolerance, particularly as manifested in anti-semitism, bedevil the social fabric of our nation.

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This, despite the fact that the Presidency is mandated to lead an agenda and the discourse on nation-building, social cohesion and national identity facilitated through the Moral Regeneration Movement and its charter of positive values.

What positive results can we show for the millions of Rand appropriated for this purpose every year? The simple answer is: Very little, if anything. Political correctness and expediency seem to be the major culprits responsible for this dismal performance.

Following the recent xenophobic violence in the Tshwane area, DA Leader Mmusi Maimane made the following plea:

The DA strongly condemns xenophobia and xenophobic violence and we urge all South Africans to do the same. The hatred and intolerance towards foreign African nationals that has flared up in areas of Gauteng is morally contemptible and self-defeating.

While irrationality can be blamed for some of the xenophobic behaviour we see, we cannot lose sight of the

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fact that there are some objective factors that generate resentment among both South Africans and immigrants that serve as triggers for violence. For instance, there are growing ramblings amongst South Africans in the townships that foreign nationals put severe strain on amenities and services such as public schools, clinics, hospitals and housing.

Scrambling for jobs also always comes up as a big factor. With 9 million jobless and 17 million people on social grants this is hardly surprising. The very weak economic growth in the country is not helping. The economy needs to grow by at least 5 percent or more a year, as envisaged by the National Development Plan, to create millions of jobs. Most people who have a job, hardly ever worry about who is the country.

However, even such productive growth will not be enough if illegal immigrants continue to flood the country. Let me defer to the DA Leader again:

The DA does not support illegal immigrants. The DA's position is that anyone who meets the legal

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criteria; is prepared to play by the rules of our Constitution, and who seeks a better life for themselves, should be welcome in South Africa.

However, it must be recognised that with the best will in the world, South Africa does not have the capacity or the resources to take in all immigrants, legal or illegal from the African continent or any other continent.

During the recent violence in the Tshwane townships we learned also something, that there was also a 'turf war' going on between two groups of foreign nationals from different countries who repair vehicles. These clashes were also willy-nilly characterised as xenophobic violence. These factors, real or imagined must be confronted head-on and addressed as they will go on and never change unless we do something about them. We dare not shy away from them.

Following the xenophobic violence of 2008 and 2015, Parliament appointed Ad Hoc Committees to probe the causes of the violence against foreign nationals. These committees, constituted at some significant cost,

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completed their assignments and made recommendations to Parliament regarding the actions to be taken to address the scourge. Very little seems to have been done regarding the implementation of these recommendations.

The DA calls on Parliament to institute an urgent review of the recommendations made in 2008 and 2015; establish which have been implemented and facilitate the implementation of those that are outstanding, as a matter of urgency.

The DA believes that the recent incidents of xenophobic violence and anti-foreigner sentiments are consequences of a failure of the ANC government to implement the recommendations set out in the 2008 and 2015 reports.

Thank you very much. [Applause.]

Ms H O HLOPHE: Thank you, House Chair. The EFF believes very strongly that no black person can ever be a foreigner in an African soil. These division we now see in our society are as a result of over hundred years of exploitations of Africans by the real foreign exploiters

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who too from our people everything. They took land. They took ...

Isizulu:

... izinkomo zobaba zemuka, Sihlalo weNdlu.

English:

The foundations of South Africa as we have to know it are premised on the super exploitation of African labour from within this country and across the continent. They came; they are still coming looking for the livelihoods; from within this country, from the central and the Southern Africa. They followed in the footsteps of their grandfathers, uncles, fathers along the road or the railway line to the city of gold.

The current debacle pertaining to unemployment and equality is wrongfully placed and blame on African brothers and sisters; and black people from the developing world. We are just fighting over crumbs. The continuing violence against African nationals is very disingenuous and is a platform for black on black violence.

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he failure of society ought to be put at the door of the ANC. The ANC has failed to transform the lives of South Africans. In the midst of attempting to confront economic strongholds against black people, white monopoly capital has been left untouched.

It is the ANC that negotiated itself into power on the basis of leaving the exploitative structure of the South African economy unchanged. It is the ANC which as presided over massive unemployment of our people, leaving over 40% of the young people eligible to work without work.

It is the ANC which has for the past 23 years refused to force the very same mining companies which have exploited our people for over a century to process our minerals in this country; to create more jobs instead of exporting raw material to the developed countries.

So there can be no harmonious living together in this country if the economy continues to be in the very same hands of a tiny foreign minority which has plundered our nation for centuries. There can be no harmonious living

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together if that tiny foreign minority still owns more than 80% of the land; and the ANC is okay about this whole situation.

There can be no harmonious living together until South Africa truly belongs to her people: the dispossessed, the unemployed and the landless. The ANC must give our people land not tomorrow but today.

We must direct our anger to those who refuse to let go of their loot. Those who own our economy and enjoy alone the fruits of what is there to offer; but we must realize that there is no defeating white monopoly capital without defeating the ANC first. The ANC must fall; only the EFF can free this country from the tentacles of the white monopoly capitalism. I thank you Chair.

The MINISTER OF POLICE: Madam Chairperson, hon members, ladies and gentlemen, a renowned African scholar, Ngugi wa Thiong'o says and I quote, "It is the final triumph of a system of domination when the dominated start singing its virtues." Our fundamental premise in this timely debate is that, it must be properly historicised and

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located squarely in the brutal and inhumane legacy of colonialism and apartheid - the twin evils of what has also been described, as colonialism of a special type.

This vicious system driven by the despicable expansionist ambitions of the capitalist system, not only dehumanises people by making them feel inferior and self-loathing, but also reproduces the colonising and oppressive ideology of the slave master in the mind and world view of its victims. It is this tragic triumph of the master at the expense of the slave, the colonised and the oppressed that Ngugi alludes to. In other words ladies and gentlemen, the replication and mutation of the dominant ideology in the mind of the oppressed, especially the internalising of self-hatred that often finds callous expression through violence, the oppressed reproduces in the master's ideological diction, and like the master, aims this violence at the black body, the African body - the most denigrated body in human history.

The Pan-Africanist thinker Marcus Garvey summarises it this way and I quote:

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Whilst others might free the body, none but ourselves can free the mind... The man who is not able to develop and use his mind is bound to be the slave of the other man who uses his mind.

House Chair, it is a fact that even after colonialism and apartheid has now officially ended, the vestiges remain to define and prolong the trauma and trials of our times. Yesterday's nightmarish hour is still with us. Power relations and class relations in our society in the main, still mirror the horror some thought we had long banished from collective memory.

And of course, much to our dismay, what still stares at us with eyes of fire, are the terrors of colonialism, apartheid and capitalist exploitation, the legacy of the imperialist's bloodletting and albatross of Eurocentric education. Certainly, it is premature and incorrect to think we have now reached a postracism and postclass exploitation dispensation.

On the contrary, we are now reaping the whirlwind - thanks to those for whom were nothing, but children of a

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lesser God. Lianne Mulder, then a Master of Philosophy student at the University of the West Indies in Barbados, assets this point:

Following Marxist logic then, the class element was the overarching, dominant factor in creating colonised education, but I argue that it would not have worked without religious and racist ideologies alongside it. These ideologies could on the one hand justify the capitalist exploitation of people of colour and their lands and resources, and on the other hand distract the working classes from their mutual goals and interests, by having them focus on religious and racial differences. Class consciousness was thus significantly obstructed by false consciousness.

In the year in which we celebrate the centenary of OR Tambo, who well understood the national and international character of our struggle and forged ties with many peoples of the world, especially on the African continent, the ANC is disturbed by the attacks on fellow

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Africans by other Africans. Surely, this cannot be done in the name of our beloved land.

We condemn such acts of barbarity with all the contempt they deserve. We regard them as one of the highest and appalling manifestations of mimicking the erstwhile master and doing of his dirty divide and rule job rooted as it is, in the African's tragic self-hate syndrome. Sad as it is, some amongst us hate our fellow brothers and sisters from other parts of Africa. Over 300 years of brutality and subjugation have left indelible scars and mental slavery. Now is the time for our minds to be free as Bantu Steven Biko urged us. We will fight afrophobia with all in our power. And also call our brothers in other parts of Africa to be part of the solution and not the worsening of an already volatile situation. Ill-informed and prejudiced readings of the South African situation can only help perpetuate the erstwhile master narrative and threatens the broad solidarity and the deep historical ties that bind all of us as Africans.

The police will continue to arrest and deal with anyone who breaks the law by attacking a fellow African, looting

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and acts of intimidation. To date the SA Police Service, Saps, has arrested close to 140 people on various charges relating to violent attacks on our brothers and sisters from other parts of Africa.

We are aware that of late, genuine protests by citizens get hijacked by opportunistic elements often bent on criminality and other nefarious objectives.

It is imperative that even as one unconditionally condemns afrophobic, xenophobic attacks and attitudes, some caution is taken. We must locate afrophobia and xenophobia in a social and historical context. Scholars such as Shose Kessi and Kopano Ratele, correctly argue that we must locate this scourge within South Africa's historical, economic and political conditions, apartheid colonialism and the wrenching jaws of globalisation.

Ratele's summation in 2015 still rings true when he said:

Till the vulnerability of poor black foreigners is seen in the light of the economic and social psychological vulnerability of poor black locals,

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there is little light in the tunnel. In all likelihood, the violence we have witnessed emerges not simply from xenophobic attitudes but from multiple failures, socioeconomic conditions, and social psychological vulnerabilities that have thrown together poor locals and foreigners in oppressive life circumstances.

As the government, we recognise and respect the right of South Africans to rise against the proliferation of drugs and other substances in our communities. Like they have done before in the days of the liberation struggle, and protested against beer halls and shebeens, our people have reached genuine levels of desperation and feel as if all is lost. Our people are right to fight for the end of this lawlessness that is ravaging our communities, family lives and having a negative impact on our economy.

Notwithstanding these legitimate concerns, the ANC government condemns unconditionally any attempts to target certain foreign nationals, the destruction of property and threats to life in the fight against drugs and related forms of criminality.

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We cannot pretend that simply because our citizens are angry, and justly so, it is correct to murder, to loot and to intimidate other human beings who happen to be our brothers and sisters from other parts of the continent, and certainly not in our name, not under the watch of the ANC government. [Interjections.]

IsiZulu:

Mnu S P MHLONGO: Sihlalo, ngicela ukukhuluma.

Nk M S KHAWULA: Sihlalo, uNjomane ucela ukukhuluma.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon Minister can you please take your seat. Hon members, I have recognised you but I would just like to ask all of us to appreciate that this debate is important and other nationals, particularly those who have been affected are watching at how, we ourselves, reflect on this debate and I think it is important to take note of that. Hon member, what is the point of order?

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Mr S P MHLONGO: Madam Chair, I rise on the point of privilege. I want to know the honesty and the sincerity of the Minister who allowed the smuggling of police to this House to assault the hon members of the EFF? How honest and loyal is he, to the fact of his ...?

[Interjections.]

The HOUSE CHAIRPERSON (M A T Didiza): Order hon member! Order hon members! Hon Mhlongo, hon Mhlongo, can you take your seat. Order! Hon member you should have requested to ask a question, then I would have asked the Minister whether he would take your question, I would therefore not put the question to the Minister.

The MINISTER OF POLICE: Hon members, it cannot be right that a true patriotic citizen protesting against crime would in the process commit a crime. Why would any sensible South African betray his or her country's Constitution and good name in this manner? That is why we are convinced that in the main, it is criminals who engage in such reckless and shameful behaviour.

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Following the afrophobic, xenophobic violence incidents in 2008, the SA Human Rights Commission found that perceptions and the reality of corruption and indifference by some officials in our government, was one of the main triggers. Surely as government we must swiftly address this betrayal of our people by a few civil servants and some individuals.

Hon members, the ANC will not sit idly and watch our country trodden on by criminals. We have a plan and we are on the move. The Interministerial Committee on Migration established by the President has set up a Technical Task Team, which in turn came up with five key strategic approvals and targets whose implementation began in 2015.

Code-named Operation Fiela, the SAPS-led plan yielded great results. These include; the arrest of 265 suspects on public violence charges, the tracing of 423 suspects wanted for various crimes, the arrest of over 240 illegal immigrants, the seizure of over 40 bags of dagga and other drugs etc.

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Currently, the Justice, Crime Prevention and Security, JCPS, cluster is reviewing this strategy, and will implement Phase 2 of Operation Fiela, code-named Operation Dineo. Also, the JCPS cluster has adopted a Multidisciplinary Integrated National Action Plan to reassert the authority of the state and ensure that those left displaced by afrophobic violence enjoy a measure of protection from the state in line with the human rights tenets of our Constitution.

As the JCPS cluster, we are also adopting a proactive approach, in line with the SAPS's Back to Basics strategy. More police will be visible for patrols and swift response in key identified crime hot spots.

I also wish to draw hon members to issues of spatial patterns and the legacy of apartheid's town and regional planning which was premised on sharpening superficial divisions of race and ethnicity, as well as ensuring that black people were kept outside of the cities - save for when they were needed for cheap labour on the mines, factories and so on.

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We strongly contend that as government, we possibly also have to look at how best to integrate foreign nationals from other parts of the continent, thereby advancing social cohesion.

Finally, the ANC government will never abandon the peoples of Africa irrespective of the stamps on their passports. Our sovereignty and control of borders will continue to be in line with the ethos of our Constitution and the rule of law.

Ours is a history moulded and solidified in the crucible of our common struggles against slavery, colonialism, racism and the vestiges of neocolonial violence. Our ties with the rest of Africa are lasting covenants, ambers and emblems towards a peaceful and prosperous Africa.

The ANC government will never abandon countless citizens of our land, irrespective of race and ethnicity, when they cry out for help, as drugs and alcohol threaten their livelihoods and our social fabric. Government will do all it can to bring about peace and safety in our society. Our people know very well the sinister

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ideological forces that push drugs in our society. The evil and ideological intent is to derail the socioeconomic progress and in fact, kill our nation. It is in that context that our people's rage must be understood, but never condoned once it tramples on the rights of others.

I wish to refer to the wisdom of the leader of our glorious movement, uKhongolose, uBaba u-Oliver Reginald Tambo on the occasion of the commemoration of the 20th year of the adoption of the Universal Declaration of Human Rights on 1 June 1968, when he said and I quote:

Our fight is for justice. We cannot cease until we have won, as we will in time. And in achieving human rights for all men in Southern Africa we will be making our contribution to the fight for human rights and freedom the world over.

Certainly, crime must fall and xenophobia must fall.

Thank you very much, ladies and gentlemen. [Applause.]

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The HOUSE CHAIRPERSON (Ms A T Didiza): Hon members, by agreement between parties, I will ask the UDM to take the slot of the IFP and then the IFP will take the slot of the UDM accordingly. Hon Majeke.

Ms N C MAJEKE: Hon Chairperson and hon members, the recent upsurge of ugly community violence has cast a shameful light on South Africa. As a country, we have emerged from a struggle that ushered in a Constitution that ensures that universal rights are applicable to all human beings, across the board.

We need to improve our system of managing immigrants and refugees like all other countries in our neighbourhood do. Our criminal justice system needs to be clean and to treat criminal activities as such, whether engaged in by a South African or a foreigner. Police must, at all times, do their work and remain free of corruption. It may also be prudent to consider rotating police officials among police stations, as it is alleged they sometimes collude with drug dealers.

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Our state machinery should regulate, monitor and manage the labour regime better, and effectively. The inclination to abuse foreign nationals for cheap labour should be avoided, as this results in unwarranted violence. We must improve our immigration control system so that, amongst others, asylum seekers are processed quickly. Those who do not qualify for refugee status should be directed back home, with immediate effect. We must undo the climate of hatred against foreign nationals and infuse the notion that immigrant communities are also entitled to equal legal protection, like all South Africans.

As a nation, we must never abandon the notions of solidarity that drove the struggle against apartheid and that were based on claims for universal humanity.

IsiXhosa:

Sihlalo, ngamanye amaxesha zikhona iingxelo ezimane zifika, ezenza ukuba abantu baxabane. Le nto ithi ...

English:

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... reports have been made that, in some cases, they approach landlords and are granted lease agreements. Later, however, they fail to pay rent ...

IsiXhosa:

... bangafuni ukuphuma, bangafuni nokuba umnininzi angene kumhlaba wakhe. Ezi zinto noko azithandeki kuba zenza ukuba abantu bethu babhenele emagqwetheni ngeemali abangenazo.

English:

Nevertheless, we must make the call to everyone to stop the attacks against foreign nationals. In our different associations and organisations, we must stand with other communities to stop the violence against foreign nationals. I thank you.

Mr M L SHELEMBE: Hon Chairperson; hon members; my leader, the president of the NFP, our Constitution, which we adopted 20 years ago as the guiding document around which our society is ordered, has been hailed as a fine example of a modern democracy. Fundamental human rights are entrenched and clear guidelines are laid down for

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transparent and accountable governance. Yet, despite the liberal provisions of our Constitution, we find a lack of harmony between South Africans and foreign nationals.

This lack of harmony flares up on occasion and we call it xenophobia. We condemn the violence and, once the situation is brought under control, we go about in a business-as-usual manner. We keep on ignoring the fact that the lack of harmony continues to fester under the surface waiting to flare up anywhere at any time, again and again. The questions we have to ask ourselves are, Why is there this lack of harmony? What is it that drives South Africans to the point where they would not hesitate to express their dissatisfaction in the most brutal of ways - by killing others?

The NFP believes that the answer is complex. First and foremost, however, South Africans have no faith in the government's ability to implement its policy on immigration. We have to face some unpleasant truths. Corruption and inadequate border controls over the past 22 years have opened the floodgates of illegal immigrants who have settled in South Africa with impunity and who

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are now competing with the poorest of our poor for scarce social and economic resources.

The NFP accepts that we have international obligations to shelter those who are in need of asylum. We have a moral obligation to assist refugees who have fled political violence. We also accept that South Africa stands to benefit from immigrants who bring with them scarce skills and investments, and we believe that the overwhelming majority of South Africans share this view.

In our analysis, the root of the problem lies with illegal and undocumented foreign nationals and those foreign nationals who abuse the hospitality extended to them by South Africans. Human and drug trafficking is high on the list of grievances that South Africans have when venting their anger and expressing dissatisfaction about foreign nationals, as we have seen recently in Johannesburg and Pretoria.

The NFP believes that it will take a long time and concerted intervention by government to address the lack

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of harmony between South Africans and foreign nationals.

[Time expired.]

Mr M A MNCWANGO: Hon Chairperson, on Friday, this House celebrated 23 years of constitutional democracy in South Africa. In terms of our Constitution, both citizens and foreign nationals enjoy legislative protection. Ours is, in fact, one of the few Constitutions in the world in which this is so.

Yet, on the streets of South Africa, a vastly different scenario is unfolding. Xenophobia continues to simmer, and explodes perennially on our streets and in our communities. It has never been adequately and resolutely dealt with. There is no doubt that this is contrary to the protection offered by the Constitution.

The challenge, therefore, is multipronged and must be dealt with as such. Considered effort must be made from basic and adult education levels in which both our children and adults are taught that the rights they so enjoy under our Constitution are applicable to and depend on their, in turn, respecting the rights of others. Mob

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justice must not be allowed to take root. Its underlying causality, which can be traced back to our citizenry not accepting or coming to terms with the principle of equality before the law, must be addressed in our communities.

The allegations that are often raised centring around alleged criminal activities by foreign nationals, including narcotics, the trafficking of persons, and prostitution, must be left for the police to investigate and make arrests, where necessary. Mob justice or vigilantism does nothing, in fact, but erode the rule of law and must not be allowed to take root. The SAPS has a responsibility to ensure that reported cases of criminality by any person, foreign or national, are investigated and that criminal elements in our society are removed.

On the question of foreign nationals taking local jobs, there remains no evidence in support of these allegations. They are incendiary and without basis. This must be clearly communicated to all South Africans: Violence and misguided anger of such a nature will do

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nothing but destroy the very fabric of the democratic and free society we are trying so hard to achieve.

In conclusion, this topic for debate raises issues that require urgent solutions. Allowing them to fester without resolution will only further entrench such societal conduct in South Africa, and all who live within her borders will be the poorer for it. I thank you.

Dr C P MULDER: Hon Chairperson, the FF Plus strongly condemns the xenophobic attacks that took place recently. As recently as yesterday, it happened in Olievenhoutbosch, in Pretoria, once again. There is no reason for citizens to attack foreign nationals. It should not happen and we should not allow that.

The hon Minister of Police made a speech this afternoon. One of my problems with the ANC seems to be that you cannot go into the future always focusing on the past, because it means you are going into the future with your back facing the future. The Minister gave us a lesson about white monopoly capital, about master and slave, about imperialism, etc, etc. With all due respect,

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Minister, your video with your *O sole mio* on the Nkandla fire pool was better.

Where does this phenomenon of xenophobia come from? It didn't just happen overnight. There is a long history on why this happened. For 22 years, our borders and our ports of entry were misused and people were allowed to come into our country. Now, at Home Affairs, we are trying to take the necessary steps to do what was expected of us in the first instance.

The second problem is this. Foreign nationals who are here are doing their own thing in the way that they like to do things, and our citizens are complaining and saying there is crime involved. Now, if there is crime involved, it should never be necessary for our citizens to take the law into their own hands. Our police services should handle these matters early enough so that it never becomes necessary for our own citizens to say that they have to do something about it because our government fails us in that respect. Look at what happened yesterday.

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Afrikaans:

In Olievenhoutbosch het dit begin as 'n betoging oor 'n gebrek aan dienslewering. Dit is wat gebeur het, na bewering. Die mense sê hulle is kwaad want daar is nie dienste gelewer deur die plaaslike en provinsiale regerings nie. Dit was nie lank nie toe ontwikkel dit in 'n geplunder van buitelanders se besighede.

English:

Suddenly, now foreigners' businesses are looted. How is that ... How can we allow that to happen? What kind of message are we sending out with that?

Afrikaans:

Die rede, onder andere, is omdat die ekonomie in hierdie land nie groei nie. Hier word nie werk geskep nie. Die mense daar buite kry swaar en dit gaan nie makliker nie. Inteendeel, dit word elke dag moeiliker.

English:

The hon Kenye introduced the subject for discussion and with all due respect to the hon Kenye, there is nothing to move. There is no motion on the Table, it is a subject

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for discussion. She referred to the Freedom Charter, yes - but then you must take it seriously when you say that South Africa belongs to all who live in it, black and white. That is what the Freedom Charter actually says. We should then take the views of all those live in it seriously, as well. It is not only the ANC that has the answers to all the questions in South Africa.

Afrikaans:

Wat die EFF betref, ongelukkig ...

English:

... it was not necessary to make this a racial debate, once again. This is much more serious than that. Please don't do that. Let's take the matter seriously and send out the message that we will not tolerate this kind of xenophobia. Let's make a success of our country. Let's do the right thing.

The police services should do what they need to do. Home Affairs need to do what they need to do. Most importantly, however, we need to get the economy growing.

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Mr N S MATIASE: House Chair, on a point of order ...

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you, hon member, your time is up. I'm not sure that ... No, no.

[Interjections.] Order! Hon member, you can't direct the programme. The member's time had expired - unless he would like to take your question. [Interjections.] Order, hon member!

Mr N S MATIASE: House Chair, I rise on a point of order:

Can you instruct the member to sit down, please?

[Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): No, I can't, because his time was already up. So, I would have to request him ...

Dr C P MULDER: [Inaudible.]

The HOUSE CHAIRPERSON (Ms A T Didiza): You can take a seat.

Hon member?

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Mr N S MATIASE: Thank you, House Chair. Would the member take a question?

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Mulder, would you take a question?

Dr C P MULDER: House Chair, it's difficult to take a question after my time has expired but I will take a question, yes.

Mr N S MATIASE: Do you think that you have the right to tell Africans what to do, amongst themselves, about internal affairs? [Interjections.]

Dr C P MULDER: No, I've got a surprise for the hon member. I am also an African - not only you! [Applause.]

Mr M G P LEKOTA: Thank you, Chairperson. The battle against xenophobia, the hatred for foreigners must start with us, reminding ourselves and our children that our forebears often said:

Sesotho:

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Motse ho ahwa wa morapedi; and also said: Metse ho tjha e mabapi.

English:

When you have a neighbor, the problems of your neighbor are also your problems. South Africa has got neighbors. We must start in the schools and teach our children that our neighbors are as valuable to us as we are valuable to them. When they say "Metse ho tjha e mabapi" it mean: When there is a problem in one family the neighbors are affected; and you must understand those problems are going to spill over into you. It is a fire. The house is on fire; therefore the next house will go on fire.

When you educate children this way they begin to appreciate the importance of living with other people. It is for this reason that right at the beginning, our forbears will then say:

Sesotho:

O nhlomphe ke tle ke o hlomphe.

Isixhosa:

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Undoyike ukuze nam ndikoyike. Into ethetha ukuthi kufuneka undihloniphe - mamela kaloku awazinto, undihloniphe khona ukuze ndikuhloniphe.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Order! Hon member lets allow the speaker to finish.

Mr M G P LEKOTA: I don't know what the problem is, what is the problem?

The HOUSE CHAIRPERSON (Ms A T Didiza): Order! Hon Lekota can you proceed with your speech.

Mr M G P LEKOTA: Thank you.

Isixhosa:

Undoyike ukuze ndikoyike.

English:

If you respect me, you assist me. You teach me to respect you. We cannot treat our neighbors, our foreigners with contempt; and expect that they must themselves show us

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respect. In the first place ... [Interjections.] Excuse me.

Mr M A DIRKS: Chairperson, on a point of order, the speaker on the podium says that we must respect him so that he can respect us. So we want to tell him that he must first respect the President, before we can respect him. [Applause.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member, that's not a Point of Order. I don't think you heard the idiomatic expression of what was being said. Hon members, order! Hon members, once again can I plead with you. The nature of the debate requires all of us to show the seriousness that it deserve.

As I said earlier, it is not only South Africans that are watching this programme; but even those who have been affected by such violence. And I think it is important that we do what is necessary to accord the respect that this debate requires.

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Mr M Q NDLOZI: Yes Chair, on a point of order, I think the hon member who has just spoken must be called to order because ... [Interjections.]

The HOUSE CHAIRPERSON (MS AT Didiza): Hon member, I have already ruled on the member.

Mr M Q NDLOZI: It is a new order Chair.

The HOUSE CHAIRPERSON (MS AT Didiza): In respect of what now?

Mr M Q NDLOZI: He is eating a gum in the House. He is eating the chappies and he think we are going to respect him. Look at him.

The HOUSE CHAIRPERSON (Ms AT Didiza): Hon member Ndlozi, can you please take a seat. You know that that's not a Point of Order. Hon Lekota, you can proceed.

Mr M G P LEKOTA: Thank you, Chairperson. The xenophobia that we are talking about, this hatred of foreigners is about South Africans. I 'm talking about the point: South

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Africans ill-treating people from other countries who are in our country; or who come to our country. I talk to the issue that we South Africans must teach ...

[Interjections.] [Time expired.] Is my time finished?

The HOUSE CHAIRPERSON (Ms AT Didiza): Yes, we did factor in the other time. Order hon members! Can we please allow hon Meshoe to take his space? [Applause.]

Rev K R J MESHOE: House Chairperson, despite summits, conferences, and the many initiatives and programmes the government has initiated to encourage social cohesion and nation-building, deep divisions between community members are still glaringly apparent and prejudice in its many forms, remains a key concern.

Stubborn racist attitudes from both whites and blacks, and the stereotyping of foreign nationals, undermine harmonious co-existence and respect for those who look different to them.

The ACDP regrets and is saddened by the harsh and unfair treatment of foreign nationals in our country. We find

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these attacks and looting of their businesses deplorable, and condemn them in the strongest possible terms. We believe this behaviour is indicative of how violent, uncompassionate and insensitive our society has become.

The ACDP believes that there are a few things that the government can do to stop xenophobic attacks on innocent foreign nationals who have come to legally seek refuge and employment in our country. They include firstly, that government should be seen to be promoting harmonious co-existence and respect for the rights of all persons, including foreign nationals and unborn babies.

The right to life, particularly of the unborn and most vulnerable in society must be protected by the government. Secondly, government should investigate reasons and excuses that are used to justify attacks on foreign nationals.

If one looks at where most foreign nationals are attacked, one would discover that it is primarily in the townships and the government should look at the reasons why this is the case. Many township residents, for

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example, have consistently complained that foreign-owned spaza shops are subsidised, leaving them unable to compete because their own government refuses to subsidise them in order to level the playing field.

The ACDP urges the government to look into this allegation as a matter of urgency. Unity and peaceful co-existence among locals and foreign nationals is possible. Take the example of Hillbrow - somebody said Hillbrow. In Hillbrow you do not have the kind of attacks on foreign nationals as we have in many of our townships. You have people there working side by side and intolerance is very low, and friends of intimidation are not found.

The ACDP believes that the rule of law should not discriminate on matters of criminality. Criminals must be punished, whether or not they are foreign nationals or South Africans.

Lastly, if the government is to succeed in promoting harmonious co-existence and the respect for the rights of all including foreign nationals, then they should also among other things shut down the ever increasing number

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of brothels in our communities; because these brothels serve as centres for the proliferation of illegal drugs and had claimed the lives of thousands of children and torn many communities apart.

Mr S MOKGALAPA: Thank you very much, Madam Chair. The DA condemns any act of violence and xenophobia, along with any form of discrimination. We support South Africa's role as a continental leader and stakeholder, and believe that legal immigration can contribute to economic growth, skills development and job creation.

We also believe that the problem of foreign nationals residing in South Africa illegally should be addressed, but in a manner that respects the fundamental human rights and dignity of those immigrants.

The African Union's Agenda 2063 envisions a prosperous Africa with inclusive economic growth and sustainable development. It integrated the continent, and a continent that is politically united. It envisions an Africa of good governance, democracy, and respect for human rights, justice and the rule of law.

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Chairperson, our Constitution shares these values and principles. It states in the preamble to the Constitution that South Africa belongs to all who live in it. This is an important feature of our Constitution, rightly enshrined in the Bill of Rights.

However, the significant question we need to ask ourselves is this: Does the actions of today's government show that they believe that South Africa truly belongs to all who live in it? The recent increase of violence against foreign nationals implores us to reflect on this question, and I am afraid that the answer to this question is a resounding, No.

Recent events has shown clearly that South Africa's foreign policy falls short of achieving Afro-optimism and Pan-Africanism. Our government remains reactive, rather than proactive, in addressing the underlying causes of the growing hostility towards foreigners.

One of the key issues in the hostility mandate is to provide jobs for 8,9 million unemployed South Africans and particularly for the lost generation, the millions of

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young people who have been abandoned by the ANC government.

Madam Chair, inefficient practices at the Department of Home Affairs is compounding the problem of illegal immigration, as many foreigners wishing to enter the country legally are faced with almost insurmountable bureaucracy.

In many ways, Home Affairs creates illegal immigrants through their own inefficiency. It is also a fact that our borders are too porous, and the government believes that the establishment of a Border Management Authority will solve this problem.

This is yet another example of the ANC trying to legislate their way out of a problem, rather than fixing the existing mechanisms. Not only is the current proposal unconstitutional, it is highly impractical and will only lead to a waste of state funds. Xenophobia is irrational and immoral and should be rejected by each and every South African.

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Mutual co-existence and individual legal freedom of movement should be protected as enshrined in our Constitution. It is worrying that the President only last week said, and I quote, that:

We appeal to our people not to allow the actions of a few criminals to turn them against their brothers and sisters who are here legally.

The President should know better because this statement could easily be interpreted as tactics go ahead for violent attacks against foreigners who are here illegally.

Madam Chair, it is becoming increasingly clear that there is a massive gap between what the ANC states their foreign policy is, and what it actually is. For example, by ignoring a high court order to arrest Sudanese President, Omar al-Bashir, and by unconstitutionally withdrawing from the International Criminal Court, ICC, the ANC government does not support a human rights based foreign policy. It is now becoming clear that the ANC

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also does not respect the promotion of human rights nationally.

We implore on all South Africans to do what this government has failed to do, and to show a sense of solidarity and respect for the dignity of our fellow human beings and to say no to xenophobic and to protect our brand South Africa. I thank you. [Applause.]

Mr L M NTSHAYISA: Hon House Chairperson, hon Mandla Galo has just been saying to me that this topic is not an easy one. It has got a lot in it. He just said it can be started from the family unit, the neighbourhood and so on. The rise of regional Afro-pessimism, disdain and intolerance against foreign nationals induces a sense of shame to the legacy of our freedom fighters. For instance, we have got human rights stalwart in our place by the name of Maggie Resha, who was born in Matatiele in the Eastern Cape next to KwaZulu-Natal. The AIC enjoins all South Africa to exploit the proceeds of a young democracy positively. We can afford to defy the current regime, but let us not spit ridicule to the founding

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values of our Constitution. In its preamble, our Constitution is very clear that we must and I quote:

Respect those who have worked to build and develop our country; and believe that South Africa belongs to all who live in it, united in our diversity.

Hon House Chairperson, Maggie Resha, for instance, our stalwart from Matatiele was exiled in Tanzania in one of these African countries, where she remained active in her involvement in the fight against apartheid. Her quest for freedom heralded into a constitutional settlement, which envisions a society that is founded on the values of human dignity, ubuntu; and a global pact for justice and regional integration.

South Africa has signed global accords on justice and peace. Foreigners assembling in South Africa are entitled to work; to trade; to have a profession; and enjoy social amenities in this country. We have pledged our hearts to the human rights culture; Maggie Resha implored us not to subdue the struggle of the stalwarts. The paradox, however, in this debate is that the government has failed

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to absorb young people in the labour market. It is this neglect that has largely triggered Afro-pessimism. We are told that foreigners inhibit local competition and take local's employment opportunities. The rights of foreigners in South Africa are frustrated by our government that has no regard for the talent of the young ones ... [Time expired.]

Mr M A PLOUAMMA: Hon House Chairperson, to kill and intimidate foreign nationals will not help us socioeconomic problems. We must learn to face our hardships with humanity and treat our visitors with respect and the attitude we expect when we are in their countries.

Hon House Chair, some of these foreign nationals are contributing positively into our economy. We need to move away from the premise that they are here to take our jobs. Be as it may, it's fellow South Africans who are employing these fellow Africans. Hon House Chair, to attain this democracy it would have been impossible if countries like Zimbabwe and Zambia and the intervention

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of imminent groups which included former President of Nigeria, Obasanjo, did not play their role.

Our democracy is a product of many sacrifices here and abroad. We should never take for granted the role played by African countries and the world. Most of our leaders like O R Tambo, former President Thabo Mbeki and others were protected by foreign governments during the time of the struggle.

Hon House Chair, our people are emotional and fragile due to our history. As leaders, we need to guide them with dignity and watch what we say. Most of our people are desperate and unemployed, lacking basic infrastructure. However, on the same token, we need to give them hope, practical steps on how they can reach their potential, develop a caring government not infested with corruption and bribes. We should make sure that at the local level they are listened to irrespective of political affiliation. We should be proactive move, away from this impression created by the elite of survival of the strongest.

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Hon House Chair, our people are watching the looting on a scale never seen before by the very same people they have trusted. When you have a President who breaks the law, what are we teaching our people? When you have a Minister whose allegedly involve in rhino poaching, what are we teaching our people? [Interjections.] When you have councillors who forget their own community, this lead to lawlessness and desperation while we plead with our people to exercise restrain. The time has come for leaders of moral virtue and inspiring values to take charge. I thank you.

Mr L R MBINDA: Hon House Chair, South Africa belongs to Africans. It belongs to those who pay loyalty and allegiance to even this country, not everybody who is living here is allegiant and loyal in South Africa. We need to correct this matter. We need to educate our people and take them out of the danger of being deceived into losing sight of the objective of our struggle.

We cannot expect our people to live in harmony with others when they themselves are not in harmony with themselves. The socioeconomic challenge that is

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confronting our people on a daily basis is inhumane and thus dictates that there is bound to be friction amongst our people. Our people were told that there are free. I think that was 23 years ago and they still see themselves the only ones in informal settlements, landless, poor and less of human beings than others.

Chairperson, we as the Pan-African family, we have been called names over the years when we predicated some of these things and prescribed the Pan-Africanism as a solution to all of this. All these borders across Africa are not natural and what is more problematic is that they are part of the entire plan to colonise and disorganise us. We have African governance in almost 54 countries in Africa for two to three decades, but we are still living within the colonial plan of borders. Africa is one and no one is more African than the other or less. As South Africans we knew how Africans were involved in some of these other things. The apartheid masters were cracking the whip on us and we ran to African countries for help.

Today, we see thieves and thugs attacking our fellow African brothers and sisters claiming to be xenophobic

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while Europeans are living in peace and luxury, benefiting largely from our means of production. As African people we are land owners not labourers as we are made to be. The people who took our jobs are those who took our land. The same Europeans are the one's who are fuelling the fight by seeking for cheap labour from our fellow African brothers and sisters.

The issue here is the struggle for the ownership of resources, but it is misdirected. Lastly, as PAC will continue to condemn criminality irrespective of race, creed or colour.

Mr Z N MBHELE: House Chairperson, the English philosopher, John Locke, who laid much of the foundation of modern liberal thought, wrote that the primary duty of any government was to ensure the security of the nation and the protection of individual rights. This is how a government would care for its people. In return for the fulfilment of this duty of the government, the people would reciprocate in this social contract by being law-abiding, which would promote a society of harmonious coexistence.

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On many fronts of governance and state delivery, the ANC government has failed in fulfilling this duty, showing that it does not care about the people. In so failing, the ANC has broken the social contracts that underpin the relationship between citizens and the government. This brokenness is starkly evident, and has been for many years, in the area of border security and policing. As a result of its misgovernance and mismanagement, the ANC has been creating and piling up the dry tinder that we have seen become kindled into the bonfires of unrest and xenophobic violence over the years.

The seeds of these xenophobic flare-ups were sown in the inability of the ANC to create jobs for almost 9 million unemployed people in this country and also in the weakening of border security, creating porous and poorly controlled borders that make illegal in-migration virtually impossible to police and curtail.

Dr M S MOTSHEKGA: Point of order.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Why are you rising, hon member? In terms of which rule are you rising on?

Dr M S MOTSHEKGA: Hon Chair, I wanted to know ...

[Interjections.]

The DA MEMBERS: Which rule?

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

Dr M S MOTSHEKGA: I wanted to know whether this is not the forum where he must ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member that is not point of order. Continue, hon member. Order, hon members!

Mr Z N MBHELE: Chairperson, while the stream of illegal immigration over the years has, on one hand, created fertile context for periodic violent xenophobic outbreaks, the chronic neglect of the police service has,

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on the other hand, undermined and hollowed out the state's capacity to forecast and respond adequately to public unrest when it does break out. It will thus fall to the DA to do what Police Minister Nhleko has failed to do.

We will fix our broken border security and police service when we come to lead a national government because we care. We will build a caring government that reconnects with the people through a social contract that all citizens can trust and put their confidence in. After 23 years of failed delivery, the ANC has broken the trust that it once enjoyed by the people. The people will soon place that trust in another government that deserves it and truly cares for them. Thank you. [Applause.]

The MINISTER OF HOME AFFAIRS: Hon Chairperson, at the June 1994 OAU Summit in Tunis, President Mandela said:

Finally, at this summit meeting in Tunis, we shall remove from our agenda the consideration of the question of Apartheid South Africa. Where South Africa appears on the agenda again, let it be

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because we want to discuss what its contribution shall be to the making of the new African renaissance.

On the occasion of this important debate, which has seemed in recent years to visit these hallowed Chambers with greater frequency, and having listened to the speeches made this afternoon, I wish to pose the question, could we confidently assert that are we walking in Madiba's footsteps!

The passage of time must not distract us from the path set for us by our forebears; and neither must the challenges of the moment obscure our vision as to what we must do to contribute towards Africa's renaissance. South Africa is built on the values of freedom, respect for human dignity, Ubuntu, and unity in diversity.

We also recognise our singleness with fellow African countries and peoples, and that we share together a common past and a common destiny. For these reasons alone, incidences of negative sentiment towards foreign nationals have no place in South African society.

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Ultimately, we are not judged by how we treat people in good times, but how we do so in times of difficulty.

That we are a society preoccupied with the triple challenges of poverty, unemployment and inequality, and the frustration of so many of our people at the unfinished work of the fundamental social transformation of our society, is frankly then, no excuse at all. As Africans, when our harvest is meagre, we do not turn our neighbours away, we divide the little we have and share it together.

This debate is an apt reminder that we must lead society in remaining true to these founding values. As we abhor recurrent incidents of negative sentiment towards foreign nationals in some corners of our society, we should do so with perspective.

The vast majority of foreign nationals in South Africa are documented and choose to be here because South Africa is one of the most dynamic, diverse, tolerant, Afropolitan countries on the continent, in which people

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with differences of race, culture, gender, class, sexual orientation, live in harmony.

We are not perfect but we have a lot to be proud of. We do not have much, yet we strive daily to make significant social progress. Sometimes, some among our citizens misdirect their frustrations at foreign nationals.

In covering these issues, some amongst us want to fixate on whether government acknowledges that xenophobia is an issue in South Africa. Interestingly, we never hear that Americans, Britons and Germans are xenophobic when some of their citizens attend anti-immigrant rallies or vote patently xenophobic leaders.

Whilst these are surely not the standards by which we should measure ourselves, still no, I will not accept the statement that South Africans are xenophobic, or Afrophobic. [Applause.]

The issues are more complicated than that, and if we are to address them effectively, we need to acknowledge their complexity.

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Yes, there is anti-immigrant sentiment among some sections of our society, but these are in the minority. But unfortunately, it is a social reality that in times of difficulty or scarcity, there are people in society who use immigrants as scapegoats for their problems.

This negative phenomenon is observable in many countries; it is not unique to South Africa. Where our people are complaining about the scourge of crime and other social and economic problems in communities, we must work with them to confront it decisively.

Government must go back to the basics of doing what government must do to deliver on people's expectations, and politicians must refrain from seeking cheap popularity by stoking the fires of xenophobia, intolerance and conflict. We must never attribute crime or causes of unemployment particularly to immigrants.

All crime is an ill to be fought; the effect on the victims is the same whether a crime is committed by a South African or a foreign national. We have also

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observed that criminality is a factor in incidents of so-called xenophobic violence.

All of these facets of the problem must be confronted by leaders at various levels of our society without seeking to trivialise them or score political points because the cost to human lives far outweighs whatever gains one party may score.

We must firmly reject the tendency to target African immigrants and associate them alone, and altogether, with lack of documentation, crime, moral depravity, illegality, and to view them as necessary targets for abuse, exploitation and physical attacks.

International migration is one of the major issues of our time, with enormous political, social, economic and moral dimensions.

Democracies around the world are responding to it in different ways. It is causing difficulty to much older democracies than our own, and has become a major issue in the politics of Europe and North America.

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Much as we have our own problems relating to international migration, arguably South Africans are more open and tolerant of foreign nationals than citizens in wealthier countries.

It is also worth noting that most countries easily admit foreign nationals they need for economic purposes, especially those with critical skills and investment muscle. We have recently proposed a new approach to managing international migration, which we hope will go some way to addressing these issues.

We believe South Africa must unite around a positive, pragmatic vision for managing international migration which advances our national interests and reflects our values.

We have proposed that management of international migration is not a matter for Home Affairs alone, but must follow a 'whole of government, whole of society' approach. One of the most contentious areas is around managing economic migration from the continent, as this

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affects poor and working class communities and immigrants.

I think this has less to do with South Africans being xenophobic or Afrophobic, but more to do with poorly regulated competition for jobs and resources between locals and economic immigrants, as well as lack of enforcement of existing rules.

We should not dismiss poor and working class South Africans as xenophobic when they are raising genuine social and economic issues affecting them, especially relating to unscrupulous employers who use desperate economic migrants to exert downward pressure on wages and working conditions.

After all, the middle and upper classes are largely shielded from such challenges. These unscrupulous businesses exploit equally South Africans whom they do not employ and immigrants whom they employ below the minimum standards as prescribed in law.

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In acting this way, they demonstrate the brutality of the capitalist system which does not care for the humanity of its employees, so long as the system has the workers available in abundance and employers can pit them in fierce competition against one another and make super profits out of all of them.

In fact, research shows that it is for exactly this reason that businesses tend to lobby governments for more liberal immigration policies. While this debate is not primarily about international migration, I think it is important to highlight several points.

Firstly, we are clear and unapologetic that the South African government must prioritise its own citizens for employment and economic opportunities. This is true of most, if not all countries, and we are no different. Immigration policy is inherently protectionist in all countries - outside of regional integration arrangements which are exceptions to this - and we will continue to regulate immigration in our national interest.

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In this regard, we insist that businesses operating in South Africa must comply with the regulations to ensure that no less than 60% South Africans are employed in all businesses, including those owned and run by foreign nationals in South Africa.

Joint business inspections have been carried out in 56 business premises, resulting in seven employers charged for employing undocumented migrants and 147 undocumented migrants were arrested. As well as meeting businesses and their federations to seek a collaborative and proactive approach, we shall persist with the inspections.

However, we must emphasise that whilst we carry out these inspections, we do not blame foreign nationals for high unemployment in South Africa, but we place the blame squarely on our untransformed racialised economy.

Secondly, we must acknowledge that there are factors which limit our ability to regulate immigration such as large, porous land borders. Despite the best intentions, few, if any countries, including those with far more means, are able to police their borders such that they

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can ensure that no human being crosses their border unauthorized.

We must manage our borderline and ports of entry to the best of our ability, to protect our sovereignty, security, economy, and travellers themselves, South African and foreign.

The Border Management Authority, BMA, will aid this, in providing a structure for integrated, professional, specialized border management capability. But it is neither possible, nor desirable, to seal our borders.

Thirdly, all growing, competitive industrial and knowledge economies are enhanced by an enlightened management of international migration. No country produces all the skills it needs all the time.

Immigrants bring skills, knowledge, experience, resources and human connections which enhance societies and economies, increasingly so in a globalized world. To think of immigrants only in the context of taking jobs from locals is therefore a mistake and short-sighted. By

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contributing to growth, they directly and indirectly create new opportunities for South Africans to take advantage of.

Fourthly, we must swiftly and emphatically reject and bury the idea underlying too much of our public discourse around international migration, that Africa is a problem.

Madiba already directed us at the very advent of our freedom to contribute towards the renaissance of Africa. Our region of SADC and our beloved continent of Africa are our future. They are our partners in development, fellow members of an indivisible African civilization which is in the process of rebirth. We will not develop despite Africa, but with and because of Africa.

Africa is a continent of 1,2 billion dynamic and aspirant people, increasingly urbanized, with a large and growing middle class. We are a young continent, whose workforce can, must and will power a social revolution, especially as the populations of industrial powers age in the coming decades.

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Our future lies in intra-African trade and regional economic integration. The advantage of being late developers is that we are the last, exciting global growth frontier. We must bind together to bring about a common future. South Africa is a leader in our continent. Our commitment to democracy, peace and stability, and common development is respected and embraced.

Our companies are leading investors and players in many African countries. We cannot aspire to play a leadership role in Africa's development, while closing our door to all of our fellow Africans who come to South Africa seeking economic opportunities. Neither can we provide leadership in isolation, secluded from the rest of the continent.

Nor can we, and a handful of other countries, absorb the economic migrants of sister countries, absolving them of their own development responsibilities. We must find a balance.

In this regard, as leading powers on the continent, South Africa and Nigeria must not fall into the trap of mutual

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suspicion and discord. The development of our respective countries, and the African continent as a whole, requires that we draw closer to one another politically, socially and economically.

Let us never allow our common challenges, however difficult they may be, to cause antagonism between us, but let us rather confront them with a spirit of Pan-African and brotherly partnership and dialogue.

Finally, now and ever, we must ground ourselves in our values. The issue of 'Who belongs?' has too often bedevilled African countries throughout the post-colonial period.

It has been at the heart of political divisions, violence and even civil war; and this is not unique to South Africa as many other countries, both in Africa and abroad, have been subject to political contestation based on identity, at times resulting in civil wars.

We must remember the wisdom, vision and humanity we displayed when we proclaimed in the Freedom Charter that

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"South Africa belongs to all who live in it" and when we adopted a Constitution which recognizes the dignity and human rights of all persons, not only citizens or documented persons.

This is a high standard we have set for ourselves, but it is the right standard, which we need to continue to strive to live by.

We are a people of Ubuntu. We cannot deny the human dignity of others but expect our own to be upheld.

These human values were the social genius of freedom loving South Africans who were the midwives and architects of our young democracy. Now as ever, we must affirm those values by living them, in good times and in difficult times.

Ultimately, the most urgent challenge Africa faces with regard to migration stems not from the individuals migrating, but from our continent's economic underdevelopment which, coupled with colonial borders, has created inequitable migration patterns.

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In his Preface to Adekeye Adebajo's book, Prof Ali Mazrui says:

Africa, since its partition, has seen its mineral wealth exploited for the benefit of others, its fertile land left undercultivated, its rich cultures destroyed, and its brain-power drained to other parts of the world. At the centre of this calamity is the role of the West in creating an international system that reduced proud Africans to the lowest caste of the twentieth century. How will post-colonial Africans overcome this condition in the twenty-first century?

Fortunately, the question Mazrui posed addressed itself not to victims any more, but to the masters of their own destiny.

It was to provide such clarity that Uncle Jack Simons said to MK combatants in Angola that African independence had concentrated on the transfer of political power but not on implementing a programme of economic and social change.

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He thus concluded that:

The tendency in many African countries has been to maintain the old economic as well as political system. There has been continuity and not revolution.

Herein lies our answer, hon members, not to fight immigrants, but to implement a programme of economic and social change throughout the African continent that would hoist the current neocolonial relations at their own petard and bring total emancipation to all of Africa!

In conclusion, I wish to comment on the point that hon Mulder made that the ANC keeps on harping on the past but there in lies in the past the crimes and injustices which hon Mulder would wish us to forget and ignore as we move forward to a fictitious equal opportunities society.

[Time expired.] Thank you.

IsiXhosa:

Nks T E KENYE: Sihlalo weNdlu, nam makhe ndifakele kule ndawo ithethwayo yohloniphekileyo uMulder. Kaloku

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ngesingekho apha ukuba besilibala kuba silapha nje kungenxa yokuba asikhange sayilibala imbali yethu nalapho sisuka khona. Awunakuze ukhokele unomsindo, unenzondo, ungenaxolo nesiqu sakho kwaye unochuku. Sazoyisa ke thina ezinto singulo mbutho kaTata uTambo, uTata uMandela, noTata uLuthuli mhla soyisa ucalucalulo kweli lizwe lethu. Yiyo loo nto ndibulela zonke izithethi ebezithetha ngokwakha ubuzwe nobunye kweli lizwe lethu, kwi-Afrika nakwihlabathi jikelele. Ndiyabulela Sihlalo weNdlu.

[Kwaqhwatywa.]

Debate concluded.

**NOMINATION OF THE FIRST FEMALE PRESIDENT OF THE SUPREME
COURT OF APPEAL**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: House Chairperson,

I move without notice:

That the House -

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- (1) notes with pride and appreciation, that President Jacob Zuma nominated Justice Mandisa Muriel Lindelwa Maya as the first female President of the Supreme Court of Appeal, SCA;
- (2) further notes that Justice Maya would fill the vacancy that has occurred due to the departure of Mr Justice Lex Mpati in 2016;
- (3) remembers that she had in the past acted as a judge at the Labour Court, the SCA and the Constitutional Court before being appointed in 2006 as a SCA judge;
- (4) further remembers that in 2015, she was appointed as the first female Deputy President of the SCA and with her latest appointment makes history again;
- (5) understands that according to the Constitution, the President of the SCA is appointed by the President after consultation with the Judicial Service Commission, JSC;

- (6) further understands that the President informed the Chairperson of the JSC, Chief Justice Mogoeng Mogoeng about his decision to nominate Justice Maya as the President of the SCA; and
- (7) congratulates Justice Maya on her nomination as the first female President of the SCA.
[Applause.]

Agreed to.

THE SOUTH AFRICAN COUPLE JAILED IN ABU DHABI

(Draft Resolution)

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

That the House -

- (1) notes that a South African man, Emlyn Culverwell and his fiancé have been jailed in Abu Dhabi for transgressing the United Arab

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Emirates, UAE, morality law and for being pregnant without a marriage certificate;

- (2) further notes that despite the UAE being the signatory to the treaty on the International Human Rights Laws, hundreds of women are arrested every year in the UAE for sex without the marriage certificate, whether that is consensual or rape;
- (3) acknowledges that tomorrow is International Women's Day and that many countries still impose Archaic Laws that oppresses women and violate their international human rights;
- (4) calls on the Department of International Relations and Cooperation and the South African Embassy and Consulates, to answer the call of a desperate mother and do whatever possible to ensure the safety and release of this couple;
- (5) condemns this practice in support of international human rights and our very own

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Bill of Rights as contained in our
Constitution; and

- (6) conveys our support to Mr Culverwell family
during this terrible ordeal.

Agreed to.

GHANA WINNING ITS INDEPENDENCE UNDER THE LEADERSHIP OF DR

KWAME NKRUMAH

(Draft Resolution)

Mr M Q NDLOZI: House Chairperson, I move without notice:

That the House -

- (1) notes that 6 March 2017 marked 60 years since
Ghana won its independence from Britain under
the leadership of our father, the towering
figure of the African liberation, Dr Kwame
Nkrumah;

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- (2) further notes that Ghana, being the first Sub-Saharan African country to obtain her freedom from the tentacles of corrosive colonial rule, inspired hope and courage reverberating across the African continent, that nothing can stop African people from acting in unity for the attainment of freedom;
- (3) acknowledges that Nkrumah's commitment to the African Revolution was captured in the commitment when he spoke in the independence of Ghana when he said: "We have won the battle and again rededicate ourselves. Our independence is meaningless unless it is linked up to the total liberation of Africa."
- (4) further acknowledges that Nkrumah's vision for African independence entailed the freedom of African people everywhere in the world and calls for unity of Africans wherever they are;
- (5) remembers that this construction of decolonial institutions that Nkrumah wanted, is grounded

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neither on the importation of faked external cognitive structures on the basis of advices from the same imperial predators whose claim to represent African interest, or from the experts of international donor-grant institutions whose interest is to appendage Africa's interest and history to the imperial exploitive machine;

(6) congratulates the people of Ghana for being a shining example to the rest of the continent; and

(7) rededicate ourselves to the vision of Pan-African unity as expounded by Dr Nkrumah.

Agreed to.

THE PASSING OF THE AUTHOR, MIRIAM MASOLI TLADI

(Draft Resolution)

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

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That the House -

- (1) notes with sadness the passing of the renowned South African author, Miriam Masoli Tlali, on Friday, 24 February 2017, at the age of 83;
- (2) remembers that the Johannesburg-born Tlali was the first black South African woman to publish a novel in English within the country's borders;
- (3) further remembers that she applied to study literature at the University of the Witwatersrand, but could not gain entry because of racial policies. Instead, she went to study at the now University of Lesotho);
- (4) recalls that her ground breaking novel *Muriel at Metropolitan* was published in 1975, and that it was banned four years later by the apartheid government;

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- (5) further recalls that her second novel, *Amandla*, was based on the 1976 youth uprisings and that it suffered the same fate shortly after publication;
- (6) understands that her outstanding literary work earned her several accolades and honours, including the Order of Ikhamanga in 2008;
- (7) further understands that her literature took her all over the world, including a residency at Yale University in 1989; and
- (8) conveys its deepest condolences to her family, relatives and everyone in the arts and culture industry or fraternity.

Agreed to.

THE TABLING OF PRIVATE MEMBER'S BILL BY DR MARIO GASPARE

ORIANI-AMBROSINI

(Draft Resolution)

Mr N SINGH: House Chairperson, I move without notice:

That the House -

- (1) notes that the former IFP Member of Parliament, Dr Mario Gaspare Oriani-Ambrosini, tabled a private members' Bill, the Medical Innovation Bill PMB1 of 2014, before this House in February of 2014;
- (2) further notes that the object of the Bill seeks to create a legislative framework necessary to allow for greater medical innovation and research into innovative medicines and their use;
- (3) acknowledges that after Dr Oriani-Ambrosini's passing, the IFP reintroduced the Medical Innovation Bill;
- (4) commends the Department of Health and Medicines Control Council, MCC, for their efforts at creating the recently released-for public-

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comment, MCC guidelines on the cultivation of cannabis and manufacture of cannabis-related pharmaceutical products for medicinal and research purposes;

- (5) calls upon all South Africans to submit their comments to the MCC in this matter by 30 March 2017.

Agreed to.

**THE DEATH OF A 29-YEAR OLD MAN IN KHABAZELA, NORTH OF
DURBAN**

(Draft Resolution)

Mr M S MABIKA: House Chairperson, I move without notice:

That the House -

- (1) notes that during the past weekend, a 29-year-old man burned to death after three informal

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homes caught fire in Khabazela, north of Durban;

(2) further notes that 25 people were left homeless after a devastating fire destroyed ten informal homes in Vrygrond informal settlement near Muizenberg on Monday afternoon;

(3) acknowledges that regular outbreak of fires in South African informal settlements often leads to tragic loss of life and destitution for many;

(4) calls this honourable House, to convey its condolences to those who lost family members and loved ones in the fires and to those who are destitute; and

(5) encourages all government structures to urgently devise and implement preventative measures which will minimise fires in the informal settlements.

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Agreed to.

TREVOR NOAH NAMED A TIME MAGAZINE NEXT GENERATION LEADER

(Draft Resolution)

Ms R M M LESOMA: House Chair, on behalf of ANC I move
without notice:

That the House –

- (1) notes that South African comedian Trevor Noah has been named one of TIME magazine's next generation leaders;
- (2) further notes that the comedian is one of 10 people who made the list which includes artists, athletes and entrepreneurs;
- (3) remembers that the magazine had praised Noah for his work as the *Daily Show* host while calling him "the master of the eloquent Trump takedown";

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- (4) further remembers that, since his debut in 2015, the South African comedian has more than doubled the show's international reach;
- (5) recalls that Trevor, who pursued greener pastures in the United States in 2011, last year released his debut book entitled *Born A Crime: Stories of a South African Childhood*, which garnered him two awards in the Debut Author and Outstanding Biography/Autobiography categories at the National Association for the Advancement of Coloured People in February 2017
- (6) understands that the book was based on his life's experiences of having been born to a black mother and white father in South Africa in 1984 while the apartheid regime was still in power and interracial unions were still illegal; and
- (7) congratulates Trevor Noah on his latest achievement and for raising the South African flag high.

I thank you.

Agreed to.

THE PASSING OF HIGH COURT JUDGE, BONISILE SANDI

(Draft Resolution)

Mr M L FILTANE: Chair, on behalf of the UDM I move
without notice:

That the House –

- (1) notes with sadness the recent passing of the Eastern Cape High Court Judge Bonisile Sandi;
- (2) further notes that Judge Sandi was an activists and a human rights lawyer during the struggle against apartheid like his colleague on the bench, the late Judge Essa Moosa, who died two weeks ago.

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(3) recalls that Judge Sandi will be remembered as a virtuous man of principle with an eye for detail in his practice of law, both at the side Bar and on the bench;

(4) acknowledges that, with the passing of Judge Sandi, the Eastern Cape Division of the High Court, and indeed the entire South African judiciary has lost a legal mind who served the bench with humility and dedication; and

(5) expresses its condolences to the family of the late Judge Bonisile Sandi, his friends and colleagues.

I so move.

Agreed to.

THE MURDER OF MIKE MAIMANE, THE SON OF POTCHEFSTROOM

MAYOR KGOTSO KHUMALO

(Draft Resolution)

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Ms J F Terblanche: Chair, on behalf of the DA I hereby
move without notice:

That the House –

- (1) notes that on 18 February 2017, the body of Mike Maimane was found with multiple stab wounds in Ikageng, Potchefstroom;
- (2) also notes that Maimane was the only son of Tlokwe Potchefstroom Mayor Kgotso Khumalo;
- (3) acknowledges that a case of murder has been opened and a suspect has been arrested;
- (4) further acknowledges that Maimane leaves behind a young child; and
- (5) conveys its heartfelt condolences to Mayor Khumalo and the family and friends of Mr Mike Maimane.

Agreed to.

**THE EFF THE SOLE REPRESENTATIVE OF THE RUSSIAN SOCIALIST
VISION IN PARLIAMENT**

(Draft resolution)

Ms H O HLOPHE: Chair, I rise on behalf of the EFF to move
without notice:

That the House –

- (1) notes that on many occasions when socialist attempts fail, socialists are never given an opportunity to regain and correct and are instead condemned;
- (2) acknowledges that there is a global war against countries' self-determining rights to decide on their ideological paths instead of accepting the imposed failed capitalist system. Yet, when the capitalist system and the financial markets fail and limp from one sort of self-inflicted crisis to

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another, leaving behind a trail of poverty, unemployment and inequality, it is given ample opportunity to regain itself;

(3) notes that the 100th year of the beginning of the Russian revolution must inspire us to recommit to the communist slogan that says, "Workers Of The World, Unite! You have nothing to lose but your chains."

(4) recognises that the African socialist revolution and economic revolution draw direct lessons from the Russian revolution led by the revolutionary and visionary leader, Vladimir Lenin;

(5) The EFF is the only party that truly represents the Russian socialist vision in Parliament. Not even the SA Communist Party who is no longer the SA Communist Party, but has become the South African Capitalist Party ...

I so move.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, if there are no objections, I put the motion.

[Interjections.]

An HON MEMBER: House Chair, we obviously object with contempt.

The HOUSE CHAIRPERSON (Mr C T Frolick): In light of the objection, the motion is not agreed to.

THE PASSING OF MONDE COLLEN MKUNQWANA

(Draft Resolution)

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

That the House –

- (1) notes with sadness the death of the ANC struggle veteran and former Robben Island prisoner, Monde Mkunqwana, who died of heart complications at the East London Private Hospital on Tuesday, 21 February at the age of 68;

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- (2) further notes that at the time of his death, he was serving on the ANC's national integrity committee responsible with monitoring the moral conduct of party members;
- (3) remembers that the Mdantsane-born Mkunqwana was imprisoned in 1963 for an alleged assassination attempt on the then Transkei paramount chief, Kaiser Matanzima;
- (4) recalls that Mkunqwana is a descendent of Makhanda Nxele, a Xhosa warrior who led an attack against the British in Grahamstown, the municipality which is now named after Makana;
- (5) acknowledges that Mkunqwana was an intellectual with enormous influence and contributed to the education of other political prisoners on Robben Island; and
- (6) conveys its condolences to his family and friends.

I so move.

Agreed to.

SUNFIELD HOME FORTUNA ATTACKED BY TEN MEN DEMANDING CASH

(Draft Resolution)

Ms D Carter: House Chairperson, I move without notice:

That the House –

- (1) notes that Sunfield Home Fortuna, situated on Farm Rietfontein in Balfour, Mpumalanga, cares for 89 physically and mentally disabled Patients between the ages 8 to 70;
- (2) further notes that Sunfield Home Fortuna is not an ordinary establishment as each resident forms part of a close knit family;
- (3) expresses with grave concern that 10 men forced their way into Home Fortuna at 21:30 on 1 March 2017, after attacking two residents and the manager with a crowbar, demanding R100 000 cash;

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- (4) acknowledges that the vulnerable residents were tied up execution style and threatened with rape and death;
- (5) further acknowledges that Home Fortuna does not keep cash and that the manager was forced to write a cheque;
- (6) realises that these attackers threatened to come back and kill all the residents if the cheque is not honoured;
- (7) recognises that these residents are the most vulnerable members of our society and all measures must be taken to ensure their safety;
- (8) calls on government, non-government organisations, the Lottery Board and South Africans to open their hearts and assist in putting security measures in place to ensure the safety of the residents of Home Fortuna; and

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- (9) further calls on the South African Police Service to leave no stones unturned in arresting the attackers.

Agreed to.

CONGRATULATIONS TO AKANI SIMBINE AS HE MAKES HISTORY
WITH SUB-20 TIME IN 200M

(Draft Resolution)

Ms R M M LESOMA: House Chairperson, I move without notice:

That the House -

- (1) notes that Akani Simbine became the first South African to run under 10 seconds in the 100m, and 20 seconds in the 200m on the same day in Pretoria on Saturday, 4 March 2017;

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- (2) further notes that this is the fastest 100m time on South African soil, beating the 9.96 he posted in his first race of the season a year ago;
- (3) acknowledges that Simbine climbed to third place in the South Africa's all-time list in the half-lap sprint behind Anaso Jobodwana (19:87) and Wayde van Niekerk (19:94);
- (4) further acknowledges that the 23-year-old runner became the only second South African to break the sub-10 and sub-20 barriers in his career, after Van Niekerk achieved the feat last season, and he racked up a unique record by becoming the first South African athlete to dip under both marks on the same day; and
- (4) congratulates Akani Simbine on his new record.

Agreed to.

CONDOLENCES TO THE FAMILY OF FORMER FREE STATE JUDGE

PRESIDENT

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(Draft Resolution)

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

That the House –

- (1) notes with sadness the death of former president of the Free State Division of the High Court, Judge Jacobus Petrus Malherbe on Wednesday, 1 March 2017, at the age of 79;
- (2) remembers that he obtained LLB from the then-University of the Orange Free State and was admitted to the Bar in February 1961;
- (3) further remembers that he was permanently appointed as a judge in the Northern Cape in August 1984 and became a High Court judge in the Free State in 1985;
- (4) recalls that in April 2001, he was appointed as Judge President of the Free State Division of the High Court, a position he held until he was

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discharged from service at the age of 70 in
January 2008; and

- (5) conveys its condolences to his family and loved ones.

Agreed to.

SOUTH AFRICAN WOMEN'S CRICKET TEAM VICTORY OVER SRI LANKA

(Draft Resolution)

Ms T E BAKER House Chairperson, I move without notice:

That the House –

- (1) notes that the South African women's cricket team, the Momentum Proteas, were recently victorious over Sri Lanka securing a spot in the ICC Women's World Cup;
- (2) further notes that South Africa will join teams from West Indies, India and Australia, to take on

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the best teams in the world in England in June and July this year;

- (3) calls on more young ladies to join in and follow the lead of these amazing young women and get involved in the sporting world of cricket;
- (4) congratulates coach Hilton Moreeng and his team on this outstanding achievement; and
- (5) wishes the Proteas the best of luck as they represent our beautiful country in the international sporting arena.

Agreed to.

STRUGGLE ICON'S STORY TO BE TOLD BY 100% SA CAST

(Draft Resolution)

Ms R M M LESOMA: House Chairperson, I move without notice:

That the House –

- (1) notes that an All-South African cast brought to life the story of struggle icon Solomon Mahlangu in a film launched at Ster Kinekor Sterland in Pretoria, on Saturday, 4 March 2017;
- (2) further notes that the film, written and directed by Mandla Dube, tells the story of Mahlangu as a young man who became the voice of many youths when no one was listening to them;
- (3) remembers that Mahlangu, known as Kalushi, used his arrest and trial to speak for the masses;
- (4) further remembers that he was sentenced to death at the age of 23;
- (5) understands that the cast includes Thabo Rametsi as Mahlangu, Thabo Malema, Louw Venter, Marcel van Heerden, Welile Nzuza and Shika Budhoo;

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- (6) acknowledges that amongst the actors in the film are poet and playwright, Dr Gcina Mhlophe, who plays the role of Mahlangu's mother as well as Pearl Thusi, who recently starred in US series Quantico;
- (7) further acknowledges that Mahlangu's brother Lucas was a cultural adviser to the production;
- (8) believes that Mahlangu's story demonstrates how the strength of the human spirit can triumph, even under the most difficult and oppressive circumstances;
- (9) and commends the organisers for bringing to the world the story of our struggle icon.

Agreed to.

**MINISTER BATHABILE DLAMINI RENEGOTIATES INVALID CASH
PAYMASTER SERVICES'S CONTRACT**

(Member's Statement)

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Mr T J BRAUTESETH (DA): House Chair, the Minister of Social Development, Bathabile Dlamini is reliable in at least one respect. She can be relied on to duck responsibility and dodge questions about the crooked social grant contract with Cash Paymaster Services, CPS. She won't say why she trampled the Public Finance Management Act in appointing her cronies without a tendering process to investigate how payments could be done by her department.

She won't consider the commercial banks' distributors of grant payments because she makes a fantastic claim that they owe her department money. She won't reveal what she plans to do to have grants paid from 01 April 2017. She won't listen to Treasury when it tells her to curtail her improper relationship with Cash Paymaster Services.

She has tried her best to avoid answering questions in the Standing Committee on Public Accounts, Scopa. She has avoided answering questions in the Portfolio Committee on Social Development. She has created this crisis and by doing so, has ensured the renegotiation of what the Constitutional Court described as an invalid contract.

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She still will not tell the South African people how much more we will have to pay for the process rigged to benefit her cronies.

The Minister regularly bashes the so-called white monopoly capital but suddenly it is okay to do business with them. This begs the question: What's in it for the Minister? [Applause.]

**NATIONAL PROSECUTING AUTHORITY MICROMANAGED BY PRESIDENT
ZUMA FOR POLITICAL BATTLES**

(Member's Statement)

Ms E N LOUW (EFF): House Chair, the decision by the ConCourt to grant Bonginkosi Khanyile bail of R250 after spending six months in prison without a trial and the acquittal of the EFF North West provincial secretary Papiki Babuile who was wrongfully arrested for two years is a clear sign of the fundamental problem in our justice system. The National Prosecuting Authority is no longer independent; instead it is now micromanaged by Mr who is using such critical institutions to our justice system

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and the Constitution to fight political battles to prosecute opposition party leaders and to close down #FeesMustFall campaigns.

Even when Shaun Abrahams went to Luthuli House to receive political instruction from Mr Zuma to clamp down on #FeesMustFall activities, the EFF is disturbed by Mr Zuma's announcement that the NPA Director, Shaun Abrahams will not be suspended. We condemn the use of the NPA as a tool for Mr Zuma and his cronies to fight the ANC's factional battles. The EFF welcomes back the provincial secretary, Papiki and wishes him well as he resumes his duties as the provincial secretary to build stronger branches for the EFF. Aluta Continua! [Applause.]

Mr P J MNGUNI: House Chair, in terms of Rule 85 the member who has just read a statement was casting aspersions. She should have known better what to do.

The HOUSE CHAIRPERSON (Mr C T Frolick): I'll check the statement hon member and if necessary, I'll make a ruling in that regard.

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Mr N Q NDLOZI: Chairperson, just before, can I address you respectfully please?

The HOUSE CHAIRPERSON (Mr C T Frolick): In terms of which Rule, hon member?

Mr N Q NDLOZI: I don't remember. You can check for me later. I want to request ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Just tell me on what is your intervention.

Mr N Q NDLOZI: It is on the matter of aspersions. May I respectfully ask you? When I stand and say somebody is casting aspersions, it is important for me to firstly say what those aspersions are before you rule so that we know what is ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, I said I'll look at the motion or statement that was made and I'll make a ruling.

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Mr N Q NDLOZI: But this guy must say what the aspersions are.

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

Mr N Q NDLOZI: You'll find that he does not know.

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

**SQUARE KILOMETRE ARRAY TELESCOPE CONTRIBUTES TO
SOCIOECONOMIC DEVELOPMENT IN NORTHERN CAPE**

(Member's Statement)

Ms R M M LESOMA (ANC): The ANC commends the progress made by its government since South Africa won the bid to host the Square Kilometre Array telescope, SKA together with its precursor, the Meerkat. Telescope has continued to make important contributions to socioeconomic development particularly in the Northern Cape by uplifting the local

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community with businesses and work skills as well as boosting the economy of the province.

The Square Kilometre Array has created more than 7 000 work opportunities in the province through the construction of Kat-7, Meerkat and other related projects. Local construction companies are prioritised and benefit generously via this project and more than R67 million is being spent on local suppliers and contractors for the 2015-16 financial year. This demonstrates that the ANC-led government's investment in science and technology is yielding results as this project has indeed led to job creation, the diversification of the economy through the creation of artisan and maintenance jobs, and the promotion of science as a career of choice. I thank you.

**MEDICINE CONTROL COUNCIL RELEASES GUIDELINES FOR PUBLIC
COMMENT ON CULTIVATION AND MANUFACTURING OF CANNABIS-
RELATED PHARMACEUTICAL PRODUCTS**

(Member's Statement)

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Mr N SINGH (IFP): Chairperson, this statement goes beyond the motion without notice which was moved earlier on. The Medicine Control Council yesterday released guidelines for public comment relating to the cultivation and manufacture of cannabis-related pharmaceutical products for medicinal and research purposes.

This is a great step forward by government and a great stride for the use of medical cannabis in South Africa as spearheaded by the IFP. As we understand it, a legal framework is proposed to be created in terms of the Medicines and Related Substances Amendment Act, Act 14 of 2015, which will make provision for the licensing of manufacturers of scheduled substances.

Last Friday, this Parliament celebrated the 20th Anniversary of the Adoption of the Constitution. Today, we celebrate the strengthening of our constitutional rights to health and the choice of medical treatment. South Africa today stands as a shining example to the rest of the continent and the world as we take medicine and medical care forward into the next century. Thank you.

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UDM WELCOMES SARU DECISIONS

(Member's Statement)

MR M L W FILTANE (UDM): Chair, the UDM highly appreciates the decisions taken by the SA Rugby Union, SARU, on two critical aspects of the Springboks. The fact that only overseas based Springbok players with more than 30 test caps will be eligible for selection in future will assist in stabilising the development of future Boks whilst they are locally based in South Africa. It was always of serious concern to us that loyal players could be replaced willy-nilly by overseas based players. The continuation of the services of the head coach is most welcome too. This is in line with the transformation process based on qualified capacity. We reiterate our statement made in the Old Assembly during the last visit by SARU to the Portfolio Committee on Sport that he must be given enough time to settle down and just do it for South Africa. I so thank you.

GOVERNMENT NO-FEE SCHOOLS INVESTMENT SUCCESS IN GAUTENG

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(Member's Statement)

Mr B MABASA (ANC): House Chairperson, the ANC acknowledges that the investment made by the ANC-led government in no-fee schools is producing great results. No-fee schools in Gauteng in particular had improved their pass rates from 77,9% in 2015 to 79% in 2016. Quoting words from the MEC of Education in Gauteng:

It is now not uncommon that a school like Sekano Ntoane High school in Soweto with a 98,7% performs, comparatively, as well as an established school like Jeppe Boys High School that achieved 98,4.%

Sekano Ntoane High School, a no-fee school that has produced leaders such as current Deputy President, hon Cyril Ramaphosa, obtained 26 distinctions under the leadership of Principal Ms Mokoena. We congratulate such outstanding performance by Sekano Ntoane High School. Keep up the good work. We depend on you to produce engineers, pilots, scientist and doctors. You must aim for a 100% pass rate for the year 2017. Ndza khensa.
[thank you] [Applause.]

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**ANC GOVERNMENT COMMITTED TO PROVIDING DECENT HOUSING FOR
ALL**

(Member's Statement)

Ms H V NYAMBI (ANC): Chair, the ANC is committed in ensuring that all South Africans live in decent conditions in suitable human settlements. As such it applauds the setting aside of R23 million to build 202 houses for people living on farms in Volksrust and surrounding areas in the Pixley KaIsaka Seme Local Municipality under the Gert Sibande District Municipality in Mpumalanga. It also commends the provincial government for prioritising the elderly, orphans, child-headed households and people with disabilities as beneficiaries of these houses.

Apart from the 202 units planned to be built in the area, 74 units have been completed, 103 are at roof level and 17 at wall placing stages of construction. Provisions of decent housing has been one of the ANC government's most successful programmes which has ensured that more than 22 million people have been provided with housing over

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the last two decades. In real numbers this translates to more than 4,3 million houses and subsidies. The ANC welcomes this ongoing programme of providing houses to our people especially rural and farm dwellers to give them an opportunity to live in decent and sustainable houses aimed at restoring dignity to their lives. I thank you.

ANC CONDONES MUNICIPAL LEVEL CORRUPTION

(Member's Statement)

Mr K J MILEHAM (DA): Chairperson, corruption kills opportunity. Corruption kills service delivery and the biggest perpetrators of corruption sit across the floor from us. I quote from an email sent to Oscar Mabuyane, the provincial secretary of the ANC in the Eastern Cape on 20 February 2017 from the provincial convenor of the ANC's Progressive Youth in Business Sive Nombembe:

I responded to a tender published by the Mquma Local Municipality for the supply of refuse bags on a multiyear contract. Knowing that most decisions

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require political assistance I then approached Comrade Teris Ntuthu, the regional secretary of the Amathola to assist me in clinching the contract. He agreed to do so but requested that when he from time to time asks for financial assistance for his personal needs I should first guarantee that I will oblige to which I agreed. [Interjections.] I now want to confirm that the various transactions coded using the name of the ANC, its leagues and other Mass Democratic Movement, MDM, structures were payments made in fulfilment of that undertaking.

Clearly the ANC is well aware of corruption at municipal level and clearly condones it. Otherwise, Minister Van Rooyen sitting over there and the various law enforcement agencies would have taken steps to stamp it out. The prevention and combating of corrupt activities act exists to address this. It is high time it was used to the full against those who participate in corrupt activities. No matter how high the office they occupy ... [Time expired.] [Applause.]

MUNICIPAL NEGLIGENCE PUTS RESIDENTS LIVES AT RISK

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(Member's Statement)

IsiZulu:

Nk S KHAWULA (EFF): Sihlalo, siyi-EFF sinenkinga yolungakhathalelwa kwabantu ... [Ubuwelewele.]

English:

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

IsiZulu:

Nk S KHAWULA (EFF): ... Khuseng laphaya Emfuleni, kunemizi eminingi ebhidlikayo ngenxa yobudedengu bomasipala. Umphakathi wakuleyandawo wonke usenkingeni kuyimanje awukwazi nokuthi uzogudlukela kuphi. Imizi laphaya yonke igcwele amanzi nendle lintanta ngaphandle ngenxa yamapayipi amadala okufanele ngabe kade ashintshwa. Ngendlela lo masipala ohluleka ngayo ukuthi balethe intuthuko nokunakekela izidingo zabantu emphakathini besingacela ukuthi lomthetho ogunyaza oNgqongqoshe [Minister] noma uhulumeni ukuthi bangakwazi ukuya komasipala bakwazi ukuthi balungise izinkinga uphele ngoba omasipala bona bayahluleka, oNgqongqoshe

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baziqhubele. Bese ngizothi la kuNgqongqoshe uVan Rooyen noNgqongqoshe Wezamanzi Nokuthuthwa KweNdle [Minister of Water and Sanitation] ake bayeke ukulokho belandelana nalendoda le yama-Gupta. Ake baphume bayobheka umphakathi. Umphakathi uyafa laphayana. Ogogo abasakwazi nokuyohola impesheni. Bahamba phakathi emanzini, ngisho izimoto. Ngiyacela lapho Sihlalo ubayeke laba ... bye bye wena point of order, bye. [Kwaphela isikhathi.]

Ms R M M LESOMA: I apologise that you didn't hear me hon Chair while the speaker was still on the podium. Rule 85 Chairperson, she's casting aspersion [Interjection.]

The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon member, before you continue. That's why when hon members make these statements, order hon member, it's important that I can listen to them. Now, with all this noise going around in the chamber it's virtually impossible even to follow the interpretation that is here.

I really plead with all members, especially the members also sitting there at the back that we should listen and give an opportunity to the Presiding Officer to be able

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to follow the proceedings. Let us cooperate with one another please. The point of order hon member?

Ms R M M LESOMA: Rule 85 House Chairperson. The member is casting aspersion to hon Minister van Rooyen.

The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon member, as I've indicated, order, order, as I've said earlier, I will check the statement of the member and I'll make a ruling if necessary. [Interjections.]

Order hon member, you have not been recognised, order.

RESULTS OF THE MUNICIPAL BY-ELECTIONS HELD ON 1 MARCH

2017

(Member's Statement)

Ms N K BILANKULU (ANC): The ANC welcomes the outcomes of the two municipal wards' by-elections that took place in the Eastern Cape and Free State on Wednesday 1 March 2017.

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The ANC retained the two wards it won in the 2016 Municipal Elections. Once again, these results are the confirmation of the people's confidence in the ANC. It also demonstrates the trust the people still have in the leadership and guidance of the ANC as a party with the experience, vision and a track record in terms of lifting our people out of extreme poverty including expanding housing and basic services.

The ANC values, and does not take the support of the people for granted, and calls on the elected public representatives to work hard to resolve our people's problems and ensure service delivery and robust oversight. I thank you.

Mr N Q NDLOZI: I rise on a point of order Chair, on Rule 85. I think the hon members are casting aspersions on the ANC by saying it's doing a good job. It's very wrong ...
[Interjections.]

The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon member, that's not a point of order. Take your seat please.

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REPRIMANDING OF DEPUTY PRESIDENT FOR NOT SPEAKING OUT
AGAINST CORRUPTION

(Member's Statement)

Mr M A PLOUAMMA (Agang SA): Agang SA would like to take this opportunity to reprimand the Deputy President by remaining quiet when our public institutions are polluted and corrupted.

The Deputy President Cyril Ramaphosa who remain to be quiet when the Minister and Deputy Minister of Finance are harassed by the Zuma faction.

The Deputy President has become a shadow of former self. He lacked the courage to confront the President who has become nucleus where all crooks draw inspiration ...

[Interjections.]

Ms R M M LESOMA: The hon member knows that he must submit a substantive motion in that regard, Chair.

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The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon Plouamma, you know when we deal with Rule 85, it is there for a very specific reason. That if you have a specific issue that you want to deal with, with the hon member of the House; firstly, parliamentary convention says that you must first submit that, and it's contained in rule 85 in the form of a substantive motion. That motion is directed at the Deputy President who is a member of this House, and as such you are required by the rule to submit a substantive motion on that.

Mr M A PLOUAMMA (Agang SA): Hon Minister Pravin Gordhan and Deputy Minister Mcedisi Jonas are like orphans who are abused by rudely elements ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon Plouamma, hon Plouamma, hon Plouamma, if you simply continue with the statement, I hope that you won't cast any further aspersions because unfortunately I have to stop you and I'll ask you to submit the substantive motion to the table please.

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Mr M A PLOUAMMA (Agang SA): I won't cast any ... whatever it is. Hon Chair, we've reached a paralysis state, no one knows where the ANC is taking our country and people. The ANC of today lacks leaders of Bram Fischer and Joe Slovo characters, who were willing to sacrifice the comfort of their families and careers for the general good.

The ruling ANC has become a dry leaf lacking substance. My fellow South Africans, the ANC has become an angel of despair and tormenting souls.

The Guptas and the Zuma family and friends are the ones who benefit most. Social justice to our people is a secondary issue. I thank you.

DIWALI FACEBOOK RANTER'S PLEA REMORSELESS

(Member's Statement)

Ms B L ABRAHAMS (ANC): Mr Dawie Kriel on Friday 3rd March 2017 pleaded guilty to a crimen injuria charge in the Durban Magistrate's Court in relation to his comments that offended Hindus when he described them as "idol

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worshippers" on Facebook last year. His post related to the use of fireworks over the Hindu festival of Diwali.

The ANC believes that the guilty plea to the racist comments on Facebook by Dawie Kriel is just a technical approach rather than a real show of sincere remorse. We believe he is now pleading guilty because he realises that it is possible for him to argue this case and win in a court of law.

The ANC believes that the days of making racist comments and then apologising are over.

We request a heavy sentence that should include jail time for Mr Kriel to send a strong message to all other racist individuals who are not prepared to participate in our democracy and transformation agenda in a democratic South Africa post 1994. This will serve as a warning to everyone that there is no space for racism in South Africa. His comments were extremely racist and therefore he cannot be allowed to go free with just an admission and not an apology. Thank you.

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**DA INCREASE TOURISM DESPITE ANC'S NEGATIVE VISA RULES
THAT DECREASE TOURISM**

(Member's Statement)

Mr E J MARAIS (DA): The ANC's foolish Visa rules cut the number of tourist visits to South Africa by 600 000. Despite this, the DA has secured a massive increase in tourism to the province because we have worked tirelessly with industry and also stakeholders to achieve this.

The Cape Town Airlift Strategy has secured six new routes and eight route expansions resulting in over half-a-million more two-way seats into the city.

Since July last year, these additional flights generated R3 billion in tourism spent for the Western Cape. The Cape Town Airlift Strategy is the partnership between the Western Cape Government, the City of Cape Town, the Airports Company of South Africa and Cape Town Tourism.

International air arrivals into Cape Town are increasing by 22% year on year, and during the month of December

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2016 there was almost 30% increase in visitors compared to the number of tourists during the same time in 2015.

British Airways last summer also added three additional flights from Gatwick to Cape Town and last month Lufthansa Airlines launched a flight from Frankfurt. There's also a daily flight between Cape Town and Luanda.

Mr Chair, the message could not be clearer, while the ANC destroys jobs the DA will create them. Thank you.

**BRAND NEW STATE-OF-THE-ART HOSPITAL FOR THE BETHAL
COMMUNITY**

(Member's Statement)

Mr D H KHOSA (ANC): The glorious movement, the ANC, welcomes and congratulates the Mpumalanga Department of Health together with the National Department of Health for setting aside R569 million for a brand new state-of-the-art hospital for the Bethal community in the Govan Mbeki District Municipality areas in Mpumalanga Province.

The new high-tech facility will replace the old structure which was officially opened in 1943.

The construction is anticipated to take about 35 months with an estimated 300 jobs created during this phase.

The ANC welcomes the political wisdom of not interrupting health services during the construction process.

On the other hand, the ANC appeals to the Mpumalanga Department of Health to ensure that when the state-of-the-art facility is completed, it should have adequate and competent health professionals to serve our people. I thank you.

INVESTING IN NO-FEE SCHOOLS PRODUCES RESULTS

(Minister's Response)

The MINISTER OF BASIC EDUCATION: Hon Chair, yes indeed I really would want to join hon member Mabasa for celebrating the new improvement that we are seeing, especially in the townships, rural and farm schools. And

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indeed the performance of Sekano Ntoane and most other township schools was a feast to be celebrated. I think as hon members we should continue to support these schools because if we are to see continues improvement in the system, it would only come from these township and rural schools, because your model C schools are already functioning to the optimum. So, I really agree with the hon member and say, we have to support them and it is confirming that our system is growing system and these are green shoots that are encouraging and I want to thank the hon member Mabasa. [Applause.]

PAYMENT OF SOCIAL GRANTS ON 1 APRIL 2017

(Minister's Response)

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHAKATHI:

[Ubuwelewele.] Ngiyabonga Sihlalo, ngifuna ukwazi ukuthi nina njengoba nilwela amabhange kangaka, yini enizoyithola? [Ubuwelewele.]

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Okwesibili, azange sikhulume ngodaba lwamabhange kuphela. Sishilo ukuthi amabhange sizosebenza nawo kodwa-ke nithatha lokhu enikuthandayo. [Ubuwelewele.] Okunye, ushintsho olusheshayo lomnotho emphakathini [radical socioeconomic transformation] aluyona inkondlo liwumsebenzi lo okufanele niwenze nina - niyeke "ukuyonxila". [Ubuwelewele.] Okunye engifuna ukukubuza ukuthi yini i-ICEM - isikhungo sasithathaphi imali sisebenza nohulumeni walapha e-Western Cape. [Ubuwelewele.]

English:

Mr N Q NDLOZI: Hon Chairperson, on a point of order.

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHAKATHI: Inkampani i-Hunt Lascaris ... [Ubuwelewele.]

English:

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

Mr N Q NDLOZI: Take a seat.

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The HOUSE CHAIRPERSON (Mr C T Frolick): ... will you just take a seat please. Hon member, in terms of which rule are you rising?

Mr N Q NDLOZI: Hon House Chairperson, I am rising on a point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, in terms of which rule is your point of order?

Mr N Q NDLOZI: Hon House Chairperson, my point of order is: The hon Minister says - I am rising on Rule 92.

The HOUSE CHAIRPERSON (Mr C T Frolick): Rule 92 does not say that hon member.

Mr N Q NDLOZI: Well hon Chairperson, you will find it.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member you are taking a chance. That is not Rule 92.

Mr N Q NDLOZI: Hon Chairperson, can you listen to the substance of my point of order!

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The HOUSE CHAIRPERSON (Mr C T Frolick): No hon member!

Mr N Q NDLOZI: Hon Chairperson, I am rising on a point of order which is Rule 92. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): That point of order which is Rule 92 ... [Interjections.]

Mr N Q NDLOZI: Hon Chairperson, can you first listen! Can you first listen! [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No hon member! Hon member, hon member, hon member, it is my task as the presiding officer to guide you when you are obviously wrong! [Interjections.]

Mr N Q NDLOZI: Alright, but do not suppress me. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): And in this instance you are wrong! You are raising the wrong rule!

Mr N Q NDLOZI: Alright! [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): You cannot say you are rising on Rule 92 based on Rule 92, what is that?

Mr N Q NDLOZI: No, no, no, I said I am rising on a point of order! [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): It does not make sense!

Mr N Q NDLOZI: Hon Chairperson, you asked me which rule and I said 92!

The HOUSE CHAIRPERSON (Mr C T Frolick): So, hon member what is your point of order about?

Mr N Q NDLOZI: Ah! Hon Chairperson, you are taking chances. The Minister ... [Interjections.]

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

Mr N Q NDLOZI: The Minister says that our concerns around radical economic transformation ... [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member please take your seat! That is a point for discussion and debate. That is not a point of order! [Interjections.]

Mr N Q NDLOZI: Hon Chairperson, can I ...
[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): That is not a point of order!

Mr N Q NDLOZI: House Chairperson, can I say my point of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): No! Please take your seat! [Interjections.]

Mr N Q NDLOZI: But you cannot allow a Minister to call us drunk! [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): You had the opportunity to make a member statement! [Interjections.]

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Mr N Q NDLOZI: She said us who are concerned about the radical economic transformation must go and drink!

The HOUSE CHAIRPERSON (Mr C T Frolick): Take your seat, hon member! [Interjections.]

Mr N Q NDLOZI: Oh, so it is allowed for a Minister to insult us! Casting aspersions!

The HOUSE CHAIRPERSON (Mr C T Frolick): No hon member! Hon member! [Interjections.]

Mr N Q NDLOZI: Hon Frolick, do you hear isiZulu? Because you are going to render his House ungovernable!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, please! I will check the statement. I will check the statement.

Mr N Q NDLOZI: No but ... you will check! You just said that I must sit down now you say you will check the statement!

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The HOUSE CHAIRPERSON (Mr C T Frolick): But if this translation here bears no fruit [Inaudible.] Please take your seat!

Mr N Q NDLOZI: She must not say people must go drink! [Inaudible.] You are out of order! [Interjections.]

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

Mr N Q NDLOZI: No, but you are out of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Please take your seat! [Interjections.]

Mr N Q NDLOZI: You are suppressing me for no reason!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, please take your seat! Order, order, hon members! Order! Order, hon members!

Mr N Q NDLOZI: You know, Chair ... [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member, take your seat! I will check what the Minister has said and I will come back, if there is anything with a ruling, but I did not pick it up in this translation. Hon member, take your seat! [Interjections.]

Take your seat, hon member! Hon member, please take your seat. The hon Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, someone from that side said, ngiyaxila. [I drink a lot.] That is why I also used... [Interjections.]

Mr N Q NDLOZI: Alright. On a point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, take a seat!

Mr N Q NDLOZI: Me!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, take your seat please! Take your seat. We want to listen to what the Minister says. Hon Minister. [Interjections.]

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I indicated that I will check the Hansard in terms of what was said. Will you now continue with your ministerial response, please.

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHAKATHI: Ithenda engazange ikhangiswe eyanikezwa u-Huntlers-Caras ongumeluleki kaNdunankulu. Kubekhona ithenda eyanikezwa inkampani ebesingenamali [bankrupt company] eyayakha izindlu ... [Ubuwelewele.]

English:

... and they even did not finish the houses of the ordinary people.

IsiZulu:

Futhi sikhathele yinina nenze inkohlakalo niyibize ngokuthi ...

English:

... you are wining and dining. And call it collusion.

IsiZulu:

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Nibe nenza inkohlakalo. [Ubuwelewele.] Musani ukufuna ...

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

Ms S P KOPANE: Hon Chair, on a point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order! Hon Minister, hon Minister, please take your seat. Hon members, I am not going to allow this type of conduct.

Ms S P KOPANE: Point of order, House Chair!

The HOUSE CHAIRPERSON (Mr C T Frolick): I am not going to allow it! If you continue in this vain, then the essence of members making statements and Ministers responding becomes futile. Let us give an opportunity; whether you do not like what the Minister says, the Minister has a right to respond in the statement. So, let us give them an opportunity to do so please.

Ms S P KOPANE: Point of order, House Chair.

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The HOUSE CHAIRPERSON (Mr C T Frolick): What is your point of order now, hon member?

The HOUSE CHAIRPERSON (Mr C T Frolick): House Chair, the Minister is not responding to the member statement.

[Interjections.]

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

Ms S P KOPANE: No she does not respond! [Interjections.]

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

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I am trying to use all the opportunity that I have to say to South Africans: On the 1st of April, all beneficiaries will get their grants. Thank you very much. [Applause.]

The MINISTER OF CO-OPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS: House Chair ... [Interjections.]

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

The MINISTER OF CO-OPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS: House Chair, I must indicate that the ANC-led government's commitment to fight corruption is very apparent for one to see, unlike the old order apartheid system, which concealed corrupt activities as conducted by Bancorp. The ANC-led government has revealed that because of its systems against corruption. I must indicate that the very same apartheid system that we are referring to, the very system that didn't allow corruption to be exposed benefited majority of the people who are sitting on my right. [Applause.]

It is our corruption tight system as the ANC-led government that exposed the collusion that is there in the construction companies, which are mainly benefiting some majority of them on the right. [Applause.] It is the ANC-led government tight corruption management system that made it a point that we are able to expose some shenanigans within the banking systems as we speak. [Applause.] I must indicate that our local government'

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system and the legislation that is providing for procurement in this system is so tight that it doesn't allow anyone from the outside to manipulate the system. We have bid committees and evaluation committees that are managed by competent officials of this system.

Now I hope, hon member, as the so-called loyal citizen, law abiding citizen of this country, he has opened a case because it can't help for you to come here and grandstand with such serious allegation.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, your time has expired.

The MINISTER OF CO-OPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS): I hope you have opened a case.[Time expired.]

Mr K J MILEHAM: Chairperson! On a point of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, what is the point of order? On which Rule?

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Mr K J MILEHAM: Chairperson, that Minister was just casting aspersions on me.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member I will check. I didn't here the aspersion but I will check. Continue, hon Minister, Nkwinti.

The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: Hon Chair!

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

The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: Hon Chair, I would like to address South Africans and say the following two things: obsession with the ANC. That is how the Nationalist party distinguished itself during apartheid years and it failed to destroy the ANC ...
[Interjections.]

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

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, take your seat. Why are you rising, hon member, and in terms of which Rule?

Mr M L W FILTANE: I like the haircut of the Minister.

[Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Take your seat, please. Don't waste our time, hon member. Don't waste our time.

The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: Hon Chair and fellow South Africans, now during democracy, there is also obsession about the ANC by the opposition parties in this House who are trying to kill the ANC and destroy it. They are spectacularly ... [Interjections.]

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

The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: ... failing to do so. There is evidence that just have been said right now, the victory of the ANC in bi-elections,

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because members of the opposition in this House, you fellow South Africans, you were expecting to hear from them, viable policy alternatives to those of the ANC.

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

The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: What are you getting? Nothing. [Applause.] We must thank the ANC, let us thank them for helping the ANC to hone and sharpen its policies. Thank you very much because all you do everyday when we are sitting here, fellow South Africans listen to you critiquing and even humiliating ... [Interjections.]

Mr N Q NDLOZI: Point of order.

The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: ... the ANC. Nothing comes from that side ... [Interjections.]

Mr N Q NDLOZI: Point of order.

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The MINISTER OF RURAL DEVELOPMENT & LAND REFORM: ... in terms of viable ... [Interjections.]

Mr N Q NDLOZI: Point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, your time has now expired. Thank you. Why are you rising, hon member?

Mr N Q NDLOZI: Yes. The time was done.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member, I am being advised here from the Table, the Minister's time was not done.

Mr N Q NDLOZI: Yes, but I also think in terms of Rule 132, House Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes.

Mr N Q NDLOZI: Ministers must not abuse us. They are supposed to respond to the statements of hon members in

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the House, not their imagination and take opportunity to respond to everything that comes to their imagination.

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

Mr N Q NDLOZI: Nobody spoke about the form of the ANC in the statements made. I mean that does not exclude the fact that it is ... [Inaudible].

The HOUSE CHAIRPERSON (Mr C T Frolick): Take your seat, please. Take your seat. The Minister's response was completely in order and in line with the Rules.

The DEPUTY MINISTER OF ECONOMIC DEVELOPMENT (Mr M B Masuku): Hon Chair!

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

The DEPUTY MINISTER OF ECONOMIC DEVELOPMENT (Mr M B Masuku): Indeed, we must congratulate premier Zille, in the Western Cape, together with other premiers for the work that they are doing together with the President -

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the work that they do in the Presidential Co-ordinating Committee and in the Presidential Infrastructure Co-ordinating Commission, PICC.

Indeed, the numbers in tourism are a reflection of the work that is done here. It is not only the only area, also in the area of infrastructure; we are very confident and very happy of the work that she is doing here. But we must point out and also request that there is a particular matter that we need to address here. Racism in tourists of colour in this area is raring its head, that needs to be challenged.

Another issue, racism around property development when people of other colour want to come into the Western Cape and buy property must be addressed too. That we are raising it because it is in the context of what all the premiers are assisting. She is excelling in the specific area and others are excelling in other areas, for instance, premier Mathabatha, in Limpopo is doing very well because if you look at the differences with regard to an increase in employment numbers. His province is actually leading in that. So, we need to congratulate the

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premiers for the work that they do. Thank you very much.

[Applause.]

NOTICES OF MOTION

Mr H D KHOSA: Hon Chairperson, I hereby move on behalf of the ANC that at the next sitting day of the House:

The House debates the challenges with regard to the accessibility of primary health care for farming and some rural communities.

Mr M H REDELINGHUYS: Hon Chairperson, I hereby move on behalf of the DA that at the next sitting day of the House:

The House debates the importance of section 16 of the Constitution affirming freedom of expression as a critical cornerstone of our post apartheid constitutional democracy, especially in the light of State Security Minister, David Mahlobo, as attacking the media and called for social media regulation.

[Applause.]

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Mr N PAULSEN: Hon House Chair, I hereby move on behalf of the EFF that at the next sitting day of the House:

The House debates an alternative agricultural model that would incorporate social cultural and environmental benefits for poor black South Africans.

Xitsonga:

Nkul X MABASA: Mutshamaxitulu, ndza yima ndzi susumeta hi ku yimela ANC leswaku eka ntshamo wa siku leri nga ta landzela wa Yindlu:

Yindlu yi jhekajhekisana hi nkoka wo seketela mabindzu lamantsongo tanihi switirhisiwa swo tumbuluxa na ku hangalasa rifuwo. Ndza khensa.

Mr J A EESTERHUIZEN: Hon House Chair, I hereby move on behalf of the IFP that at the next sitting day of the House:

This House debates that in a constitutional democracy such as ours that Members of Parliament,

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MPs, in the highest legislative body in the land have the right to choose which medical aid scheme they want to belong to; that all of its members are held hostage to a single medical aid scheme Parmed; have no choice of freedom to contract with any other medical aid scheme; and are subject to extraordinary medical aid costs that have fewer benefits than most other medical aid schemes. Thank you.

Mr S C MNCWABE: Hon House Chair, I hereby move on behalf of the NFP that at the next sitting day of the House:

The House discusses the issue of the sharp increase in illegal mining and its associated gang warfare in South Africa and the cost associated there with to the South African taxpayers.

Ms N K BILANKULU: Hon Chairperson, I hereby move on behalf of the ANC that at the next sitting day of the House:

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The House debates the issue of ensuring communities desist from disrupting classes during protest actions.

Tshivenda:

Vho N L S KWANKWA: Ndi masiari Afrika Tshipembe.

English:

I hereby move on behalf of the UDM that at the next sitting day of the House:

The House debates high rate of road fatalities in South Africa, its impact on the South African economy and measures on how to reduce it. Thank you very much.

Afrikaans:

Mnr H C C KRÜGER: Voorsitter, by die volgende sitting van die Huis sal ek voorstel:

Dat die Huis die verdoemende rol debatteer wat rompslomp speel in die stryd van die verlore generasie - die stryd om deel te word van 'n

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inklusiewe ekonomie deur middel van die begin van 'n kleinsake-onderneming.

Mr L MATHYS: Hon Chairperson, I hereby move on behalf of the EFF that at the next sitting day of the House:

The House debates the gender representation and the appointment of judges and justices.

Ms B L ABRAHAMS: Hon House Chair, I hereby move on behalf of the ANC that at the next sitting day of the House:

The House debates strengthening and accelerating the implementations of the mechanisms geared at curtailing the soaring crime, especially townships. Thank you.

Mr A TUCK: Hon Chairperson, I hereby move on behalf of the ANC that at the next sitting day of the House:

The House debates strengthening measures aimed at lowering the deadly effects of the increasing scourge of tuberculosis, TB, in South Africa.

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

The House debates on how to restore the dignity of the National Assembly and how we can salvage its official stature.

Mr A J WILLIAMS: Hon Chairperson, I hereby move on behalf of the ANC that at the next sitting day of the House:

The House debates ways to deal with the plight of jobless graduates in the country.

Mr C D MATSEPE: Hon Chairperson, I hereby move on behalf of the DA that at the next sitting day of the House:

This House debates why temporary teachers are not being re-employed in Limpopo while on the other hand they are being re-employed in Gauteng and Mpumalanga.

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Ms H V NYAMBI: Hon Chairperson, I hereby move on behalf of the ANC that at the next sitting day of the House:

The House debates encouraging involvement of communities and organisations on matters of governance.

The House adjourned at 18:30.

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