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*PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES*

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The Council met at 41:03.

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

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order, hon members! I have been informed that the Whippery has agreed that there will be no Notices of Motion or Motions without Notice. Before we proceed to the questions, I would like to take this opportunity to welcome the Ministers from the Economics Cluster. We will now proceed with the questions as presented on the question paper. I will now call the Minister of Agriculture, Forestry and Fisheries, Minister Zokwana, to start with Question 186.

Question 186:

*IsiXhosa:*

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UMPHATHISWA WEZOLIMO, AMAHLATHI NOLOBO: Mandibulele Sihlalo weNdlu kuquka namalungu ahloniphekileyo.

*English:*

The Department of Agriculture, Forestry and Fisheries has an extension recovery programme aimed at revitalising extension and advisory services in the sector. Through the Cabinet, the department promotes an approved national policy on extension and advisory services in the integrated and pluralistic extension and advisory services.

These include leveraging the support and technical expertise of commodity organisations through the secondment of the government employed extension practitioners, as well as the implementation of the Provincial Extension Co-ordinating Forum, PECF, for joint planning of the extension programmes between the government, industry producers and the other relevant role-players in the sector.

The department regards climate change as a serious threat to developmental interventions. In this regard, the department is collaborating with the Deutsche Gesellschaft für *Internationale Zusammenarbeit* through the Department of Environmental Affairs to

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conduct the Climate-smart agriculture, CSA, skills and audit among the government employed extension practitioners.

The project includes identifying existing skills and knowledge, as well as conducting training need assessment. We want extension officers who are not only advising, but can also do research, so that they are able to give quality information to different stakeholders as we have reported.

*Setswana:*

Rre O J SEFAKO: Tona ya Temothuo, Dikgwa le Thekiso ya Bodirelotlhapi, ke rata go itse gore ke eng se lo se dirang mmogo le Tona ya Metsi le Kgelelo ya Lešwe go thibela metsi a a elelang ao a neng a ka thusa balemirui, segolobogolo kwa metseselegaeng, ka ga kago ya matamo le dilo tse dingwe?. Ke a leboga.

TONA YA TEMOTHUO, DIKGWA LE THEKISO YA BODIRELOTLHAPI: Modulasetilo, Lefapha la Temothuo, Dikgwa le Thekiso ya Bodirelotlhapi ka tirisanommogo le Khomišene ya Ditlhotlhomiso tsa Metsi...

*English:*

...has conducted a number of research studies around agriculture ...  
[Interjections.] I will never indulge into debates with people who

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raise issues that are not relevant. What I was trying to say is that, our department, in conjunction with the Water Research Commission, has conducted programmes to make sure that we are able to harvest water from the rivers and other resources. This will ensure that people can be able to access such water.

We also want to train them in ways that can help to use water efficiently, like avoiding irrigating during hours where there is really a problem of evaporation. We also want to look at means and ways that we can be able to enhance our programmes going forward. That strategy is done to make sure that agriculture provides a framework of regulatory support and gives incentives to those who use water efficiently.

We are doing these attempts because climate change is a challenge, and as such, we can be able, not to be only looking at water usage but also to look at the other ways of dealing with climate change like coming up with new cultivars, to ensure that under any condition, they can be able to survive any kind of drought.

Mr C F B SMIT: Chairperson, I would like to know from the Minister, what is the plan to roll out tunnel farming in a big scale throughout the country?

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The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: Chairperson, the issue of tunnel scale agriculture is also going to be an issue in which our department will be doing research. Through that process, we are able to extend the productivity even beyond seasonal planting. We will also be able to minimise the usage of water and control the temperatures.

In that manner, therefore, we are able to give farmers the tunnel scale agriculture, and we will then be able to control the production thereof and link them to a particular market. Mr Smit, I think I was able to answer your question, unless I didn't hear you properly.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Let me recognise hon Khawula.

Mr C F B SMIT: I think that the Minister might have misunderstood my question. I asked, when will it be rolled out, not what is tunnel farming? We know what tunnel farming is and its positive implication. I want to know, when will it be rolled out through out the country in terms of small-scale farming?

*Afrikaans:*

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Die MINISTER VAN LANDBOU, BOSBOU EN VISSERYE: Ek het u mooi gehoor, as jy daardie vraag wil ... en ek het gesê ...

*English:*

... and I said already, if you go to the small-scale farmers, you will see a variety of programmes. By the way, it is part of the programmes that we are rolling out when we refer to the Agri-parks. In some of the areas, we put up the hydroponics tunnels that give the farmers a sustained approach. Of course, like with any other products, the farmers need training. But before that, there should be uptake agreements because that processes is very expensive.

As the department, we are engaging with the farmers to make sure that they are also involved in tunnel farming. The scale is different from province to province, especially on the areas where vegetable production is most suitable. If you go to the North West, there is a project that is called Sun Farming Project.

The project includes absorption of photovoltaic cells that are being used for energy resources as well as the harvesting of water to produce a number of varieties of vegetables. Together with the University of the North West, this work is done in conjunction with the government of Germany.

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*IsiZulu:*

Mnu M KHAWULA: Sihlalo, mhlonishwa Ngqongqoshe, isomiso phakathi kwezifundazwe ezikhahlakamezeke kakhulu kube yisifundazwe sombuso wobukhosi baKwaZulu. Kulesi sifundazwe indawo ekhahlakamezeke kakhulu kunazo zonke kube yisifunda sase-Zululand. Nginolwazi lokuthi abafuyi kanye nabalimi balaphaya endaweni yakwaNongoma bathe babecela ukuthi bahlinzekwe ngamadamu okugcina amanzi ukuze uma kunesomiso imfuyo ingafi kakhulu kodwa ikwazi ukucosha indawo lapho izophuza khona amanzi.

Bengicela ukwazi ukuthi mhlawumbe kukhona yini okwenziwe ngalokho? Uma ngabe umhlonishwa engenalo ulwazi ngoba lona umbuzo olandelayo [follow up], kukhona yini okusezinhlelweni noma uma ngeke kuphenduleke lokho, kungahlelwa yini ukuthi bacoshe amadamu? Lokhu ngikusho ngoba njalo uma kunesomiso indawo yakwaNongoma iyona ekhahlamezeka kakhulu, ikakhulukazi ngasohlangothini lamadamu azophuzisa imfuyo. Ngiyathokoza.

*IsiXhosa:*

UMPHATHISWA WEZOLIMO, AMAHLATHI NEZOKULOBA: Sihlalo weNdlu, kuyinyaniso oku kuthethwa ngohloniphekileyo kwaye la mbuzo ubalulekile wokuba senza ntoni na ukuqinisekisa ukuba amanzi emvula

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esandula kuna kwiindawo zaKwaZulu-Natal awapheleli elwandle.

Siqinisekisa njani ukuba la manzi siwakhuphela emadamini? Yinkqubo engundoqo karhulumente leyo. Bendityelele phaya, ndabona amadami amatsha asakhiwayo namanye amadala ntonje agcwele isanti. Kufuneka nje acocwe, kugutyulwe loo santi khona ukuze xa kufika imvula akwazi ukubamba amanzi. Loo nto leyo iphambili kwizicwangciso.

Esinye isicwangciso sesokugrumba imingxunya yamanzi [bore holes] ukuqinisekisa ukuba siyakwazi ukutsala amanzi aphantsi komhlaba. Loo manzi aya kuthi ancede izilwanyana nabalima imifuno bakwazi ukuphila. Oko kufuneka sibe neengxoxo neSebe lezaManzi noGutyulo ukuze sikwazi ukuba sisebenzisane neKomishoni yoPhando lwaManzi [Water Research Commission] ukufikelela kwezo njongo. Kunyanzelekile ukuba senze lama tiletile kuba imbalela ifikile kwaye asithandi ukuba xa ifika kwakhona sibe singayixhobelanga. Enkosi.

Question 207:

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, the ongoing scourge of criminal attacks in the farming community involving farm owners and farmworkers is as a result of a number of various issues; some are social and some are criminal inclined but some are as a result of the situation where the co-existence of the two communities is not governed. I am sure we have heard about a

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plight of evictions that has removed farmworkers from their own existence. I think such issues can be better managed.

We also have heard of the killing of farmworkers mistaken for animals by those who are hunting. I am not trying to imply that it is farm owners only, who are responsible, but I am saying that for us to improve the co-existence in the farming communities is to build a co-existence and improve the labour relations arrangements in the farming areas, and ensure that farmworkers are treated humanely. I am not for a minute saying that it is the behaviour of the farm owners who are beating people, but in some instances we have seen that such things happen.

By the way, last year we held a stakeholder meeting into which we had invited the then acting commissioner of police and different stakeholders, because this thing is really worrying us where animals are being killed on farms; and where farmers are being looked upon to be murdered, where farmworkers are being attacked as if they are animals.

I think, as a country we need to find a way in which we can create harmony within the farm dwellings. Without a productive farming community there is no guarantee for food for tomorrow. For this

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issue to be dealt with then is to remove the belief that it is caused purely by a particular orientation of opinion by people who hate farm owners.

The other threat that we need to look at is the fact that migrants from our neighbouring countries are also getting employed without documentation; as a result that is where there are tensions that may result in a number of issues. By that sir, I am saying we need to find a way to we can dialogue as to how we can reduce stress, and make sure that farmworkers feel respected by their employers; and farmers intermingle with communities.

We need to build an environment where farm owners across colour lines can begin to extend hands of assistance to each other and we can live in co-existence. The police have a role to play not only to arrest those who have committed crimes but to be able to arrest them before crime is committed. However, for that to happen I believe that when farmworkers can be able to report every person who is unknown in their vicinity to their employers or to the police system. For that to happen we need to improve the co-existence of those communities.

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Mr C F B SMIT: House Chair, thanks to the Minister for the answer, but I would like the Minister to go a bit more further in terms of the interdepartmental co-ordination between the police department and so forth, to make sure that we combat this job-killing crimes.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, I can assure you that we have had dialogues, including a dialogue with the AfriForum which is an organisation that looks at the plight of farmers. We have discussed this matter and I agree with you. They gave us an example of a successful project that they are running in a town called Eliot, where they were able to co-operate with taxi-owners, such that taxi drivers can be able to report anybody they see at night with cattle, because this thing is also linked to cattle theft. One cannot remove cattle theft from the killing of farmers.

Therefore, I am saying that this is broad and that we need to work with police department where possible as I said. May be we can create some structures of police where people can go and report. We even need to get the security cluster so that we can be able to sniff out if there are people who are planning to do these murders. But my success is between communities adjacent to farms as well as

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the role of farmworkers to understand that one farmworker killed is one too many.

This country does not deserve to have that; everybody's life is important, but in my view it starts with the farmer; because he holds power over those he has employed so that we can link them to see each other as comrades - if I can use that language in this House - or a friend, so that they are then able to improve the co-existence of each.

I agree with you because I have seen pictures of farmworkers even in Potchefstroom whose cattle were cut into pieces on the farm, which is a threat we dare not see that happening. I want to say that if we can follow the laws of this country that deals with the issue of evictions of which I think the Minister of Rural Development will deal with. I am sure we can be able to curtail this problem - it is broad.

However, I am sure that the co-ordination of farmers and farmworkers and everybody as I said that in those areas farmers trained the people from a township in using their skills to plant vegetables. In exchange people became eyes and ears of the place so that they can report anybody they see in the area who is not supposed to be there.

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Ms L C DLAMINI: Thank you hon Chair, and thanks to the Minister for the response. Now, Minister on the plight of the farmworkers, last week we had a provincial week in Mpumalanga at Middleburg. We visited some farms there. It was shocking to note that ...

*Siswati:*

... kunebantfu labasahlupheka kangaka la eNingizimu Afrika ...

*English:*

... which we call a democratic South Africa.

*Siswati:*

Kunebalimi labasahlupha bantfu njengetigcili.

*English:*

In one farm we were told that an old lady carrying a baby, and not only that but she was also sick, and was chased by a farm owner with a bucky, pointing a gun at her, telling them to go away from there. He cut their water and ploughed into their yards, and there were no resources, absolutely nothing. He took their cattle because he felt that they don't have to stay there.

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That was not the only incident, it happens with the other farms where their cattle is taken away because ...

*Siswati:*

Lomlimi ucabanga kutsi bayamkweleda ngekudlisa tinkhomo tabo lapha epulazini lakhe.

*English:*

What is happening with the plight of the farmworkers in the farming community? I know that there are good farmers because one of them around that area is assisting the farmworkers. [Interjections.] I am saying that there are good farmers because one of them is the one who them with water even when the car from municipality brings water he would assist them. But a number of them are still racists.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, I repeat and say that the plight of farmworkers and farm owners is a challenge to the country. It is an issue that I think we cannot deal with it otherwise. I agree with you. A farmworker will always stay around on the land of the farmer. In this country, we have dealt with a number of legislation as I said that the Minister of Rural Development and Land Reform will deal with the issues of evictions.

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It does not matter at what stage that happens, we need to make sure that it remains humanly. To chase a person with a bukie - an old lady for that matter - the issue you are raising is one area I was saying we need to do away with; as these can create an atmosphere or an attitude towards farmers, and they are already vulnerable.

I think we need to improve the co-existence of farmers and even the issue of inspectors to go and check the conditions under which the farmworkers live. By the way, this is the situation that blew up the strike around the Western Cape that took some weeks. I think it was more of the way in which farmworkers felt they were treated. Those people work even when it is hot, wet or raining they have to be at their work place. There can be no farmer who could be successful without willing and happy farmworkers.

So, our laws have to be applied and I want to say that if only farmers could only do one thing: go through the legal processes if they have to deal with such issues so that even if people have to be chased away from a place - before they do so - they should be guaranteed that there is a place where they are going to be relocated to. Those are issues I think this country does not deserve.

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I am happy that you have sighted the fact that there are farmers who treat their workers better. We need more of those farmers; we need more of farmers who will be able to train their farmworkers on their own. I think the programme of 50/50 is one of the ventures that the Department of Land Affairs has come into, and I am sure my colleague will expand on that because it create a co-existence of farmworkers and farm owners.

It makes them to become more of a family than always relating on the basis of how much one is paid by the other. And, I want to say to that old lady that I hope she can find a space where she can live. We don't need that in the new South Africa where people are treated as slaves at this time and age.

Mr O S TERBLANCHE: House Chairperson, Minister thank you very much for your questions this far; I think you will agree, Minister, that a farmer takes that murders of both farmers and people working on the farm are very high at the moment. I think we will all agree that that is not acceptable. And my question is - you know, firstly there is rural sort of safety plan in place - my question to you is; are you involved - I know you are the Minister of Agriculture but from your responsibility - are you involved with the police and other security agencies to revisit, relook, reformulate and restrategise

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this plan, and what is your involvement; and sir, what can you tell us that can give us some hope today?

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, I want to say to hon Terblanche that it is true that in a normal situation we need to be co-ordinating around that matter but I know very well that my deputy sits in a forum that deals with these issues - given his expertise in the police situation - but the question that you may ask is, are we doing more? To that I would say that we need to do more but it cannot be an issue of policing alone. It is an issue for us creating awareness amongst our people, amongst our communities on the value of a farmer and a farmworker that none of them should be threatened because even those who buy our commodities rely on the policies we pass.

We don't want our commodities not to find space in the global market, because of the situation in the country. Therefore, your ideas will be more appreciable as to how best can we, as a country, as this House can find ways and policies. One of those things is that as political leaders we need to be very careful of what we say in the public space around the issues of land and farming because it can expose some of the people into dangers.

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Mr M KHAWULA: House Chair, by the way, congratulations hon Minister for escaping the reshuffle. [Laughter.]

In your original response, hon Minister, you touched more on the issue of race which then prompts me to want to find out from you if there is clarity; are these farm attacks, assaults and killings racially motivated, or are they ethnic or maybe how much of it is an instance where a white farmworker is assaulted or killed by a black land owner and vis-à-vis and how much of it involve foreign nationals; I just want to have clarity on those issues if maybe more of it is criminal elements or maybe is racially motivated?

*IsiXhosa:*

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: Ndiyabulela Sihlalo weNdlu. Mandibhekise kwilungu elihloniphekileyo ndithi andifuni ukuba ndisebenzise iingcinga zam kuphela. Mandivume ukuba sabanayo intlanganiso nombutho i-AfriForum ngesizathu sokuba ...

*English:*

... farm-killings are more informed by racial divisions or politically motivated but in our discussions we found that in their own research they found that there are elements - they believed - that there maybe people - given the fact that in our country people

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commit crime irrespective of where they come from - but the brutality of it shows that it may be some of the issues I referred to that interracial or people who have moved into South Africa are unemployed or are employed and they were able to check the system because in most cases the arrangement of our farming communities is that a farmer is isolated from his employees. So he becomes vulnerable.

However, I don't think for a minute that there is a proof that says a farmer is attacked because he is white. It may be that the numbers of farmers currently are more I don't think that black farmers are safer. If people believe that you have got money you can be a victim. Therefore, the issue I am raising is that we need to find a way to build bridges between farmers and farmworkers, between communities and farmers by improving our interactions and our relations. Through that method I believe we could be able to find a way.

If we believe that we can be able to address food security in this country we cannot do it by threatening the existence of farmworkers and farmers. But, I would like caution farmers that before they employ people who are not documented in this country - they should

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avoid that - because if a person is documented even if a miss has happened it is easy for the police to use the system to trace him.

We have been made aware that in some, especially areas bordering our neighbouring countries - I won't mention which countries - many people are finding employment in farms. And I don't think that should be encouraged; unless such people have got documents to be employed because you cannot manage the worker relationship between employee and employer unless such are formalised through documentation.

Therefore, I believe that there has been no proof in my desk or anywhere that these killings are racially motivated. I don't think criminals check before they attack you what language you speak or where you come from, as long as they believe you have got money in your possession. Therefore, all South Africans have a role to play in making farming communities safer. But it begins with the farmer and his employees once we can harness the relationship at that level, I believe we can have a better place to be able to sniff out all those who have got ulterior.

Question 227:

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The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: The Mudzunga Fisheries Project is an aquaculture project located in Limpopo Province and has benefited from the Department of Agriculture, Forestry and Fisheries, and the Limpopo Department of Agriculture and Rural Development through the Comprehensive Agricultural Support Programme in order to ensure project viability.

The government has made provision for fish breeding stock, which means you breed fingerlings so that you can give to different farmers who can be able to do fish farming and therefore, this project is still ongoing according to our documentation. This has already been delivered to the project through the Limpopo Department of Agriculture - that funding in rural development in addition to the provision of fingerlings as stock rotation plan for the project is in place to ensure its continuity availability of fish for the project, that means that you don't only breed one particular fish species, you do a variation thereof.

Again, the project will be prioritised for training opportunities that are relevant. Previously, the project beneficiaries received training on aquaculture in the Peoples Republic of China through the Department of Agriculture, Forestry and Fisheries. Continued

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training is provided by the Department of Rural Development and Land Reform through extension support programme.

Lastly, the department together with DAFF will ensure availability of technical support to the programme through support. I must say that a month ago I was in China in a place called De Jing. I met three students who are there and two of them are from Limpopo. They are doing Advanced Masters degree in Aqua, because Aquaculture is a new phenomenon in the history of agriculture and fish is too sensitive. The way you feed already you have developed the feeding programmes.

So, it shouldn't be seen as the defunct or a dead project but is going through phases and we are sure that neighbouring farmers will receive fingerlings so that we can extend. Limpopo as a province is one of those provinces where different species, especially very lucrative species can be developed.

Ms T J MOKWELE: Chairperson and hon Minister, I see you thought that I will attack you now. You were like "oh" hon Mokwele?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order, members.

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Ms T J MOKWELE: You are scared of yourselves, not me.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, ask the question.

Ms T J MOKWELE: You are just scared of yourself that you are going to be removed soon. We are asking you this question as the EFF because according to the investigations that we have done is that the slow pace in which the department and the project itself is functioning ... and in your response you have highlighted that you are still going to support the project with management and with other skills development.

Now, according to our investigations, don't you think that corruption, fraud and mismanagement of the project leads to the slow and at the end nonfunctioning of that project, because it is characterised with so many challenges. If I can tell you now, we will leave here very late.

So, don't you think those also encompasses ... and how are you going to make sure as a Minister that public money that is used for that project is properly managed and that those that are found to be guilty face justice. Thank you very much.

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The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chairperson, we have employees in the department and none of them bears the name of so and so, fraud or whatever in their surnames. Therefore, fraud doesn't exist until it is proven to exist. I am not saying I am ruling out that it is possible, but I can assure you hon Mokwele that ... No I can assure you. I must respect you - that as a department we are committed.

I said this programme is new, for instance, two months ago we were opening the hatchery in Free State, which was done in conjunction with the Chinese government. It is a new feature, remember, only two years back we launched the oceans economy, which has been the flagship. If you can check records, our department is leading in the number of viable programmes. Maybe your TV was not functioning on the day the President was in KZN to showcase the work we have done.

Ms T J MOKWELE: Oh no, it is not a problem.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: I said maybe. I didn't say so.

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

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Okay, let me deal with the point of order.

Ms T J MOKWELE: On a point order, I am not a TV person. I go to the ground, if you don't know. I don't rely on TV. I rely on facts on the ground not on television. Thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, allow the Minister to continue. Hon Minister, deal with the House not with hon Mokwele directly.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: I want to say to hon Mokwele that I would be happy if when you do your research and I am not trying to say that your research tools weren't proper and I repeat, aquaculture is very funny. When fingerlings are very small you not see that they do exist unless you use the relevant tools. I am not judging the tools used that day were wrong but I will be happy if the member in question would be able to invite our expertise to assist on the project.

When I referred to funding, I said, further funding because that programme has different phases as we develop because you must remember that fish is not like cattle. They don't interact

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physically. They must on, because they are in one place and we need a particular quality of water and feed and I am saying there is no way the state can spend in an area they know they are not going to fulfil.

Tilapia by the way is one of the sought after fish species that is being sought after in the Middle-East. I repeat that the climatic condition of Limpopo suits very well. We are working with the University of Venda, and I repeat that fishery is very unique area and it is not like fishing where you can stand on top of the mountain and say I see my cattle. You can't see fish in the ocean or in a dam.

So, I was saying therefore that I would be happy if you can invite me the next time you want to visit a fish farm and I will bring in my best expertise in the department so that together with you we can learn something or two.

Ms E PRINS: Hon Minister, what other programmes are you having in your department in all other provinces to assist the fishing community?

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The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: We have just launched the Small-Scale Fisheries Policy. Two weeks ago I was in the KZN, in Richards Bay.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry, hon Minister, let me take the point order.

Mr J W W JULIUS: Chairperson, the follow up question is not related. This is about dysfunctional fisheries and it is not at all related to the follow up question, unless it is posted as a sweetheart question, but it is not related to the original question.

The HOUSE CHAIRPERSON (Mr A J Nyambi): the point of order is sustained. If you ask a question, it must be linked to the original question but leave that to the Minister. If the Minister would want to comment then there is nothing wrong with the Minister commenting.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: Small scale fishery is one of those issues ... fish farming is one of the things we value very much. By the way as a country we hosted the Global Aquaculture Association Conference here in Cape Town. We believe that through this process, we can be able to augment the depleted protein rich national resources as we are faced with all forms of

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people who are fishing illegally. I can assure you that in the process that has been followed to evaluate whether we have succeeded with the issue of the oceans economy, the department was leading with regard to small-scale fisheries, laying out new programmes but because aquaculture is very expensive, especially in lucrative fish species, like abalone, we are looking for partnership with foreign funders because you can't fish abalone in fresh water like in dams. You need to use sea water in respect to fisheries.

We will be going to Port Nolloth to revive the fishing in those communities. We have a programme that is clear and we are saying that in our programme, we will not only look at areas along the coasts, but we want to say that fisheries is not about the commercial benefit, it is also to make our people to understand that fish is food and through that we can alleviate poverty and create jobs.

We are looking for women and the youth in around Richards Bay. I was proud to see a number of female fishers who have been given a quota of 20 tons a month to harvest mussels and we are intending to expand on those mussels.

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I was in Spain two weeks ago looking for partnership so that we can enhance that because it is through those kind of jobs that we can be able to make sure that our people don't depend only on state grants but they can find a living of their own.

Fish is good and fish healthy and fish can be everywhere. So, fish farming is the future. Let's all be involved in it. Thank you very much.

Mr J W W JULIUS: Hon Minister, no one has the name of fraud but they are there and you know it. Just switch on you TV, you will see them. I don't agree with you in anyway. I think your department has a record of failing dismally when it comes to sustaining agricultural products and I think you have acknowledged it already in one of the committee meetings, but let us be more specific about aquaculture projects where we have failed and where millions of rand were spent.

Now, let me make an example and I don't know whether it is the same project because we didn't get the chance to see. The Petwana Agricultural farm, they were supposed to be farming with Tilapia and very lucrative. In 2015 already, the project was found not be fully functional although millions of rands were spent there. There were

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squabbles with the farmers in between the beneficiaries. Some of them sold the equipments; others sold the fish on this farm.

I want to know, has anyone being held accountable to date? If so, what are the details of this and if not, why were they not held accountable to date? Thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Julius, I thought you were going to lead by example the same way you dealt with the issue of hon Prins. Even now, I leave it to the hon Minister to comment because you are introducing a totally new question. No, let us leave it to the hon Minister.

Mr J W W JULIUS: This is aquaculture projects.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Yes, but you introduced a name of a project which is totally different to the one that was asked by hon Mokwele.

Mr J W W JULIUS: It is in the same province.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Let us allow the Minister to deal with it.

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Mr J W W JULIUS: Can I beg for your indulgence on this, please?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Yes.

Mr J W W JULIUS: You heard the question from the hon Prins and you didn't react.

The HOUSE CHAIRPERSON (Mr A J Nyambi): I sustained your point of order.

Mr J W W JULIUS: Yes, I had to say. You heard it but you didn't do anything about. Now, do you see the unfairness in the whole thing?

The HOUSE CHAIRPERSON (Mr A J Nyambi): No.

Mr J W W JULIUS: You heard carefully but failing to hear an obvious one. You had to wait for me to raise a point of order.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Julius, let's allow the hon Minister to respond.

Mr J W W JULIUS: But let's give it to the Minister to respond.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Yes, let's leave it to the hon Minister.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: Chairperson, I would appreciate if the hon member would make sure that question reaches my office because I received the question from the Mudzunga Fisheries Project in Limpopo and will follow up. I can assure you we don't subscribe to any form of stealing from the coffers of the state. We can demonstrate how we are dealing with that but because of the legal constraints, we may not be at liberty to show how we are dealing with such tendencies. I can assure you if you give us the name of the project and where it is, we can follow up and give you an answer to it.

I want to say in closing that when the President was visiting KZN on this question to check the viable product, we were able to show that whenever state funding has been spent, people who are in those areas have benefited.

Mr C F B SMIT: House Chair and hon Minister, with relation to the dysfunctional fishing project which we now heard it is not the only one obviously, there is an Aqua Bill being processed in your department. In the background of the Bill, you want to regulate

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industry through legislation. What steps have been taken to ensure greater accesses to markets are encouraged in this Bill?

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chairperson, as a department we have deployed attachés to different countries. Those attachés have a role to navigate the marketability of our products and such people give us feedback.

We do make sure that when we visit countries we are also able to market our fish species. The elephant in the room is the fact that we have not changed the Act that governs fisheries in this country. As we speak today, when our African people get fish allocations, they rely at the mercy of big companies. We are busy trying to amend the Marine Act of 1998 that governs fisheries in this country so that when you get an allocation you can decide with whom you want to market with.

I can assure you that all our fish species are marketable. What has been lacking is the fact that even if our people get access to a vessel, they are not allowed to go and fish nor can they be able to market their own fish. So, they wait only for those who have such expertise to do.

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This is an area that I think me and you should work around to make our fishers industry. Our challenge is illegal fishing, which as a government I am sure we have demonstrated. Where we have been able to follow up on illegal vessels and we have apprehended them, but the rest is with the law because we can't decide what punishment is given to an illegal vessel.

I want to make sure that within this month we attend the Benguela Current Commission at Windhoek. It is in those commissions in which you sit to understand what rift does our fish breed on and what challenges are they faced with. It is not only of illegal fishing but also facing the impact of climate change. When you hear of harmful blooms, you here of the depletion of oxygen within the ocean that forces fish to come out of the ocean. Those are issues we need to deal with. I am sure that any idea that comes forward to assist us in those would be very much acceptable in the department.

Question 190:

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, the Higher Pathogenic Avian Influenza, H6N2, originates in China and has been spread mainly by wild birds. When we became aware of this outbreak for the first time in one of our neighbouring countries ... we have been warning farmers not to feed their chickens more food

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because it attracts wild birds. Ensure that birds do not mingle with chickens where there are water sources.

This disease has been attacking mostly commercial farmers, both laying hands and broilers. We have had meetings together with our stakeholders. Looking at different avenues, we can be able to assist each other but unfortunately the spread has been ongoing. A number of suggestions have been made, such as coming up with protocols that should be taken to ensure that we are able to eradicate the disease and also looking at the issue of compensation. We have come up with a formula as to how the people should apply to the department.

One of the companies which I won't mention the name, said that they want to engage into what is called vaccination for the HPA1 so that they can be able to create the ability for chicks to live with the virus. We are worried because our markets may not be keen to buy from us because it will be a new phenomenon. We never said we won't do that but have left that to those who are trained, like our veterinarians do deal with it.

The other one has been the appeal that we allow the industry to import fertilised eggs from countries that don't have the virus so that we can be able to keep our industry going. Currently, we are

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busy making sure that everything we can do as a department to mitigate the shortage and the issue of importing the fertilised eggs is done.

We believe that we feel for the industry, employees and know that this spread of the disease if not curtailed may culminate to such a point that we don't have enough chickens and the prices may plummet. Yesterday I was engaging the EU Commissioner looking at ways in which we can find assistance from countries that have been advanced in dealing with the disease. So, the department is doing everything to ensure that our poultry sector remains viable as it employs many people and as it is an area that most of our women can participate in. Therefore, I would like to say that as the department we are concerned.

We consistently meet with our stakeholders, engage them and listen to suggestions that come up so that we can be able to prevent this. I can assure you that when we apply roles ... In South Africa I think we need to look at the way we conduct ourselves. We go to farms without checking whether those farms have diseases. Most of the diseases like this are spread in such ways. I think South Africa had to learn how we can prevent the spread of these diseases. We are

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concerned about this sector and will do everything to make sure that it remains a viable sector.

Key to that is to transform the sector. There are still a few of those that should be participating in it. The demographics don't reflect the participation of our people. It is still a lily white dominated industry. We want to change that. I am not saying let's use the virus as a reason to do that. All I am saying is that we need to make sure that is done.

Mr E M MLAMBO: House Chair, can the Minister tell the House, if he has figures, if there has been any job loses that affected our people since the scourge of this disease? Thank very much.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, unfortunately I didn't prepare that statistics to say how many workers. It is given because the only way you can deal with this disease is to cull the chicks. Obviously, if the chicks are culled, before a farmer maybe gets compensation, in some instances the workers will be the victims. If it is an egg production facility, we have to destroy the eggs. Obviously, there will be no income by the time that process happens. We will make sure that we gather the information as to what extent has this process affected

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employability of people hence we are doing everything to make sure that if needs be, we have to allow the industry to import fertile eggs from any other country so that we can augment our stocks, we will do so.

*IsiXhosa:*

Mnu L V MAGWEBU: Mphathiswa ndicela ukubuza.

*English:*

Mr L V MAGWEBU: Please tell us how has the department been supporting and funding the research into Avian flu, especially at the Onderstepoort Veterinary Institute?

*IsiXhosa:*

UMPHATHISWA WEZOLIMO AMAHLATHI KUNYE NEZOKULOBA: Ngelishwa, manditsho ukuba ichiza le-Avian flu alikabikho nditsho nakwamanye amazwe aphezulu kuba nawo kudala esilwa esi sifo. Into endingayiqinisekiso yeyoba iintaka zasendle azidibani neenkukhu ezifuyiweyo. Leyo yindlela umntu angakwazi ngayo ukuyilwa kuba ihamba neentaka zasendle ezisuka kumazwe angaphandle. Ngoko ke kufuneka siqinisekise ukuba i-bio security measures iyakwazi ukulawula indlela yokungena efama kuba xa sele ingenile efama, iinkukhu zakho awukwazi ukuzithengisela omnye umntu, yenye yeendlela

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ekufuneka siyilungisile ke leyo apha ekhaya. Xa zigula zisifa akufuneki uqale uthi zinalo mkhuhlane [Avian influenza] kufuneka uvume sicubungule, sithathe isicwebu ukuze siye kusivavanya elabholetri sikwazi ukuqinisekisa ukuba ngenene ukhona kule ndawo.

Xa sizithengisa loo nto ithetha ukuba siyinabisela kwezinye iindawo. Yiyo loo nto bendithe apha eNdlini, xa bekusithiwa ukutofwa kweenkukhu kukhusela esi sifo, masinikwe iinkcukatha ezibonisa ukuba apho kwakwenziwe khona kukwazile ukusibulala esi sifo.

Iintaka zilandela imeko yendawo, kuthi kwakuba shushu kwindawo ethile zibalekela ziye apho. Sivene nommandla we-SADC ukuba sisebenzisane ukulwa nesi isifo. Uphando kufuneka lwenziwe kuba asinakho ukuyekelwa kwesi sifo. Into emnandi yeyokuba akukabikho umntu ogulayo okanye obhubhileyo ngokutya inyama yenkukhu. Loo nto ingangumhlola kanoNgqawuse kuba ayibabikho kweli lizwe.

*English:*

Ms M C DIKGALE: House Chairperson, I want to take the hon Minister to our villages in the rural areas. What is the Minister doing in order to assist emerging poultry farms in the villages, especially in the rural areas?

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The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, working with the provincial departments, we are in a programme to assist small-scale farmers with the infrastructure. There is a training programme that is ongoing currently because we believe that when we train our farmers to be able to understand what challenges they are faced with, especially around the control of feed. As I said, that if you feed your chickens and they don't finish the food, it invites wild birds to your farm. Once they mingle with your domesticated birds, be it ducks or chicks, you may have this disease. More than that, we need to create markets so that when you create these small-scale poultry farmers, they have access to the markets. We are busy doing that.

I was recently told that my team visited a place in North West and were happy to report that they saw a lady who is flourishing in farming - taking the space that is left by this disease incident. I agree with you. Without training we can't succeed. The way you feed your chicks, the feed you give to them and how they are housed is very important. We also need to look beyond that ...

*IsiXhosa:*

... kuba phaya emakhaya sifuye iinkukhu zesintu ezi sithi zi-indigenous chicks [imileqwa]. Kubalulekile ukufuya imileqwa kuba xa

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zifukama zityiwa ngamangolwane; amaqanda atyiwa ngoogwangwa namaphimpi ayawazingela. Inyama yazo imnandi kakhulu xa uthe wayitya ayifani nezinye iinkuku. Kufuneka sikhuthaze ukusebenzisa oomatshini bokugandusela iinkuku ukuze inkuku ingaqanduseli amatshontsho iintsuku ezingama-30 ibe oontanga bayo abazinkunzi beyilindile. Ngaloo ndlela singakwazi ukuzikhulisa iinkukhu sizifunele intengiso ukuze oomama basemakhaya bakwazi ukuphila.

Question 223:

*IsiXhosa:*

UMPHATHISWA WEZOLIMO, AMAHLATHI NEZOKULOBA: Mandibulele Sihlalo weNdlu kohloniphekileyo uKhawula ngombuzo wakhe.

*English:*

Climate change is really a challenge. I think, as a country, we need to relook at our disaster management strategy and our Act, so that we don't wait until we are struck by a disaster. With our scientific advancement, through the Department of Environmental Affairs, we are able to detect when we are going to be faced with a disaster, like the foreseen one ...

*IsiXhosa:*

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... njenga le yale mbalela. Abafunda iBhayibhile bathi ukumkani waphupha iinkomo ezisixhenxe zisitya entla komlambo kwaye zityebile. Xa lihamba iphupha, ubona ezinye iinkomo ezisixhenxe ezibhityileyo zisitya ezi zityebileyo watsho wayazi ukuba indlala iyeza. Nathi masisebenziseni ubuchule besayensi singalindi indlala ide ifike isibethe. Silisebe ithe yakufika imbalela sakwazi ukuba sibancede abantu beendawo zethu ngokutya kwemfuyo (feed).

Ndiza kunika nje amanani akhutshwe lisebe. Umzekelo eMpuma Koloni sabanika ama-R29 ezigidi ukuthenga ukutya kwemfuyo; eFreyistatha ama-R31 ezigidi; KwaZulu-Natal ama-R23 ezigidi; eLimpopo ama-R29 ezigidi; eMpumalanga ama-R26 ezigidi; eMntla Kapa, ama-R25 ezigidi, eMntla Ntshona ama-R39 ezigidi saze eNtshona Koloni sabanika i-R12 lezigidi.

Uze ungandibuzi ukuba kutheni na ezi zigidi zingalingani. Kaloku zenziwa ngoochwepheshe abaphaya kwisebe. Ukuba bekusiya ngam ngezilingana zonke iindawo ingakumbi iindawo ezinezilwanyana. Ndiyayazi ukuba kwezi ndawo ndizikhankanyileyo, zikhona iimbombo neengqumbo kodwa eyona nto ebalulekileyo yeyokuba masifundise abalimi bethu...

*English:*

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... to produce feed in the area in which they stay. So, when there is a disaster, we don't have to pay heavily for transportation that costs more than the bag of feed.

We need to train our farmers to cull their animals. We have already built rural auction halls. There is one in Nkandla and I remember one old man, Mr Langa who was able to cash R200 000 for selling 15 of his oxen because he does not have to negotiate with his uncle as to how much his oxen should be sold for.

That is what I think we need to do because unfortunately, we have less grazing areas in our country, especially in rural areas. When there is a challenge, like devastation or drought, the habitat dries out. Even when it starts to rain, it takes time for the grass to grow.

So, the broader picture is that we cannot limit our approach to how much we pay for feed. We need to expand education, so that our farmers understand what needs to be done, in order to produce our own feed.

Three months in a year kill such a huge number of cattle. I think we must invest more in building feedlots in our districts so that

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animals don't have to look for grazing for the whole day, when none exists.

Mr M KHAWULA: Hon Chair, Minister, it is estimated that between R200 million and R220 million of the drought relief funds in KwaZulu-Natal, as we speak, cannot be accounted for. I don't know if that includes the R23 million that you, as the national department, gave to them for cattle feed and I don't know how much of the other funds from other departments are included in these funds. So, can we be sure that the money that you gave to KwaZulu-Natal was used for the cattle feeds because right now, the department cannot tell us what happened to the R200 million to R220 million of the drought relief funds that was allocated in total?

*IsiXhosa:*

UMPHATHISWA WEZOLIMO, AMAHLATHI NEZOKULOBA: Ndiyinkukhu esikwe umlomo ngoku, Sihlalo weNdlu.

*English:*

I mentioned the fact that there is a process in the department to look into a matter like this. I am not at liberty to expand on what we are doing, as a department. However, we are concerned about the way these funds get dispensed. I may not be at liberty to comment on

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KwaZulu-Natal, but at national level, we are doing an investigation to check if each and every cent that was allocated to provinces, as I articulated, was used for that. I repeat that I am not at liberty to expand, because once I do that, I will be infringing the rule of law.

Mr J W W JULIUS: Chair, Minister, earlier, you indicated that you don't know about the Betwana Agricultural Farm. Last time, you also said to me that you don't know about the agricultural school in the West Rand where millions are lost. I am just baffled that millions are lost and you say to me that I must just ask the question and that you will just give me information. That says a lot about your knowledge of the department, but can you confirm the claim by AgriSA that, of the R212 million allocated for drought relief last year, only R146 million was actually spent, despite the country experiencing the worse drought in decades in our country?

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: Maybe I replied in IsiXhosa and unfortunately, the hon Julius did not hear.

*Afrikaans:*

Meneer, ek het gesê ... Miskien gee die mense wat tolk soms nie ...

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*English:*

... the exact interpretation, because I may be using a lighter IsiXhosa or a tougher one.

I tried to say that the matter in question is under investigation. There is a process that is taking place as a result of the charge laid by AgriSA and the letter from the Public Protector to investigate. I said that I am not at liberty to expand or confirm because the process is still ongoing, to verify whether money was misused, and if yes, how much. That will dictate what action is taken. Those are processes that are beyond my control. I may not stand here and say that whoever is found guilty will be done this or that to. I am not at liberty to do that, as controlled by the Acts of this country, in particular, the Labour Relations Act.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, allow me to go to Question 209 asked by hon Engelbrecht. [Interjections.] Yes, the Minister has dealt with this question, that there is a process that is dealing with this issue. They are both asking the same question. [Interjections.] The Minister explained this question of financial assistance and hon Julius emphasised the very same question.

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Ms M C DIKGALE: Hon Chair, with all humility, I wanted take the Minister to our rural areas where the traditional leaders are staying with these poor farmers. I do not want to talk about or raise a question that is related to what hon Julius raised.

The HOUSE CHAIRPERSON (Mr A J Nyambi): It is a new question. It is not linked to this question.

Ms M C DIKGALE: It is.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Let me leave it to the Minister to comment.

Ms M C DIKGALE: No, can I ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, let me leave it to the Minister to comment. You want to take the Minister to the rural area.

Ms M C DIKGALE: Yes, in Limpopo.

The HOUSE CHAIRPERSON (Mr A J Nyambi): What is your question?

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Ms M C DIKGALE: Limpopo is also drought-stricken area. I want to take the Minister to my province.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Minister, they want to take you to Limpopo to see the drought.

*IsiXhosa:*

UMPHATHISWA WEZOLIMO, AMAHLATHI NEZOKULOBA: Hayi ndingaya eLimpopo.

*English:*

I don't know how to say this in the language of the people I visited two weeks ago. It was the Mokgoba royal family. I had a meeting for the whole day. We have plighted with the youth of Makgoba to look ... Yes, it was held at the Council House, not in Makgoba's Kloof. I can assure you that we are committed because working with the three spheres of government, is to work with our traditional leaders, because the 13% of land we found belonging to blacks was the land that they defended for with their lives.

I was very hurt to learn that King Makgoba was not only murdered but he was beheaded. He was buried without a head. That is the price this country must pay. To people like king Hintsa and many others, I

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understand, the issue of land is sometimes emotional and we need to deal with it thoroughly.

I am really concerned about the plight of those people because there is not enough grazing and whenever there is drought, the little habitat that is in that area gets depleted. The hon member at the back asked the same question: What do we do with traditional leaders?

*IsiXhosa:*

Isilo samabandla ndithethile naso kwaye siyandifuna ukuba ndisityelele kodwa ndiyoyika ukuya kuso kuba andinazo iipokotho. Kaloku awukwazi ukutyelela komkhulu ungenayo imali kodwa ndivile ngeLimpopo kwaye ndiza kuya.

*English:*

I have just spoken to Chief Chibase from Vuyani. My team has been there because we want to expand as much as possible. Through the chiefs, we can make sure that the land that lays unused is brought back into use. So, I take this as an invitation and I am sure hon Mokwele will also extend the same invitation to me, so that I can accompany them either to go to fish farms or to visit those areas. Thank you very much.

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Ms L L ZWANE: House Chair, hon Minister, we do appreciate the kind of assistance that you give to provinces in cases of drought and maybe natural disasters that would actually kill fauna and flora. However, I just wanted to raise an issue regarding the time it takes for national government to assist the provinces. As we are conducting the provincial week, the provinces are saying, particularly KwaZulu-Natal, that it takes too long for the assistance to reach the province, in order to correct the situation. Are there plans to improve on that?

*IsiXhosa:*

UMPHATHISWA WEZOLIMO, AMAHLATHI NEZOKULOBA: Enkosi Sihalo weNdlu.

*English:*

The problem lies with the Act. The Act expects municipalities to declare areas as disaster areas. It takes time. As I was saying earlier, I think the country has to relook the issue of disasters. There are disasters that can be projected on time. Then we will know that in two years, the El Nino will be in our area, which will mean drought and scarcity of rain. If that is done on time, we can advise farmers not to plant certain crops. We can advise farmers to cull the numbers of their cattle, so that they are able to keep money in the bank and buy other cattle when the rain comes.

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Those are issues we need to look at. If you look at the US, you will find that because they know that they have regular hurricanes, it is the presidential decree that decides that state resources will be channelled to that area. That is the way we need to look at it in the long run. When we know that there is a disaster that will happen, we should not wait for the municipality to declare the area a disaster area. Then the Ministries must meet and then the Department of Co-operative Governance and Traditional Affairs, Cogta, must lead. That time people are suffering. I think we need to rethink the way in which we are dealing with disaster management in the country. However, we are concerned. I agree with you. I know very well that people really suffered in the recent floods in KwaZulu-Natal and parts of the Eastern Cape and other areas.

Question 209:

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, this question was asked earlier and I apologised. I now have the figures. Up to now we have recorded the following cases. In Limpopo there have been four backyards where this flu has been spotted and five commercial farms. Remember Limpopo was the first province to be hit as it is close to the neighbouring country I referred to without naming. This is where it was discovered. Two wild birds were found to have died and the total is 11. In Gauteng there has been no

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backyard area that this influenza has been detected, but three commercial farms, four hobbies and zoo and six wild birds were detected, and the total is 13. I am sorry, initially I mentioned Limpopo as having 11, but it is Mpumalanga. In Limpopo there has been no detection found. Limpopo is still safe from this influenza.

In the North West there is one commercial farm, one hobby and zoo, and in total the number is two. In the Free State there has been one commercial farm and it remains one. In KwaZulu-Natal there is one commercial farm and it remains one. In the Eastern Cape there is one commercial farm. The Western Cape is the hardest hit province. There are four backyard areas where this influenza has been discovered, 13 confirmed commercial farms, eight hobbies or zoo, 14 ostrich farms and 11 wild birds, and the total is 50. So the Western Cape is the hardest hit province.

The total, therefore, is 79 comprising eight backyards, 25 commercial farms, 13 hobbies and zoo, 14 ostriches and 19 wild birds, and all that gives us 79. That's the number of what has happened. What it does not give us therefore is the number of jobs that may have been lost due to this. I think it is something we still have to verify.

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Ms B A ENGELBRECHT: Mr Chair and Minister, thank you for that data. According to the Animal Welfare Society of South Africa, government must kill infected birds and it is the government's responsibility to reimburse the farmers for their financial loss. My question to you, Minister is: How many farmers have you reimbursed, at what cost and how many farmers still need to be reimbursed for this huge loss in their production and loss in the economic development of this country? Thank you.

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: At the outbreak of this influenza we didn't have a policy on compensation. Farmers raised that and we approached the Treasury and some funding was made available. What happens when we discover that this disease may be possible in your farm is that you inform us. We send our veterinarians. They will take specimens to a laboratory. If it is proven that really your farm has this influenza, all those bird carcasses will be calved. If it is eggs, they will be destroyed in a way that will not cause contaminations. We are still dealing with the figures because we have only approved that policy recently. But I can assure you that the amount of money that the country may need is too huge therefore we need to find ways of dealing with this influenza even going beyond the state having to pay. We are looking at influencing the fact that farmers engage in taking up some

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insurance when they deal with this. Remember this was the first time this influenza broke out in our country. We feel for those farmers whose farms were devastated. We are working with them to resuscitate their farms to continue with the chicken industry going forward. I cannot give you the figures because, as I am saying, we only recently approved the protocols and policies in dealing with how people must apply for compensation. But when you look at the figures it's going to be too huge. This is something, I think, as the department and the Treasury we will be engaging on. I agree with you that farmers who have lost need to get some compensation. As to at what level, that is something that we need to engage in.

Question 206:

The MINISTER OF MINERAL RESOURCES: Chair, section 100(2)(a) of the Mineral and Petroleum Resources Development Act, MPRDA, provides for the development of the Mining Charter as an instrument to effect transformation with specific targets. Each mining right that is issued should therefore indicate the percentage owned by the historically disadvantaged with full shareholders rights and economic benefits. The 2015 assessment revealed that whilst a significant number of right holders, irrespective of size, by employment, have reported to have met or exceeded the 26% of the historically disadvantaged ownership threshold. The meaningfulness

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of economic participation remained largely elusive. In the 2014 to 2019 strategic framework we have committed to measure the number of permits and rights we issue to the historically disadvantaged individuals. One hundred and sixty-one [161] rights or permits were issued to the previously disadvantaged individuals. The shareholding ranges from 26% to 100%.

Mr L B GAEHLER: Sihlalo, [Chair] you are not helping me Minister in your answers ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Gaehler, can we have the microphone closer to you.

Mr L B GAEHLER: ... you are not helping me or the House, the question is very clear, it says, how many previously disadvantaged individuals are owning mines and what percentage shares, not from 26% to 100%, it is not a good answer however with the regard to the past Mining Charter and its objectives, how many black people were assisted to own mines? How many were given licences? What is the productivity of those people and their mines and how many have sold their mines or their shares? Can you answer me on that one? Thank you.

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The MINISTER OF MINERAL RESOURCES: Well, let me hasten to say, what we have discovered as we go through this process is that a number of mines that are owned by the previously disadvantaged individuals are very few due to the fact that we know in South Africa whether you are historically disadvantaged you still have to have money to proceed with the transactions. We do however have some few individuals that have made it like, you know, the Patrice Motsepes, the Nkosis, that have made it to ensure that this process goes forward but what is frustrating us as a department is that due to financial constraints, the individuals that are given licences tend to sell back because of money constraints.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you, hon Minister. Hon members, no, hon members, let us be orderly. If we are asking questions let us be listening to the responses so that we can be able to make a proper follow-up.

Ms T J MOKWELE: Chair, you know, when the answer is not convincing we will forever do what we are doing because the answers are not convincing at all. Hon Minister, thank you very much for your unconvincing response to your questions but I would like to ask you, maybe you will answer me. You know, you cannot even tell how many black communities owning mines, you just mentioned one family that

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is owning 0,1% of shares in the mines of which it does not assist us as black people. But, anyway, it is fine, that is how you want our country and us as blacks to be portrayed as poor in our own country and our own resources. Do you think that the Mining Charter that you are forever promoting will at the end make sure that us as black people will own the mines and means of production? Because it is clear that yourself and your ruling party per se are not pushing for the nationalisation of these mines. For as long as you are still in government do you see this thing that is called the Mining Charter is going to address this matter that we as black people are not owning the mines and the means of production? Thank you.

The MINISTER OF MINERAL RESOURCES: Well, the 2017 Mining Charter as it is, seeks to give permission and opportunity to the black people to, first of all, gain experience in the mining sector because we are saying 30% must go to blacks, 8% of that to the communities, 8% to the workers and 14% to the entrepreneurs. We have been made aware that the current situation is that the entrepreneurs will take their shares and go away and enjoy money. The Mining Charter says they should be involved in the 30% they own on a day to day basis so that they gain experience and ultimately be able to take over.

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The Mining Charter continues to say that 1% of the total annual turnover must be given to the Black Economic Empowerment, BEE. That is the 30% to ensure liquidity as I have raised it so that as transactions take place, they also can play a meaningful role when it comes to those transactions. The current situation is that whether you have the right as a black person, you have to go out and look for a partner that will partner with you because you do not have money. The charter gives an opportunity for these entrepreneurs, workers and communities to stand on their own and be liquid and be able to participate meaningfully in the sector.

Ms C LABUSCHAGNE: Thank you hon Minister, you referred in your answer to 161 permits or rights and we all know that at the moment the people who have got the rights or are given permits or the rights is not always necessarily the same person so that in itself is a problem and you also referred back to what the new Mining Charter stipulates the 30% black, 8% to the black employees shared ownership plans, 8% to the communities through community trusts which also has a problem and then 14% to BEE entrepreneurs as you said but we also know and we ask this continuously in the committee and say that, the previous BEE deals have tended to favour ANC political elites at the expense of broad-based reforms and broad-based reforms is to the employee shareholder, the person working in

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the mine, those that you referred to hon Minister, with due respect, that do not have the money which would ensure that employees and communities ... Ja [Yes] ... have tended to favour the ANC political elites at the expense of the broad-based ... What I would like to know is why do place so much emphasis on enriching the elite BEE entrepreneurs when workers and communities should be the focus of share ownership schemes? [Interjections.] Hon Chair, can I just ask you to ask hon Stock to ask a question if he wants to ask a question and stop harassing us.

The MINISTER OF MINERAL RESOURCES: Well, let me thank the opportunity hon member. Let me make it clear that the department has not been responsible to identify the BEE in Charter 1 and Charter 2. The beneficiaries that are black you will see in the industry and you would think they are ANC cronies, are actually identified by the same mining houses, not the Minister, not the department. What we have gone on to say in the Mining Charter 3 is to say; as you identify these beneficiaries we want to have new entrants. We want to know the criteria you are using in identifying these. If it is only experience, how are you going to give new entrants an opportunity to play a part in the mining sector so that you do not see the usual suspects over and over again being BEEs of more than

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five mining houses and that is what we are committing ourselves to actually live by and ensure that it is realised.

*IsiZulu:*

Nk L L ZWANE: Sihlalo [Chairperson], ngisacela ukubuza Ngqongqoshe ukuthi, uma kuzokhishwa amalayisense ezimayini, angike ngi ...

*English:*

... cite an example, sand mining or river sand mining, something like that ...

*IsiZulu:*

... kuyabhekwa yini ubunikazi bendawo ngaphambi [before] kokuthi kunikezwe loyo ilayisense ofake isicelo [applied] somsebenzi wokumba umgodini [mining] kwenzelwe ukuthi kungathi isikhishiwe ilayisense yomsebenzi wokumba [mine] bese kuvuka imindeni ethize lo onikezwe ilayisense yomsebenzi wokumba kulendawo kanti lendawo eyakithi noma eyethu bese kusuka udweshu. [conflict] Nenzenjani ukubekela indaba yobunikazi bendawo la kunesimbiwa khona?

*English:*

Thank you.

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*IsiZulu:*

UNGQONGQOSHE WEZOKUMBIWA PHANSI: Mangibonge Mangethe (Zwane clan name) ngichaze ukuthi uMthethosisekelo walana eNingizimu Afrika [South Africa] uthi okumbiwa phansi [minerals] konke okukhona eNingizimu Afrika kungokwabo [belongs] bonke abantu baseNingizimu Afrika. Kwenzeka ukuthi nakhu okumbiwa phansi kukhona e-Limpopo kodwa ngokuya ngokomthetho umuntu ose-Mpumalanga nomuntu ose-North West unelungelo elifanayo nalo olena e-Limpopo. Okuye kwenzeke ngichaze futhi okumbiwa phansi akuhlangene nomhlaba. Uma uwumnikazi womhlaba othize akusho ukuthi okumbiwa phansi okungaphansi kwalowo mhlaba unelungelo lwako uma ngabe ungakufakelanga isicelo. Uma kufika omunye umuntu, afike afake isicelo salokhu okumbiwa phansi kulomhlaba wena okuwo noma umhlaba wakini simnikeza, unelungelo lowomuntu lokuthi akwazi ukusebenzisa lokho okumbiwe phansi ngoba uwumuntu walana ekhaya.

Esesiye sikukhuthaze wukuthi uma umndeni ubona ukuthi kunokumbiwa phansi lana, ufake isicelo. Uma kufakwa isicelo wumndeni noma umphakathi [community] khona lento esiyibiza ukukhethwa kuqala [first preference] yokuthi sibheka bona kuqala kunalaba abanye abafake isicelo ukuthi sibalekele ukulwa kwabantu kubangwa okumbiwa phansi.

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Question 217:

The MINISTER OF MINERAL RESOURCES: Chairperson, application for rights and permits are logged online using the SA Minerals Resource Administration System. The adjudication process then follows and it takes into account section 48 of the Mineral and Petroleum Resources Development Act, MPRDA, and the National Environmental Management Protected Areas Act both of which prohibits the issuing of rights over certain areas. If the area in question is not covered by these provisions, an application or request must be made for the Minister to consider the restriction of provision to issuing of rights over the relevant land or area as per the provisions of section 49 of the Mineral and Petroleum Resources Development Act. The department has competent officials to administer such laws.

In the last financial year, 124 officials have been trained as environmental mineral resource inspectors to implement national environmental standards.

Mr C F B SMIT: House Chair and hon Minister, how did it happen that prospecting rights were issued to Fallspruit mine to prospect within the flood lines of the Nelsvlei in Mokopane, which is an ecologically very very sensitive area. I would like to know how it happened that they get prospecting rights within the flood lines. In

fact, the mine's idea is to even go next to the river system and move to the direction of the river so that they can mine there. How did that happen?

The MINISTER OF MINERAL RESOURCES: We have registered a number of cases where either prospecting or mining rights were supposed not to have been given. We are giving attention to such weaknesses to be corrected.

Question 201:

The MINISTER OF MINERAL RESOURCES: Chairperson, the department is working together with other government departments to address the problem of illegal mining. The Hawks are responsible for arresting the syndicate leaders and had several successful prosecutions. The department's strategy is to rehabilitate and derelict ownerless mines to prevent illegal mining. The department is also implementing a small scale mining strategy to ensure that all small scale miners operate within the legislative framework. Licenses are granted where there are resources that can mine economically.

There are stakeholder forums in Mpumalanga, Free State and Northern Cape that are chaired by the department. The department will also continue participating in the national strategic co-ordinating team,

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which is chaired by the Directorate of Priority Crimes Investigations or the Hawks.

Mr A S SINGH: Chair, I am happy with the answer.

Ms T J MOKWELE: Chair, one sometimes has to ask, why is it mostly black people who are engaged in the so-called illegal mining? In your case, Minister, have you ever done a research or study that would give you an information or direction as to why mostly is black people that are engaging into the so-called illegal mining. If so, what is it that your department is doing to make sure, except for the strategy that you have just mentioned, to address mostly the social issues that relate to our people being found to be doing such illegal activity as you call it.

You said in your response that the Hawks are investigating and too few cases have been concluded. Can you just give us an estimation - plus or minus - of cases that are in an organised crime syndicates? How many people have been arrested for doing such an activity? Thank you.

The MINISTER OF MINERAL RESOURCES: Hon member, I may not have the figures of how many people have been arrested, but I may hasten to

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say that investigations that have been carried show that people who are normally arrested, for example, in the case of illegal chrome mining in Limpopo, are actually not the kingpins. As you are saying, they are our people who are given money to go and engage themselves in these activities. In that same operation we were able to uncover and arrest about three kingpins and brought them to book. We were able to arrest 27 trucks and machinery from all over the country. As we were engaging with the owners of those trucks, we then discovered that some of them just got contracts to go and load and they were told that the mines belong to some people.

We continued to engage with other departments and government, like in the case of Welkom in the Free State, to ensure that as we move we don't just move with speed, but we target the kingpins and ensure that the operation stops. Our arrest of the three kingpins in Limpopo and trucks has helped us to stop operations there. We think that the operations and the mechanisms put in place are beginning to yield the necessary results.

Ms C LABUSCHAGNE: Hon Minister, you gave feedback on what you are doing now, but the existing legislative framework makes provision that obligates mining companies to comply with certain closure and rehabilitation procedures and your department plays a key role in

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providing oversight in ensuring that mining companies comply with closures and rehabilitation obligations. Now, we have information that says that there are more than 1 000 mines where illegal activities are being dealt with at the moment and more or less the industry of 30 000 people are involved in that. The fact that the Department of Mineral Resources also has a lack of human resources, how does it impact on the process to curb the phenomenon of illegal mining?

The MINISTER OF MINERAL RESOURCES: The legislation provides us to conduct oversight, but it does not go back far enough to also cover what we call derelict and ownerless mines where the owners ran away before we took over and have this legislation. As you correctly put it, it is even only in those derelict and ownerless mines. Take a case in point in Welkom where you find a situation where these kingpins are beginning to actually compete with the rightful owners of the mines whom we have given rights. It is important that together with other stakeholders we take this process not only as a departmental process because it includes different activities that will not fall even within the department's ambit. I agree with you, we do have a shortfall in terms of the muscle as you know - budget constraints - to firmly stand and deal with these challenges. We are

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doing the best we can within the budget we have to continue fighting illegal mining.

Ms M C DIKGALE: House Chair and hon Minister, recently on our provincial visit, we visit areas of Mutale next to the Zimbabwean border. There is a coal mine there which was closed and the people were complaining that since the closure of that coal mine they are experiencing serious challenges. Do you have an idea as to when could that mine be opened so that those people could get help?

The MINISTER OF MINERAL RESOURCES: We have a number of mines that are placed under care and maintenance and others are closing. If you engage with the people closing the mines, they will tell you that it is either the mine is coming to its logical end or the company which is there does not see any value in continuing with that mine because of the quality of the resource that is there.

In those cases we wait for the investment appetite - the investors. If it is the quality, that's where junior miners get in and take over because at their level, they do still make profit with that level of quality. We are busy assessing an investment appetite in that mine including other few mines that are placed in care and maintenance.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): We now come to Question 229, asked by the hon Chabangu. He is not in the House, but in terms of the Rules, the hon Mokwele will stand in for him. Hon Minister?

Question 229:

The MINISTER OF MINERAL RESOURCES: Hon Chair, I do not have the details of the mining companies in question. However, in line with our inspection programmes, all the holders of rights that are found to be noncompliant with the social and labour plan, SLP, programmes are issued with orders, instructions or notices. In most cases, we see the rights holders starting to implement the SLP commitments as they stand the risk of being suspended or their rights being cancelled. We continue to encourage mining houses to implement the conditions of the right without the government, which works with very limited resources to do so.

Ms T J MOKWELE: Chair, hon Minister, it is heartbreaking that you are not even aware that the biggest mining houses in South Africa are the ones that are not compliant. If you go to Amandelbult on the border of North West and Limpopo, 80% of the people who work there are originally from the North West province. However, if you look into the manner in which the company, Amandelbult, is dealing with

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it in terms of your corporate, social and labour programme, you will find that they are not compliant.

My question to you, hon Minister, is: Despite the fact that you have staff members who go and write you reports, have you ever visited the largest mining houses, in particular, to do your own oversight, as Minister, to ensure that they are compliant; and that the communities who are close and nearer to them are getting services in terms of the corporate, social and labour issues? Thank you very much.

The MINISTER OF MINERAL RESOURCES: Chair, the 2017 Mining Charter addresses the hon member's concerns. It states firstly, before the SLP can be approved by the department, that SLP, after consultation with the community, will be published in two languages. The first language should be the language of that particular community and the second might be English.

We took a decision in that charter to align the SLPs to ensure that, after approval, the department is able to follow up. That process will then deal with concerns such as this, because it comes as a result of our noticing that not only what you are talking about is taking place in the industry. In other areas, one actually finds

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people pleading for electricity, whilst the SLP is building a clinic. We are sure that, with these initiatives, we will curb that problem.

To answer you directly in terms of my going out and checking, I have been to a number of areas, including North West, where, together with the Bakgatla Royal Family, a mall was built. I have also been to a mine called Chelmsford, in KwaZulu-Natal, where the mine itself is paying R80 000 every month towards ensuring that a school on that farm remains open. I have engaged with the department of education to take over that task because I want the mine to deal with social labour plans, like housing, and other matters. So, I do visit the mines, engage communities and do my oversight work on what is happening on the issue of SLPs, the safety of workers, and other matters that concern the department.

Mr L B GAHLER: Chairperson, with due respect, I rise on a point of order: Is it parliamentary for the hon member Motlashuping from North West to eat in the House?

The HOUSE CHAIRPERSON (Mr A J Nyambi): The hon member is raising a point of order about somebody who is doing something that is not parliamentary. Let's refrain from compromising the decorum of the

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House. The hon member from North West, you know that they are alleging you are eating in the House. Hon Mpambo-Sibhukwana?  
[Interjections.]

An HON MEMBER: I am not pointing at anyone. [Interjections.]

Mr T C MOTLASHUPING: Look at how far away he is seated. Yet, he sees me eating. What am I eating? This man is out of order.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, I am making a general comment to all of you. Let's refrain from doing anything that will compromise the decorum of the House. Hon Mpambo-Sibhukwana?

Ms T G MPAMBO-SIBHUKWANA: Chair, the department is ... protect me.

The HOUSE CHAIRPERSON (Mr A J Nyambi): You are protected, hon Mpambo-Sibhukwana.

Ms T G MPAMBO-SIBHUKWANA: Hon Minister, the department is an entity that allows the company to get away from their responsibilities. I am sure you have been made aware of this by your own department. As such, the department is responsible for the breach of the original

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agreement. This is an enforcement problem and the department does not have the necessary personnel to ensure all agreements are adhered to. Yearly audits have revealed that and should be ensuring that things do not slip through the cracks.

My follow-up question is: What mechanisms are currently in place or will be put in place timeously to ensure that everything is going well, is moving forward, and that all these responsibilities are being adhered to by the mining industry controlled by the companies?

The MINISTER OF MINERAL RESOURCES: Chair, our approach is two-pronged. We believe that working together with our stakeholders is key and fundamental. Once there are agreements, they need to be adhered to. From time to time, we impress upon our stakeholders, in this case, to act professionally. You will recall, hon member, that at some point, there was outcry in this country that we were implementing section 54s and people were losing their money. We continue to use the limited resources in our power to ensure that we do oversee all the programmes we have to oversee. Where we need to improve, we train our staff. As I have indicated, we have just trained 124 new staff to ensure that we close the loopholes as we move forward.

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Ms T J MOKWELE: Chair, on a point of order: I am worried about the Minister's voice. [Interjections.] It's fading.

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, hon Mokwele. Can you take your seat?

Ms T J MOKWELE: I am told he is a leader of a choir. Perhaps he has sung too much. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, can you take your seat? Hon Labuschagne?

Ms C LABUSCHAGNE: Chair, hon Minister, you referred to the new section in the Mining Charter where the social and labour plans will be communicated to and agreed upon by the community. These will then be published and the department will follow up.

In the previous question, you admitted there is a lack of personnel in the department. Now, you've referred to the fact that you have already trained so many people. My follow-up question is: Has the department ever had a session and a discussion to come up with a clear-cut idea of what to do if section 54 does not work because

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they have closed the mines and lost money, etc? What other ways are there to ensure that they adhere to the agreements?

Mining companies and communities go into these consultation processes. A lot of promises are made. The mining companies appoint people and there are various groupings within communities and a lot of expectations are raised. However, when the company receives its licence and starts operating, nobody cares whether that SLP has been enforced, or not. It's very difficult, then, to go back and wonder what to do next, because if one closes the mine there is even less income and prosperity for not only the mine but also all those people. So, what, in real terms, is the solution to force companies to adhere to SLPs?

The MINISTER OF MINERAL RESOURCES: Chair, as I indicated earlier on, in the 2017 Mining Charter, consultation with communities - that will also include the department - has been raised as an issue. Hon members will remember that the second charter did not have the department participating in consultation. We would only come in at the point where the programme had already been done, in order for us to monitor.

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Our view is that, during the consultation period, where you also include local authorities with their integrated development plans, IDPs, to ensure that it is not only you or the department who is responsible for oversight. The people living in those areas, the local authorities, are now part of the stakeholders, in terms of their interest. If something is not taking place, we will be able to receive communication much more speedily and we will be able to act in time. In addition, as we align them, we have set ourselves a target in terms of timeframes, and from time to time, we will monitor and evaluate the progress of our SLPs.

Mr M J MOHAPI: Hon Chair, Minister, I am glad that you have raised the issue of consultation and co-operation. Just last week, during the provincial week in Matjhabeng-Lejweleputswa, where there is a mining school in Virginia, we were shown a presentation. In the presence of the Lejweleputswa District Municipality and the Matjhabeng Local Municipality, we picked up that there had been reluctance on the part of Harmony Mine to involve the municipality as and when they developed their social and labour plans.

Confirmation was made in that regard, particularly when we asked a question on the integrated development plan.

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This is not an isolated case. If you go to Moqhaka, I think it is one of the causes for concern with regard to alignment, as you correctly say. My follow-up question is: Where there has been reluctance to involve the local authorities, in particular, municipalities, what are you going to do to enforce compliance, in that regard? Thank you.

The MINISTER OF MINERAL RESOURCES: Chair, as you all know, this charter is still a subject for discussion in the courts. Once that process is over, it will be a legal, binding document. The current situation with local authorities is one of goodwill. It is not law. So, Harmony, or any other company, can say we ... This function is not concurrent. It's a national function. As you know, Mineral Resources is not a concurrent function. That is why we have placed it in the charter, to ensure that, once it is agreed on, no one will do anyone a favour. It will then be a matter of our policy and we can follow up on anyone who is reluctant to follow.

Question 213:

The MINISTER OF MINERAL RESOURCES: There is no person responsible for giving permission to the mining companies to access and utilise their rehabilitation funds as section 24 of the National Environment Management Act does not provide for such practice.

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Ms C LABUSCHAGNE: Thank you hon Minister, as you have said that no one gives permission or there is no provision made for that, that was also the answer I got from the previous written question where you said no mines have been granted access to rehabilitation funds. In my hands I have a document signed on 5 May 2016 by the then deputy director-general of Mineral Regulation granting permission for rehabilitation funds to be transferred to the Gupta-owned Tegeta Exploration and Resources. Are you saying this document is false?

The MINISTER OF MINERAL RESOURCES: Well, ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order, members! Order, members!

The MINISTER OF MINERAL RESOURCES: Will the hon member be so kind to furnish me with the document because she flashes the document in this honourable House and say that this is the document when I do not have it. I will not be able to correctly provide with a response.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, even in terms of the Rule, when you are asking a question and you have some details; you should furnish the Minister with those details so that he can

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give an adequate response. The next person in line in terms of a follow-up question is hon Smit. Unless you are rising on something different, I can recognise you if that is a point of order.

Mr W F FABER: Yes, on a point of order. I think the hon member gave the exact ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, hon Faber. Hon Faber! [Interjections.] You are out of order. The question is very clear, if a Minister was furnished with the details, it was going to be a different matter. Hon Smit?

Mr C F B SMIT: Hon House Chair, I don't know now if the Minister is aware of this or not, but it seems he is not aware. This document also states that a copy was forwarded to the Minister for his information. It seems that the corruption is so embedded in your department that anyone can draw up an illegal document to give permission to mines to withdraw million of rands from a rehabilitation fund. Do you undertake to investigate this matter and to assist in this regard? That document will be tabled in this House.

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The MINISTER OF MINERAL RESOURCES: Thank you, Chair. I am sure members are aware that my department has just received a clean audit and you don't receive a clean audit if your ducks are not all in a row. [Interjections.] When it comes to this document, we commit ourselves as a department to stand here next year with a clean audit. We will deal with any issue that stands in our way to achieve that. We will go back and look into this issue and if members have time we will come and report here.

Ms T J MOKWELE: You always authorise things and after that you tell us that you don't know. You even went out of the Cabinet resolution yourself, saying something that was never discussed in a Cabinet meeting. So, why should we trust in whatever you are saying? But anyway ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry, let me take a point of order. Hon Motara?

Ms T MOTARA: Chair, it is in order to address the Minister directly and accuse him in the House as if it is the truth ...

Ms T J MOKWELE: No, it is not true. It's true.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): It's not in order. Hon Mokwele, you should ask the Minister through me as the person who is presiding today.

Ms T J MOKWELE: But you have given me a chance to speak and I have time. I have two minutes for ... [Interjections.] ... my question.

The HOUSE CHAIRPERSON (Mr A J Nyambi): We can stop you if we are dealing with a point of order.

Ms T J MOKWELE: No. But Chair ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, can you keep quiet and allow me to address a point of order. Hon Mokwele, I am sustaining a point of order. I am saying that you are allowed to ask a follow-up question but you can do that through me not directly to the Minister and your supplementary question must be linked to the original question. Hon Mokwele, you are protected. Can you continue.

Ms T J MOKWELE: What I am saying is very much linked to the original question. Chair, I think in responding to your point of order ruling, I have allocated time permitted by the Rules of this House to make a statement and ask a question. So, what I am doing is

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within my right and I have never ever answered the Minister or directly speak to the Minister without being recognised.

The HOUSE CHAIRPERSON (Mr A J Nyambi): You are left with 50 seconds.

Ms T J MOKWELE: No, I said I am responding to your judgement. My question is this now, Minister ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, can you take your seat. Let me take a point of order.

Ms M C DIKGALE: I think hon Mokwele is out of order according to Rule 50, subsection 2(c). It says that no debate on the explanation may be allowed and that's what she is exactly doing. Thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): The point of order is sustained. Hon Mokwele, can you ask your supplementary question.

Ms T J MOKWELE: It won't assist you to cover corrupt activities by Ministers. It won't assist you as the ANC. You are forever covering corrupt activities. Members of the ANC are forever covering corrupt activities. The hon Minister here knows very well about the document that is before the House. The hon Minister knows very well because

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for a director, a head of department to disperse any information from the office it must go through the Minister. He knows very well that the document will be presented before the House. I am not asking any question. We need his response speedily. Thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Labuschagne, you asked to present the document. You can do that so that we can have it. The hon Minister has dealt with that question.

Ms C LABUSCHAGNE: Thank you hon Chair, the document has been submitted to the Chair of the NCOP and I will submit this to the Minister.

Question 204:

The MINISTER OF MINERAL RESOURCES: The department collaborates with business, labour and state-owned companies to deal with sectoral constraints in the sector which include, amongst others, issues of supply and demand of our minerals through expanded mapping programme invested in South Africa. The entire South Africa has been mapped at 1:R1 million and 1:R250 000 scales, respectively.

The Council for Geoscience, CGS, is introducing an extended mapping of 1:50 scale multidisciplinary mapping programme which seeks to

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address national imperatives in South Africa, like food security, minerals, upstream petroleum exploration, mining and energy security, environmental health, hydrogeology, cure hazards, carbon capture, sequestration, etc. It will establish the quantity of mineral reserves in the country which are still untapped. This will assist the country to attract the requisite investment into the mining sector.

Mr S J MOHAI: Hon Chairperson and the Minister, thank you for the response. I just want to check if the Minister can comment on buying local merchandise as it is a critical component of our industrial and growth strategy. Also, checking on the basis of this: What is the extent of local capacity to provide necessary machinery and technology for innovation and modernisation within the mining sector?

The MINISTER OF MINERAL RESOURCES: The 2017 Charter recognises this weakness of percentages of buying local. We have since increased procurement of goods to 70% locally-owned companies. Procurement of services to 70% locally-owned companies to ensure that money revolves around and creates more jobs to our people. We went with some of these black-owned companies to China few weeks ago to connect them with some investors. They came back very happy. We

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continue to ensure that we skill and give our local people an opportunity in this sector so that they participate meaningfully.

Mr S G MTHIMUNYE: Hon Minister, again, during the Provincial Week last week, in Mpumalanga, at Middleburg and surrounding areas, we made a certain observation. I wonder: To what extent does the social labour plans, SLPs, get enforced or monitored by your department's inspectorate? There is a lot of abuse towards surrounding mining communities by mining houses.

This is a lot of abuse: In respect of exclusion from beneficiation; in not even considering them for employment; and in blasting when their executing mining functions, whereby houses get cracked and so forth. We will forward the report to you for your consideration. However, to what extent does your department monitor social labour plans that are integral part of your approval for licensing?

The MINISTER OF MINERAL RESOURCES: We have been to Mokopane and Sekhukhune in that area ourselves, and we are well aware of some of the issues that you are raising. Our regional officials, including the officials in the head office, are assisting with these matters to ensure that we deal with this weakness. However, we envisage a situation and we continue to pursue that route where professionals

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in this country - business in particular - will act in a responsible manner and allow government to do other duties and functions that we are seized with.

I don't think at any stage we will reach a level where we have a muscle to police all the rights that are in the country. Hence, from time to time we collaborate with the local authorities. We call our stakeholders and impress upon them that with good will we ought to come together to ensure that our people do benefit from what we all agree that they will benefit. We will pursue those engagements and include what I have already mentioned before in relation to the measure that we are taking to tighten up the issue of SLPs. Subsequently, we will gladly wait for the information and give you the feedback.

Mr M J MOHAPI: Hon Minister, growth constraints in the mining sector indeed has got a serious bearing in terms of the economy of the country. I think and believe that the hon Minister should be fully aware of the situation in Lace Diamond Mine, in Kroonstad, where a mine had to close down. Unfortunately, the employees had to be left stranded. As we speak, most of their monies are still not paid. I would like to check with the Minister if there is anything that the Minister can commit to investigate and ensure that this matter is

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addressed, once and for all, for the sake of those poor communities out there who were employed by Lace Mine.

The MINISTER OF MINERAL RESOURCES: We are aware of that situation, hon member. It has initiated a process between us and the CEOs of mines to report regularly if they do have plans to retrench, even before they announce it. The tendency has been that they will announce first, and then come back to us for section 52. To reply your question directly: We are seized with that matter; we are following it up. The unions have alerted us and we are following that matter up.

*IsiXhosa:*

Mnu L V MAGWEBU: Enkosi Sihlalo weNdlu, ndicela ukubuza apha kuMphathiswa.

*English:*

On empowerment redress: Please tell us whether there are any workers in the mines who own share at their workplaces? If so, what are the details; and if not, why is not the case? Perhaps, this could be another form of empowerment because your ANC continuously make noise about radical economic transformation when there are clear practical

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examples that you should already be moving towards a certain direction now. What are your comments and your response, sir?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Magwebu, even though you tried to take it further, you know the original question. Therefore, your supplementary must be linked to the original question. Let me leave it to the hon Minister, though. Hon Minister! [Interjections.] No, no, no! I am not going to allow that! You are protected, hon Magwebu. You are protected! Hon Minister!

The MINISTER OF MINERAL RESOURCES: Let me welcome the question. I am glad that nobody in this House is saying the current Mining Charter does not have the features of being radical. Our organisation is not only talking; we have placed it on the table. We have this document that is being discussed at the level of the courts. I am sure beyond December, we will know the outcomes. If they are positive, South Africa will experience a change in this sector.

In addressing your question: Workers do own shares in various mines. What we have said is that we should have a percentage which is owned by workers. As we have said: Eight percent should be allocated to the workers; eight percent to the communities; and 14% to the entrepreneur, to ensure that we address even the specifics of how

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much share figures/percentages should be allocated to the workers. Allocations of shares should not only depend on the generosity of the company where miners are working, but they are now set out clearly in this charter to address your concerns

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you, hon Minister. Allow me, hon members, to take this opportunity to thank the hon Mangethe, the Minister of Minister of Mineral Resources, for availing himself to answer the questions. Thank you, hon Mangethe!  
[Applause]

Question 228:

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, the office of the Valuer-General has appointed a professional valuer to conduct evaluations on the land in question and with the view to purchasing that land on behalf of the community. Upon completion of evaluations which is probably going to take about three months, negotiations with land owners will take place towards settlement and finalisation of the claim. That is where we have arrived now. Thank you, hon Chair.

Dr Y C VAWDA: Chairperson, indeed, through you to the hon Minister ... [Interjections.]

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you speak to the microphone, hon Vawda?

Dr Y C VAWDA: Hon Minister, this particular claim that has been cited on this question is not the only claim that is being delayed and has been delayed nationally. There are many such claims that are being delayed and this is depriving people of justice. Now, historically, we know that not very much has been done to facilitate these claims, but presently what is your department doing to ensure that such claims will be facilitated and that the claims should be finalised as soon as possible. What processes and plans does your department have at this stage? Thank you.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, we have had a very serious problem with research capacity because all of these have to do with research in the main. The hon member is quite correct, it is a frustrating thing. However, we have outsourced the function now and also because we really have to finalise, remember the court case, the judgement. We have to finalise that and we were give 24 months and we have to work through the night sometimes doing the research with outsourcing companies and universities. Thank you very much, hon Chairperson.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Minister, thank you. We now come to Question 221 asked by hon Smit. Hon Minister! Hon members, it is not my responsibility to dig follow-up questions. You must be alert. I am very alert.

Ms T J MOKWELE: That must be ... [Inaudible.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Smit, before you can ... yes, let me deal with it.

Mr C F B SMIT: No, I want to ... because the Table staff acknowledged me while you were looking around.

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, you cannot be acknowledged by the Table staff but it won't do any harm, I'm recognising you. However, let us be alert, hon members. Let us be alert. Hon Smit!

Mr C F B SMIT: House Chair, through you to the hon Minister, if your department continues at the current rate of processing land claims it will take around 200 plus years to finalise the old as well as the new claims. With consideration of the current economic mass left by your chosen President, which he showed again today we have

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another unexpected reshuffle resulting an economic decline and in return resulting in decline in your budget. What plans do you have to shorten this timeline?

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, I have already answered the question. Let me repeat it if the hon member wants me to do so that we have outsourced the research which has been the biggest problem. Thank you very much, hon Chair.

The HOUSE CHAIRPERSON (Mr A J Nyambi): We now come to question 221 asked by hon Smit to the hon Minister. Okay, sorry hon Minister, let me recognise hon Mokwele.

Ms T J MOKWELE: I thought that you will recognise me for the follow up question. I did indicate to you ... [Interjections] ... I don't have to answer to you, Nthebe, please! I don't have to answer to you! Nthebe, I don't have to answer to you, please!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order, hon members!

Ms T J MOKWELE: Bear with me, Nthebe, please!

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, can you keep quiet! Let's have order! No, no no, hon members! I am doing this for a last time. I'm appealing to all of you that, if you want to make a follow up question, raise your hand, I will write your name because I am very alert. Continue to ask your question, hon Mokwele!

Ms T J MOKWELE: Through you Chair, let me thank the hon Minister for his response. Minister, you have highlighted that your department doesn't have the capacity to do the research, hence you have outsourced the services to private institutions. Plus minus how much do you spend for outsourcing? I know that you can't have the accurate figures.

Also, is there a plan in the department to attract the scarce skills so that you capacitate the department in order to minimise outsourcing? If you maybe have those that have skills, what do you have in place to retain them? ... [Interjections.] What is your problem? What is George's problem?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, can you deal with me? Please refer to each other appropriately! Hon Mthimunye, you can't be disturbing an hon member who's on the podium!

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Ms T J MOKWELE: I'm not wasting your time, if you have nothing to do, you can go! We are here to work, so please don't disturb us! If you have nothing to do, go outside!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mthimunye, please don't disturb us! Can you finalise your question, hon Mokwele?

Ms T J MOKWELE: I need this information from the Minister.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you conclude your question, hon Mokwele!

Ms T J MOKWELE: Yes I will, Chair!

*Setswana:*

Ke lebogela tshono eno, moagisani. Tona, ke rata go botsa gore ...

*English:*

If you have a retention plan for the scarce skills, what is it that you are doing to make sure that you retain such credible and important people in your department? If you don't have anything to do, Mr Mthimunye, you must go home!

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The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti):  
Through you, House Chair, I can write back to the hon member to give figures in terms of the money; that will do. In terms of the capacity, we have the internal capacity but it's not enough. Thank you very much.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you, hon Minister. We now come to Question 221 asked by hon Smit to the hon Minister.

Question 221:

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti):  
House Chair, there are 5,337 farms that were transferred since the beginning of the Land Reform Programme. There are 1,675 farms that are currently made productive. This figure has got its limitations because it is an internal figure. What I like is that, the Health Industries Research Companies, HRIC, has done the research which doesn't account to us.

They did research on the productivity of the farms and came up with 67% of the farms that are productive; only 33% of the farms are not productive. Thirty three percent is a lot, but we think that we can do better in terms of our own internal capacity to assess the matter, particularly, by being helped by the agricultural sector.

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Remember, hon House Chair, it is not our responsibility to make the land productive. We do, however, make the interventions of putting together the recap of taking 25% of the baseline budget for land acquisition. Though we could see that there is not much happening in this regard, it is not in our mandate to make the land productive. Hence, we have the discussion to take the matter back to the agricultural sector. So, this is really the big question that is going to follow.

Mr C F B SMIT: Through you hon Chair, I want to know from the hon Minister, what does his department, together with the Department of Agriculture, Forest and Fisheries plan to do to stop setting these claimants up for failure? Without ensuring the support, it's not going to work. I want to know about the plans to stop putting them up for failure, because that what you do?

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Through you hon House Chair, I'm sure that the hon members from the portfolio meetings may have dealt with what is being asked, but certainly, the National Assembly has dealt with it. They targeted Operation Phakisa, involving the rural development and land reform, and also agriculture, exactly to deal with that question. Thank you.

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Mr M J MOHAPI: Through you, hon Chair, the Landskroon Farm in Moqhaka Municipality, in the Fezile Dabi District, was bought through the plus initiative. The question is, since that farm is performing well, what are the plans in terms of addressing the issue of the land reform to ensure that the farms that were bought through the plus initiative are being converted into a transfer, and that at the end of the day there will be an ownership especially to those that are performing well like the likes of Ntate Tlatsa in the Landskroon Farm, Moqhaka Municipality?

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Through you, hon Chair, hon member, that is where we are now if you're probably following this matter. What we have done is that we have assessed all the farms. We can provide you with the outcome, hon member. We have said that, all those who are green, meaning all the farmers with the use right from us, and who are using the land right now, can choose to take either a long lease of minimum 30 years or buy the land. That is where we are right now. We are doing very well, especially in the Free State.

*Siswati:*

Ms L C DLAMINI: Ngiyabonga Sihlalo, mine ngicela kubuta eNdvuneni kutsi: njengobe kwatiwa kutsi lomhlaba watsaftwa njani kubanikati

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bawo mbamba, bakhona yini kulaba labawuphetse nyalo, ngaphandle kwahulumende, labatimisele kutsi bawubuyisele kubanikati bawo cobo, labangubona banikati bemhlaba; njengobe sati nje kutsi linyenti labo ngemalunga e-DA? Kwesibilini, ngifuna kwati kahle kutsi mayelana nemakhono bayakhona yini kusita; nome babukele nje kuhulumende ngobe balindzele kutsi ehluleke kucala kuze batewubuye batsatse lomhlaba futsi? Ngiyabonga.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Chairperson, to answer the first part of the question, let me say that, in reality, we haven't come across that offer at all. What was the second part of the question, non Chair? The hon member ...  
[Laughter.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): We can do without subjecting you to the second question, hon Minister, because in terms of our Rules, we are supposed to have a supplementary question, and not supplementary questions from one member.

Question 193:

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, we have amended Extension of Security of Tenure Amended Bill, and that process is already in Parliament. I don't know if it reached

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this hon member. It is already in Parliament. The amendment to Extension of Security of Tenure Amended Bill introduced to institutions. The one institution that is dealing with the question of evictions is Land Rights Management Committees at the municipality level. We have discussed with all the mayors of municipalities at the local level on this question to suggest to them that they become political champions of this programme so that they could in their own municipal councils have this Land Rights Management Committees. Now, these would have forums as well so that the farmers, farm workers, labourers and the community sit there with the municipality.

The point here is that we don't want farmers to take this decision without having consulted the municipality and evict people. They evict people and they have got no where to go. It is unconstitutional and it is unlawful in the country. Therefore, what we want them to do is to discuss at that Land Rights Management Forum. It could be illegitimate that a person or a household could be evicted. Before you do that the municipality must assure that that person does not sit in the street, there is a house for that person. That is one of institutions.

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The second one is, because courts take long time we then established in terms of that amendment, the Land Right Management Board so that if there is that conflict and does not get resolve at the Land Rights Committee Management level, the appeal is done, the first step is going to the Land Rights Management Board rather than going to court so that we can resolve these matters faster and ensure that the evictions are stopped. That is really what we have done right now if that doesn't come to the House of National Council of Provinces. It has been sitting in the National Assembly.

Mr J P PARKIES: I want to alert the Minister about the case in the Free State in Bethlehem, the apple project where our people have been robbed of the land in a so alleged illegal transaction which reduced them just to be mere sifters in that particular farm and the land went back to the white people. Can the Minister commit to investigate that particular case in the Free State? Thank you.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, through you to hon Parkies, thank you very much. We can talk about that and I will be happy to ... [Inaudible.] ... that we do come across this kind of things by the way because it relates as well to question which was asked by the hon mayor, the former mayor. That was my former mayor. It relates to that and we do come across that,

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part of how it happens and this is something that I wish we could all be alert to. This is how it happens. You see now, when we give title deeds to these farmers, they go to the bank and get the loan. They can't service a loan. What do they do? They go back to that farmer and give that title deed to that farmer. That farmer employs them instead of becoming owner and making business, they go back to the situation before the whole transaction was ... [Inaudible.]

This is a matter which is a big challenge we come across. We will be happy to have a discussion and get the name of the farm. Thank you, Chair.

Question 185:

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, the hon Gaehler has asked in terms of per provinces. In the Eastern Cape there are seven - three of them are KwaLindile, Highbury and Xhokonxa. The rate is very low as there are delays in serving the court papers in this regard. After determination through the settlement or a court order, an alternative land or financial compensation will be awarded. It depends on what the people will say because that is one of the challenges in terms of hectars that are transferred. People settle for money - they want financial compensation. Maybe hon members will also assist in this regard.

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In the Free State there is only one and then there is the same process at the end. But in the Free State there is none that relates to the number. It's only one that falls in that category. What is not there, as I am saying, pieces of land in each claim have removal court order. It doesn't have a court order thus when I say nine that will call on the next thing. In Gauteng there are two and there is none. Again, that question falls away, but the determination remains the same. In KwaZulu-Natal there are 21, and again there is none there. In terms of that, that falls away, but the determinations are the same. In other words there is no court order.

In Limpopo there are three claims that are affected. Again, none is before court except for the very recent one which is related to this kind of thing. It is not exactly, but it is in court and I don't want hon members to confuse it - the Muhlava one. Don't confuse that because that is not a claim. It is a different dynamic, but it relates very closely to this type of things. It could be mistaken for a claim, but it is not. In Mpumalanga there are six - Mdlhuli, Mataffin, Wales, Beestekraalspruit, Injaka Waterfall, Andover and Sisonke. That again relates to the court order served except for Sisonke claim. In terms of the determinations they are the same.

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In the Northern Cape there are three - none- and that falls away completely. In the North West it is one - none again. Again, that falls away completely. Remember, the determinations remain the same in the event.

Lastly, in the Western Cape are two - Laastesyfer and District Six. The District Six court order has been granted and for Laastesyfer the case is pending. Again, the determination would happen. That is the end, hon Chair.

*IsiXhosa:*

Mnu L B GAEHLER: Ndiyabulela Mphathiswa, ndiza kucela ukuba sicengane sobabini kule nto. Ndifuna umsindo ukuba wehle kuba ndiyabona ukuba awumhlanga ncam. Kula mabango uthetha ngawo aseMpuma Koloni ndiyawazi kwaye kudala ekhona neengxaki zawo ndiyazazi ubuninzi bazo. Eyona ngxaki endicinga ukuba yeyona ibalulekileyo yeyokuba aba bantu baphelelwa ngumhlaba la mabango engekaphunyezwa. Andiyazi nokuba amagosa akho akuxelele kusini na ukuba umhlaba uphelile.

Inqambuzane yeyokuba abantu abangama-54 bagqibe iminyaka engaphezulu kwe-10 belindile. Nangona izigunyaziso zeenkundla zamatyala [court orders.] zikhutshwa, amagosa awazisi so. Andiyazi nokuba nilala

ngengubo enye kusini na namapolisa kodwa ikhona yona ingxaki. Kaloku xa izigunyaziso zeenkundla zamatyala zingasiwaso ubokuyazi ukuba ikhona ingxaki.

Njengokuba umhlaba uthathwe ngendlela engalunganga nje niwubuyisela njani kubanikazi bawo? Sikhe sahlala nabantu baseHighbury sabona isono sodwa sento eqhubeka phaya. Mna ndinqwenela ukuba uye ukuze uzibonele ngokwakho, uyeke ukuva ngamagosa akho. Aba bantu banedama elikhulu abanokulisebenzisa, idama laseMthatha. Xa ucinga wena Mphathiswa, la mabango wabantu abangama-54 angaphunyezwa nini na? Abanye babantu abafake amabango basweleka kodwa ndiyakubongoza ukuba uye phaya. Nokuba awukwazi ukuyiphendula ngoku koko uyibhale phantsi impendulo xa ufumene ithuba.

*English:*

When will that claim be finalised?

*IsiXhosa:*

Ndifuna kwakhona uqwalasele ezi zigunyaziso zeenkundla zamatyala ukuba kutheni na le nto ingathi azisebenzi nje. Kukho abantu phaya abathengisa umhlaba kodwa imali ayisiwa kurhulumente, ingena kumntu othile epokothweni.

*English:*

How do you address that thing?

*IsiXhosa:*

Laa mihlaba ithengiswa ngeemali ezinkulu kwaye ndiqinisekile ukuba nawe uyayazi loo nto leyo. Enkosi.

UMPHATHISWA WEZOPHUHLISO LWAMAPHANDLE NOHLENGAHLENGISO LWEZOMHLABA:

Sihlalo weNdlu neNdlu ehloniphekileyo ngokubanzi, xa umntu esazi ukuba ngubani lo waphula umthetho kufuneka aye kunika ingxelo emapoliseni ukuze amapolisa akwazi ukuthatha amanyathelo. Ukuba inkundla yamatyala igunyazisile aze amapolisa arhuqa iinyawo, ithetha ukuthini loo nto? Loo nto ithetha ukuba isukile kwelethu isebe kuba kaloku asinalo igunya lokushukumisa amapolisa. Amapolisa ngawona ekufaneleke ukuba aphambili ekuqinisekiseni ukuba isigunyaziso senkundla siyenzeka. Abanye abantu bathi le nto inento yokwenza nabalawuli kumasipala eMthatha. Ndiqinisekile ohloniphekileyo ukhe ayive ithethwa loo nto phaya eMthatha. Ndizama ukuthi Sihlalo weNdlu ohloniphekileyo, ndiyasamkela isimemo sakhe sokuba sidibane sithethe.

*English:*

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Mr C F B SMIT: Hon Minister, with all these illegal land occupations taking place all over the country, the government is currently sitting on about 3 million hectares of land which it can redistribute. This would go a long way to relieve this situation. When will you hand over the land to these people?

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, the hon member keeps on asking the same question that has been asked and answered. We have answered that question by saying that we have three categories of people under that policy. There are those who are performing very well, there are those who still need some support and there are those who really need us to implement the use it or lose it principle because they are not - let me use this - helpable. We don't know if there is an English word for that. That is what I said. I further said that those who are green could either take a long lease or buy. That is what I said and I am repeating it, hon Chair.

*IsiXhosa:*

Mnu D L XIMBI: Sihlalo weNdlu, mandibhekise apha kuMphathiswa ngelithi isuke yangathi ngoku sisebenza njengezicima-mlilo. Ingaba ikhona kusini na intsebenziswano phakathi kwesebe lakho, amapolisa kunye nabantu bokuhlala ukugada abantu abathabathela umhlaba kubo

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ngaphandle komthetho? Kaloku kweli lizwe sinoMgaqo-siseko kwaye siyayoyika into esiyibone ebumelwaneni yabantu berhwaphiliza umhlaba ngaphandle komthetho. Ngokutsho oko, asithi umhlaba mawungabuyeli kubaniniwo. Ikhona indlela yokuba umhlaba siwukhusele. Ngoku sekugcwele ezi zigunyaziso zeenkundla zamatyala endicinga ukuba ziyasokolisa. Ingaba ayikho kusini na indlela yokuba siwugade umhlaba ungade uthathwe ngenkani? Enkosi Sihlalo.

UMPHATHISWA WEZOPHUHLISO LWAMAPHANDLE NOHLENGAHLENGISO LWEZOMHLABA:  
Kukho impendulo apha ebendikhe ndayinika apha kule Ndlu ntonje ndayenza ngesiNgesi.

*English:*

There must be land rights management forums and we agreed with all the mayors that the municipalities must establish land rights management committees.

*IsiXhosa:*

Ezi komiti ziza kujongana ncakasana nala ngxaki ohloniphekileyo abhekisa kuyo. Kaloku ukuba usePretoria awukwazi ukuyibona into eyenzeka apha. OoSodolophu boomasipala bengingqi baza kuncedisana nathi ukunqanda abantu bangathathi umhlaba ngenkani. Kufuneka bahlale bechophile kungade kugqithe ama-48 eeyure abantu bekumhlaba

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abawuthathe ngenkani. Kaloku kufuneka ixesha ulijonge lokuba uwathabathe nini amanyathelo. Yiyo le nto sicele ooSodolophu boomasipala bengingqi ukuba ibe ngabo abajongene nalo msebenzi. Ngulo Mthetho bendisithi ukwesa Sihlomelo ku-Esta, [Extension of Security of Tenure Act 62 of 1997] kodwa ke ndiyayibulela into yokuba ohloniphekileyo ayikhankanye kwaye nam ndiyidibanisa ngesiNgesi nje ndilungiselela ukuba ivakale.

Question 224:

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon House Chair, this is one of the very excited enterprises in the Eastern Cape, Ncera Macadamia. We spent here, in terms of the question, R72 million on this programme. This is what it is budgeted for it. It has got two phases. Phase one is the bulk water distribution infrastructure and storage to reservoir, which is 100% complete now. Phase two which means a pump station rising main and reservoir is 80% complete due to be completed by March 2018. The Department of Rural Development and Land Reform use this investment made above as a catalyst for macadamia industry expansion in the province because already now is going to Nkosi Dumalisile as joined this project, so they are going to go to do the same there. They are actually exporting. They are making money now. Hopefully, the same will happen with Nkosi Dumalisile. Thank you, hon House Chair.

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Mr L B GAHLER: Hon Minister, you say that you have already spent R72 million on the project. Is there any more money that you are going to spend on that project? If so, about how much more money are you going to spend for the project, are you happy with the benefits of the locals in that project? Thank you.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Apart from the completion of the reservoir which is 80%, no. The answer is no, hon Chair.

*IsiXhosa:*

Nks P C SAMKA: Sihlalo weNdlu, ndifuna ukubuza kuMphathiswa ohloniphekileyo ukuba zikhona kusini na iziphumo ezincomekayo kula projekhthi yaseNcerha kubemi bala ndawo ngokubhekiselele ekuphuhliseni kwezakhona nakwicala lezoqoqosho ngokubanzi?

UMPHATHISWA WEZOPHUHLISO LWAMAPHANDLE NOHLENGAHLENGISO LWEZOMHLABA: Sihlalo weNdlu, la projekhthi, ngethamsanqa, yaqalwa ndim ndinguMphathiswa weSebe lezoLimo kwiPhondo [MEC], kwaye ndiyiqonda kakuhle into yayo. Ohloniphekileyo uZ Ncitha ebenguSodolophu kuMasipala oMbaxa iBuffalo City kwaye siyiqale kunye le projekhthi sincedisana nosapho olwalusuka KwaZulu-Natal. Xa ndifika ngoku kula

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projekhthi abantu ababengabasebenzi abasezantsi ngoku bangabaphathi abaphezulu, bayilawula ngokwabo. Ndiyabulela Sihlalo weNdlu.

Question 197:

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E NKWINTI):  
Hon House Chair, the answer here is yes. When it comes to the budget one never really has enough money for acquiring this land we are talking about. The big challenge here is budget deficiency; that is the first challenge. Of course in terms of trying to deal with that institutionally, one of the things we have done is that we introduced the office of the valuer-general in the country. Hon members may have read about this. The second thing we did, of course the hon member is asking this question correctly and appropriately because the governing party took a resolution on this matter, saying let us establish a law that will regulate the ownership, terms of quantum of agricultural land in the country. So that you do not have, as I was saying the other day, giants ...

*IsiXhosa:*

... izigebenga zingaka, oohili bangaka. Ukuba singoohili eMzantsi Afrika, masifane sonke, sibe ngoohili sonke ukuba sizizigebenga sibe zizigebenga sonke.

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*English:*

The hon member is quite right. Hon Chair, in the first year of that office, that is 2016-17, we saved R176 million in terms of the price of the land and therefore we were able to acquire more land. The reason that was in the media is that there are regulations we are now putting together. We are amending regulations because what we want to do is that one of the things that we found out institutionally is that you cannot say that when I buy your farm it is R20 and then when you declare you say that this business is worth R15 but when I come to buy the farm you say it is worth R25. That is why you hear the big noise regarding the regulations on the Property Valuation Act is because we want to tie up the office of the valuer-general with Sars.

Secondly, we then say that in the Regulation of the Agricultural Land Holdings Bill that will come to this House, we say that there must be a land commission. That commission will force every South African whether it is an institution or individual to declare their land ownership in the country. What it secondly does is that it says that it will determine the extent or the quantum of holding in terms of hectares per institution or person so that whatever goes above that is then bought by the state.

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I was saying the other day that it is up to parliamentarians both opposition and the governing party, when the Bill is here, to determine whether the extra land after determining the extent in terms of small scale, medial scale and large scale whether the extra should be in fact expropriated with or without compensation. That is going to be your job. That is what that Bill is providing for, it is coming to this House and I am interested in getting that. I am answering that question from the hon member and then the last two is that 8.2 million hectares of land have been acquired and restored, that is 4.8 million redistributed and tenure reform and 3.4 million restitution; 3.2 million people have benefited from the land reform programme of South Africa; 290 redistribution and 200 million restitution. Thank you hon Chair.

*IsiXhosa:*

Mnu S J MOHAI: Siyabulela Sihlalo weNdlu kwaye sibulela kuMphathiswa

...

*English:*

... for your comprehensive response on this very critical area of our social transformation. The Minister will certainly be aware of the narrative in the public discourse about some of the beneficiaries of land reform who sell their land after acquisition.

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Is there any mechanism within the department to audit these types of transactions? Lastly, is there any policy to deal with acquisition and ownership of land by foreign nationals? Thank you.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Hon House Chair, let me start with the last one because it is easy, that is one of the provisions of the Bill I was talking about, the Regulation of Agricultural Land Bill. It actually says that no foreigner will own land in the country but there could be eligible to leasing the land. The first one relates to what the hon Parkies was raising. It would be nice if hon members would assist as well on these just to identify for us. Please let us know because what is happening now, lets take the Free State for example, Pitso just lost a farm in the Free State and not because he did that but because now what is happening is that he can't manage it and there are workers on the farm. What the department did was to buy that land back and give it to the workers.

You cannot have people, remember the principle - use it or lose it because you are not the only one. The hon Parkies and other members from the Free State might know this, it is a sad thing but what can we do because that land was going to Absa because the farmer owned

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Absa. This is happening across the country but you cannot do it again and again and again.

We started a programme, Memeya raised this question, called strategic partnership with commercial farmers in the country. We were hoping that they would see that as an opportunity to help emerging farmers. By now we would be having many black commercial farmers. In the green category where the hon Smith was asking, being in a position to buy the land without the threat that the land could be reposed by the same people. That is why we are keeping the land now and giving it to the people as a land use right so that they are strong enough and not have the land taken back by the banks.

Hon Chair, when we started in 2009, already 5% of land which had been acquired was gone. It went back to where it was bought from because we thought that people would do it. They got the farms, went to the banks, including the Land Bank by the way. We put in R208 million in 2009, we did not budget for it but we were saving 14 farms from the Land Bank, from our own state institution. We saved those farms. The money is still with them because we are protecting other farmers now who are emerging. We are using that money, it is there now and it has made interest, it is about two hundred and eighty something million rands now. We are using that money because

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we are now working with the Land Bank. They go to the Land Bank ...

[Interjections.]

Ms T J MOKWELE: You are gambling.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti):  
There is no gambling, we are strategic. The hon member is not able  
to understand what is gambling and strategic. You see, what we have  
done is that we have agreed with the Land Bank that farmers will go  
to the Land Bank and the get a loan. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry hon Minister, hon  
Smith, what is your point order?

Mr C F B SMIT: In terms of our rules, the Minister has four minutes  
to respond and it seems like he is delivering a speech now.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti):  
He is just worried. [Laughter.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Smit, you are out of  
order, I do have the time here.

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The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti):  
Thank you hon Chair, let me finish.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Minister, finish in your 10 seconds.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti):  
The hon member is hurting now, the truth is hurting. Thank you very much hon Chair.

*IsiZulu:*

Ms L L ZWANE: Sihlalo, Mphathiswa ngisacela ukubuza ukuthi intsha ihlomula kanjani eMnyangweni Wezokubuyiselwa Komhlaba? Enye intsha ineziqo ezinawo kwezolimo, abanye babo kuze kufike ezingeni lokuba neziqo eziphakeme [Masters] kwezolimo. Sonke siyazi ukuthi ukuthi ubuningi bentsha abuqashiwe kodwa sebawatholile amakhono athile kwezolimi. Manje ...

*English:*

... they are entrants into the field of agriculture, they have not been able to accumulate any collateral that they can use in any bank to ensure that they access that size of land they are looking for. Let me cite a practical example, young people approach us or me as a

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public representative, they say we have an idea to farm, I am setting an example, and for us to have a thriving agricultural activity we need 400 hectares. We have googled and we have seen the range of farms that we can be able to secure, they range between R8 million to R20 million. Now how do they get assisted by your department to secure the land because they will never be in a position to buy it on their own and what will be terms that will be entered into for them to be able to secure land. Thank you.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Hon House Chair that is exactly the point I have just been talking to. Please advise them to go to the Land Bank. We have an agreement with the Land bank. We have money sitting there with them. Advise them to go to the Land Bank, at the land Bank they must ask for a loan. The Land Bank will say we can give you so much but for the difference go to the Department of Rural development.

We have seven priorities and one of them is agricultural graduates. Let me go there because it makes it easy for us. That is what we are doing right now. Remember when I was saying that we put money in the Land bank to save farms and now we are using that money as collateral to assist those farmers. Like we did with women, we have just established, by the way on Women's day we launched here a rural

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women in design and arts and craft here whilst hon members were in town we are busy here with rural women. We are doing the same thing with the youth so that they must have their own co-operative bank. That is what we started with women and women have already been paid the initial R100 000. We have budgeted R1 million for them now and this is exactly what is happening with the youth through the rural youth, National Rural Youth Service Corp, Narysec.

Mr C F B SMIT: House Chair, hon Minister, through all the waffle and excuses on why people must not get the land or why it shouldn't be handed over to them. Can you please be honest with South Africa, put it on record today that you and your ANC government have got no intention of giving the land to the landless but rather to use them ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members.

Mr C F B SMIT: Can I be protected Chair.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members. I am trying to do exactly that. Hon members, let us allow him to put the question to the Minister, the Minister will deal with it. Hon Smit, you are protected.

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Mr C F B SMIT: ... but rather to use them to capture the land in this country so that the state can control all the land. That is your main idea. You are using these people to get your hands on the land. Just be honest and put it on record today. Thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, let us allow the Minister to respond.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Hon Chair, the irony is that the hon member says if you are honest, you heard him. The irony is that they actually in some instances even stole the land but basically they grabbed the land. The first place where they grabbed the land was here. In 1659 Jan van Riebeck's diary is clear. The first people who put up a shack in South Africa were the Khoi. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Minister, sorry hon Minister, let me deal with the hon Mokwele first. I will come to you.

Ms T J MOKWELE: Chair, on a point of privilege, why then should be buy stolen property? Why should we gamble with our money? Why don't your government just legislate ...

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, we can't allow the point of privilege. Let us allow the Minister to respond. Let me deal with the hon Engelbrecht. Hon Engelbrecht, is that a point of order?

Ms B A ENGELBRECHT: Mr Chair, the Minister says he was here when the land was grabbed in 1659, so I want to congratulate him on his 500th birthday. So, he was around, congratulations Minister.

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, hon Engelbrecht, Let us allow the Minister to continue.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): Hon House Chair, you know now the hon member is saying, if you are honest give people land. Can you imagine that? Here are people who ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, please allow the Minister to finish, I will come back to you.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): ... reluctant to hand over land. The reason we are going through these processes of having the valuer-general and all of these things

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is because they do not want to give the land back and e are a decent democracy. We are a decent constitutional democracy.

[Interjections.] Hon Chair, [Inetrjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, let us allow the Minister. We have asked a question.

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM (Mr G E Nkwinti): You know hon Chair, in that diary they do not say what they did. It just says we called our men. They killed them. They killed South Africans here in order to take the land, so the hon member is saying you do not want to give people land. No. The time of Nongqawuse is gone, ...

*Afrikaans:*

... is verby, daai tyd vir Nongqawuse is verby. It is just that today, hon Chair, the only difference between us and them is simple - we are very descent. We are very descent that is the different. Those people who did that were thugs. Those thugs took the land through the force of arms.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, please take your seat and let us allow the Minister to respond. Hon Minister your

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time is up. Can you take your seats all of you? Can you all take your seats! Even Mokwele was standing. Hon Engelbrecht, the first person to stand up was the hon Mokwele, the second one was the hon Gaehler, you were the third one. The fourth one is the hon Dlamini. Can all of you take your seats, no can you please take your seats! Take your seat! Hon members, you asked questions to the hon Minister, the hon Minister is dealing with your questions. Can you now allow me to take this opportunity to thank the Minister of Rural Development and Land Reform. [laughter.] [Interjections.]

Minister, I would like to thank you for dealing with this emotive issue of the land question. That concludes the Business of the day. Hon members, you are requested to remain standing until the procession has left the Chamber.

Business concluded

The House adjourned at 17:23.