

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:1

THURSDAY, 16 NOVEMBER 2017

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*PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES*

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The Council met at 14:01.

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

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order members! Members I have been informed by the Whippery that they have agreed that there will be no notices of motion or motions without notice. Before I start I would like to take the opportunity to welcome the President of the Republic of South Africa to this, our House, the National Council of Provinces, NCOP. But before I go even further I must say I have received a request from the hon Michalakis to allow him to ask a question to the President on the Zimbabwean military coup. This request is dated the 16 November 2017. Hon Michalakis has asked me to exercise my discretion in terms of Rule 242(1). Rule 242 requires any member who wants to ask a question to give notice thereof. It further prohibits a question for oral reply to be asked

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:2

on the day on which notice thereof is given. Hon Michalakis's question is clearly in contravention of this Rule and that is why he has asked me to or sent to him asking this one. He has however not requested me to seek the House to dispense with or suspend this provision nor have I received from the Chief Whip of this House any request to suspend or dispense of this Rule. My view therefore, what hon Michalakis has requested the House to dispense with or suspend can therefore not be granted in this sitting. I would want to invite the hon Michalakis however to avail himself to the other opportunities to pursue this question in which ever form he wishes to do but not to pursue it today because in terms of Rule 246(4) no more than six question can be put to a member of the executive and we already have six questions for today. I hope that this will be adequate to address this matter for today. Hon members, we shall now proceed to our questions as printed on the Question Paper. The President shall take the podium. Are you comfortable to answer from there Mr President or do you want to take the podium? Thank you sir, take the podium. [Applause.] Thank you.

Question 1:

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, manufacturing forms the backbone of our economy. It is an integral element in addressing some of the challenges facing our country. Collaboration with Brazil

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 3**

Russia India China South Africa, Brics, countries on manufacturing is ongoing and includes inward foreign direct investment and outward export promotion of South African products, trade relations and technical co-operation including training programmes. The manufacturing of both India and China continue to be key drivers of broader economic and industrial growth in the global economy. South Africa benefits considerably from the export of primary commodities and intermediate goods to both of these economic powerhouses and other Brics members. We are keen to further promote foreign direct investment particularly from manufacturing companies in Brics member states. Significant progress has been registered in this regard and a good example is the significant investments made by Chinese companies into the automotive sector which are estimated to be in the region of R8 billion. We have been engaging our Brics Think Tanks Council in order to identify concrete areas of co-operation that we can take forward during the Brics presidency in 2018.

A Brics network of smart manufacturing hubs has been recommended which will pool together knowledge, technology and the new ideas on the identification of new and interconnected value chains. We will indeed seek to implement the Declaration as it relates to the fostering of partnerships for co-operation, information and communications technology hardware, software and skills through

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 4**

developing the next generation of innovative solutions in the areas of smart cities, healthcare and energy-efficient devices amongst others. Enhanced support for the manufacturing sector will be set out in the Industrial Policy Action Plan 2018 to 2019 which will be announced by the Minister of Trade and Industry. We look forward to hosting Brics Summit next year which will enable us to take the co-operation further and also enhance benefits for South Africa. I thank you.

Mr S J MOHAI: Madam Chairperson and I want to thank the President for the response which covers very critical areas, and would the hon President agree that every country has its own unique development needs and there is a need for policy space for sovereign reasons, and whether the President agrees that this Brics co-operation will contribute in a big way in terms of emerging black industrialists who we know, for historical reasons, the composition of our economy and participation in the economy has been exclusively white-dominated, even our historical past and I also want to check with the President that this soft manufacturing particularly that he has referred to will contribute to jobs? Thanks.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mohai, let me take a point of order. What is the point of order sir?

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:5**

Mr J W W JULIUS: Chairperson, on a point of order: The Chief Whip is asking multiple questions with his follow-up. Thank you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Your point of order is sustained. Chief Whip, you know you have got only one supplementary that you can put to the President. Please conclude. You still have 59 seconds.

Mr S J MOHAI: That is what I thought was guiding me, that I have got two minutes grace. Hon Chair, I think I have raised my questions particularly on the significance of the manufacturing industry as the President has alluded to. Thanks.

The PRESIDENT OF THE REPUBLIC: Madam Chair, yes, the co-operation between Brics member states is absolutely important for the economy of each country as well as all the countries collectively but it is also important, from the point of view of the global economy, this group on particular, whilst it looks small but it is in other words very big. Firstly, if you look at it, it is the bigger countries in the regions where they are economically who are together in Brics and therefore that, in a sense, influences those regions through these countries but also the fact that the majority of the countries that are in Brics come from the developing world, that means for the

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page : 6**

first time the developing world has a kind of an organisation or group that has what it takes to be active in the economy and participate with a different approach to how the economy should be developed.

You will recall that the Brics countries have about half of the world's population and that is a very huge market in economic terms. Absolutely important among these there are very big economies in the world that are part of Brics and the fact that Brics saw it necessary to establish a Brics Bank has been one of the watershed developments in the economic development globally because it has a different approach, an approach that is user-friendly to developing countries. If the developing countries ask for support from this bank, they will not be put into further difficulties. The attempt is to help those countries and therefore this relationship of our country with Brics is one of the most important and historic developments that have taken place in our country. It is a very noticeable group with many things whether you look at it politically, or you look at it at the level of the economy, indeed this is an important bloc and therefore many of the thing that we have been talking about in the past, about how do we make the economies to be inclusive to address the issues of the poor, this particular grouping believes in that and we are working towards

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 7**

achieving that objective. So indeed it is an advantage to be part of the group and we are looking forward to a lot of success that this group will bring, not just in its own kind of domain but in a global setting of economy. Thank you very much.

Mr C HATTINGH: Hon Chair, if South Africa's ruralness is taken into account, our economy is currently experiencing elements of all for industrial and preindustrial revolutions. Now, what is actively being done to accommodate the challenges of the Fourth Industrial Revolution in our economy to ensure that South Africa's Industrialisation Programme addresses the required demands that we remain globally competitive specifically where the fusion of the physical, digital and the biological worlds are involved? And if you can, kindly provide some examples of progress in this regard. I thank you.

The PRESIDENT OF THE REPUBLIC: Hon Chair, of course our country is very much aware of the Fourth Industrial Revolution. We have looked at it as an important window in the life of the economy globally, that the economy is taking another jump. I think the question that is asked by Africa not just South Africa only, who has been passed by many, whether you talk about First, Second or Third Industrialisation, whether we are going to remain behind with the

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 8**

Fourth Industrialisation and it is our belief in the continent that all of us have to work hard to be part of the Fourth Industrial Revolution. For example, some of the developments that have taken place which allows countries today to leapfrog in terms of what they do so that they are part of the Fourth Industrialisation.

Of course South Africa has its own peculiarities but with all of that I think some of the economic activities like technology, we are part of the technological world today and which is one of the key drivers of the Fourth Industrialisation. We are very much aware of it. We are working to ensure that we do not remain behind. So whilst we are dealing with our problems but we are also part of the world. This is being one of the considerations that all of us in the country are taking care of and of course we also believe that the participation of South Africa and Brics, which has a lot of innovations, helps us to address that question of being part of the Fourth Industrialisation. Nowhere in the world today can we say countries can remain behind. Some of the reasons why they could not be part of other industrialisations like the first or second, because these countries were colonised, they were not taking decisions for themselves. Some mother countries were taking decisions on their behalves. At times were putting them behind deliberately but today is a question of, what do we do, that is why

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 9**

there has been an emphasis that we need the economy that benefits everybody, that looks at all citizens to be capacitated to be part of this kind of industrialisation. There should be no citizens left behind because they are unskilled or they are less educated, not empowered. That is why the issue of education becomes very important, that all citizens participate in ensuring that we are part of the Fourth Revolution. Thank you, Madam Speaker.

Mr J J LONDT: Hon Chairperson, thank you hon President, you expanded a bit about the importance of Brics and also the potential future role it can play, as you have said, representing almost half of the world's population. Now, if we want to be world leaders we need to be world leaders not just in the economic sphere but also politically. Now, as a member of Brics and a potential future world leader, will you support the call for elections in Zimbabwe as soon as possible to ensure the stability of the country and if not, why not? Because as the chairperson of Southern African Development Community, SADC, it is important for you to assist and provide free and fair elections.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Londt, I am going to leave it to the President but you know that question is not relevant at all due to the supplementary responses that the

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:10**

President has given. Mr President, if you so wish, you can respond to hon Londt.

The PRESIDENT OF THE REPUBLIC: Madam Chair, I agree, firstly, that Zimbabwe is not part of Brics and secondly, there are developments in Zimbabwe that are ongoing. I think anyone who makes a very tight conclusion as to what is going to happen in Zimbabwe will be the kind of politician who does not calculate because you do not want to speculate. You want to see what is happening and take the appropriate kind of conclusion and decision and I think it would be too early to take any firm decision now. [Applause.] I am sure that the situation in Zimbabwe, very shortly, will become clear and those who participate positively in the global affairs will be able then to say what they can say. You know that the President yesterday made a statement on this matter which was related to the fact that the matter has just begun so there could not be a very firm proposal on what must be done, even to understand, what is this? Where is it going? And get the briefing either from the people who are involved in it as well as those who have been in government before. So for now, we can not say that we must make a particular call except the call that, let us be calm, let us solve the problems peacefully in the country. Thank you. [Applause.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:11

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order members! Mr President, that was the last supplementary I had on the first question but I also have the honour and the pleasure Mr President to announce to my House today that we have been honoured with the visit, a return visit, from the marshal and the deputy marshal of the Polish Parliament, you are welcome sir, you are welcome with your delegation. [Applause.] Mr President, this is tongue-in-cheek, but to strengthen the relationship between these two countries, one of our own members in this House is a son-in-law to the Polish. [Laughter.] [Applause.] We thank you very much hon ... [Interjections.] [Inaudible.]

The PRESIDENT OF THE REPUBLIC: Is that so? [Laughter.]

*IsiZulu:*

Kusho ukuthi wosibali laba. [Laughter.]

USIHLALO WOMKHANDLU KAZWELONKE WEZIFUNDAZWE: Kumele sihambise izinkomo.

Question 2:

The PRESIDENT OF THE REPUBLIC: Hon Chair, according to section 91 of the Constitution of the Republic of South Africa, 1996, the

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:12**

President of the Republic has the prerogative to appoint and remove members of Cabinet. I exercise this power after careful consideration. The specific decisions to which you refer are presently the subject of judiciary consideration. I thank you.

Mr J J LONDT: Hon President, as you said it is your prerogative to appoint and remove members of your Cabinet, I just want to ask you a straight question. Did you appoint the former Minister of State Security and a loyal attendant of yourself, David Mahlobo, to head the Energy Ministry in order to rush through the nuclear deal ahead of the elective conference, and if not, what possible reason could you have had to appoint Minister Mahlobo, given his very limited experience in this field?

The CHAIRPERSON OF THE NCOP: Order. Hon Londt, your principal question was what were the reasons for his decision to effect the 11th Cabinet reshuffle on 17 October 2017? The question which is supposed to be a supplementary on the response that the President has given is a completely new question. It is now a question on the appointment of one Minister, Mahlobo. Hon President, it is up to you to respond to it but it is a new question. I have ruled on the matter.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:13

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, the question of the changing of Ministers, it's a prerogative of the President. There are reasons that are not necessarily to be known by people.

[Laughter.] [Applause.] If you want to know the answer to this question, you must win elections and have a government so that you can get to know. [Applause.] Thank you, Madam Chair.

The CHAIRPERSON OF the NCOP: Order, members! Order! Order, members! Members, if you want to be one of the four supplementary questions, you raise your hand in time. I already have my four supplementary hands because the members raise their hands very early on. I go on a first hand, first come first served.

Mr O S TERBLANCHE: President, I am still dealing with the reshuffling. Why you have not released the record of your decision for your latest Cabinet reshuffle? Thank you.

The PRESIDENT OF THE REPUBLIC: The record of what? Sorry!

Mr O S TERBLANCHE: The record of the Cabinet reshuffle.

[Interjections.] The record of the decision to reshuffle.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:14

The CHAIRPERSON OF THE NCOP: Ntate Terblanche, you are saying why has the President not released the record of his decision over reshuffle?

Mr O S TERBLANCHE: Yes, maa'm. Thank you.

The PRESIDENT OF THE REPUBLIC: I don't know what record? Madam Chair, I don't know what record I have that I have not released because the decision that I took is the record. [Applause.]

Mr C F B SMIT: Chairperson, does the President attempt to either remove Deputy President, Cyril Ramaphosa or to appoint Nkosazana Dlamini-Zuma to his Cabinet before 16 December 2017, in terms of his powers outlined in section 91 of the Constitution?

The CHAIRPERSON OF THE NCOP: No, no, no, hon members, no, this is not right. Supplementary questions flow from the response of the response to the question which was posed. Hon members, please, I know it is nice; let's keep the President here for the whole day if you wish but do things according to your Rules. Hon president, I am not going to apply the Rules as they should. That is to disallow any supplementary that does not emanate from the response. [Applause.] I therefore, move on to hon Faber. Hon Faber, please, asks a

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:15

supplementary flowing from the response. You are on a point of order? Please, take your seat, hon Faber.

Mr J W W JULIUS: Chairperson, I just want to know whether your ruling now implies that the President will not have the discretion to answer the question even if it's not related. I just want to know if this is your ruling.

The CHAIRPERSON OF THE NCOP: Yes, I will respond to you. Don't help the member. Hon members, order! I have allowed the President, the Deputy President and the Ministers discretion to respond to even questions which they might find. It's in the interest of the members to give more information too even if they did not necessarily flow.

In the light of what is happening today, I have taken a ruling that the response, it doesn't matter what you think, Mr Julius, when I preside here, the ruling goes. Mr President, you will respond to the response. The Rules of this House cover the President. Mr President, if the supplementary does not flow from what the response was, please heed our call. Don't respond. That will be a ruling and a precedent I am setting. [Interjections.] Yes. [Applause.] Mr Faber, it is your turn.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:16

The CHAIRPERSON OF THE NCOP: That's fine. Order! You are protected, sir.

Mr W F FABER: Chairperson, Mr President say, we had first start winning elections, which we have done. So, 2019, watch up we are on our way. Now, I am going to try and put this question I a way...

The CHAIRPERSON OF THE NCOP: Order! Order! Order! This speaker is protected.

Mr W F FABER: I will try and put the question in a way that it is very relevance to the first question, and it was, what was David Mahlobo's cosy relationship with the Russian government? Was it central to your decision to reshuffle and appoint him as the Minister of Energy?

The PRESIDENT OF THE REPUBLIC: What is the question?

Mr W F FABER: Mr President, my question was, was his cosy relationship with the Russian government central to your decision to reshuffle and appoint him as Minister of Energy?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:17

The CHAIRPERSON OF THE NCOP: Hon Faber, you are making my life uneasy. Can I have somebody else who wishes to place a supplementary question?

Mr G MICHALAKIS: Hon Chairperson, I would like to firstly agree with the President that reshuffle was a record never in the history of any country in the world has in two terms, the Cabinet been reshuffled for 11 times. So, that's a record, Mr President but not one I will congratulate you on.

Mr President, this is your last performance in Parliament for this year. So, try to answer the questions. Mr President, my question is, you have stated correctly so that the Cabinet saw as your pleasure and you can reshuffle a Cabinet at your pleasure which is quite correct. However, there are a few questions, not coming from the media that you like to bash, not coming from the opposition that you like to bash, but coming from the people on the ground, asking question as to what is the motivation for your last reshuffle? Now, my question will be, as you correctly said, you don't need to give me an explanation, but you don't think that it is in the interest of transparency for you to disclose the reasons for your last Cabinet reshuffle? Thank you, Chairperson.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:18

The PRESIDENT OF THE REPUBLIC: What is the question, exactly? I did not hear.

The CHAIRPERSON OF THE NCOP: Hon Michalakis, just the supplementary.

Mr G MICHALAKIS: I am happy to repeat it, yes, maa'm. My question is, despite the fact that you as President do not need to disclose why you reshuffled the Cabinet; you don't think it is in the interest of transparency and transparency government for you to indeed make known the reasons for your reshuffle?

The PRESIDENT OF THE REPUBLIC: Madam Chair, I have answered this question to the previous questions. Thank you.

The CHAIRPERSON OF THE NCOP: Hon members, hon Michalakis and hon Stock get the chance because the other members did not make use of the supplementary time.

Mr D STOCK: Thank you very much, hon Chairperson, for the wonderful opportunity because like you are saying, we could not really get the supplementary which we could pose ...

The CHAIRPERSON OF THE NCOP: You are wasting your time too much.

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:19**

Mr D STOCK: Mr President, in your response which you have given us, you have actually clearly explained to us, the privilege that has been given to the President in line with section 84 of the Constitution, which deals with the powers and functions of a President. Now, because of this negative narrative that is actually being peddled from some members of the opposition and some members of the society, which strives to create an impression that every time when the President exercises his privilege in light of the changes in the Cabinet, it's a wrong thing to do or rather those powers of the President must actually be taken away from the President.

So, I want to know, once the President have looked at this negative and also looked at the relevant details that the President or the state can actually embark upon to clarify this negative narrative in the public and also if the President have not looked at that ...

The CHAIRPERSON OF THE NCOP: One supplementary, sir.

Mr D STOCK: Okay. Thank you, Mr President.

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, well, the negative narrative that is very dominant in this country, I think emanate

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:20

from a number of things. Firstly, I think there are people who do not necessarily support the ANC as a ruling party. The reason is that the ANC is too big.

Secondly, it has very superior policies, which people cannot oppose. They can't raise positive issues and alternative policies to the ANC. Therefore, they have embarked on negativity.

The CHAIRPERSON OF THE NCOP: Mr President, please take your seat.

Mr G MICHALAKIS: Madam Chairperson, I am standing on a point of order.

The CHAIRPERSON OF THE NCOP: Yes, what is your point of order?

The CHAIRPERSON OF THE NCOP: Madam Chair, the President is somewhat, I don't think deliberately, but somewhat misleading the House. The ANC is not the ruling party. Kings and queens rule. He might be under the impression that he is ruling. It is the governing party, Madam Chair.

The CHAIRPERSON OF THE NCOP: Hon Michalakis! Order! Order! Order!

Hon Michalakis, that was not a point of order.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:21

The PRESIDENT OF THE REPUBLIC: Madam Chair, that's where it emanates from. But just to help the hon member, even if we have ruled, everybody refers to parties that are in government as the ruling parties, it's not the queens and kings. That's what happens today. So, I don't know what type of politics is that one.

The other one, of course, it is more prevalent within the opposition parties because that matter that I am rising that people doesn't have alternative policies and therefore, the best thing they can do is just to produce negativity than any other thing. Whatever you talk, if they ask question, instead of asking serious political questions, they just come with negativity. That's the reason. That's where the negativity is. Thank you. [Applause.]

The CHAIRPERSON OF THE NCOP: Order, members! [Interjections.] Order, members! Can we proceed with the business? Order! Hon Mthethwa, order!

Question 3:

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, according to section 91 of the Constitution of the Republic of South Africa 1996, I have the prerogative to appoint and remove members of Cabinet. I exercise this power after careful consideration. Some of the decisions to

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:22**

which you refer to, are presently the subject of judicial consideration. I thank you.

Mr M KHAWULA: Chair, hon President I can see you are very difficult today. [Laughter.] The former Minister of Finance is credited for his efforts to stabilise the economy. Before the Gordhan saga, the rand was trading at R12,31 to the US dollar. Today, the rand is trading at R14,37 to the US dollar. The former Minister Nzimande is credited for adding three new universities to the South African population of universities, Sefako Makgatho, Sol Plaatje and Mpumalanga. African students in universities increased from 49% in 1995 to 72% in 2017. There are other increases, Mr President. The National Student Financial Aid Scheme, NSFAS, increased from R5 billion in 2012 to R14 billion in 2017. Tourism in 2009 contributed R52 billion to the gross domestic product, GDP, and it contributed R402 billion in 2016 to the GDP of the country. Now, Mr President, your decisions defy logic. The venue of monitoring and evaluation is nowhere to be found in the decisions that the President took. Can the President explain then what the value of monitoring and evaluation is, if the decisions taken at the Presidency defy logic so much?

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:23

The PRESIDENT OF THE REPUBLIC: Hon Chair, firstly, there are no decisions that have defied logic - there is nothing of that nature. I am not even sure whether I should answer the question which is not correct in the first instance because no decisions that the Presidency has taken that have defied logic. There isn't, not a single one. Firstly, as I said, there are general reasons why heads of state throughout the world change Ministers; it is their decision. It is very rare that they would say what the reasons are. How do you say that the decisions defy logic? It is not true. Secondly, the kind of successes that the hon member is referring to, are government programmes successes. [Interjections.] They come from the manner in which the collective leadership of government works. [Applause.]

In the process of that there could be specific things that would be identified by those who are monitoring. We introduced this policy of performance monitoring and evaluation precisely to be able to make a clear supervision of government; it has never existed before. That means it is even easier to identify where the problems are, but it is not only that the Ministers are removed because they are lazy. It is not necessarily the only reason. There are other reasons that lead to the Presidents taking decisions. Therefore, to try to find the reason is really looking for a needle in the prairie.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:24

*IsiZulu:*

Ufune inaliti esikhotheni esikhulu. [Uhleko.]

*English:*

Looking for a needle in the prairie. Thank you very much.

Mr L V MAGWEBU: Hon Chair, Mr Zuma, you have been referred to the provision of section 91 of the Constitution consistently that you have a prerogative. I accept that, but the prerogative by law must never be exercised arbitrarily. There must be a rational. Therefore, it means that it must not lack the rational. Now, I want to take you down the memory lane to show you that you lack the rational and I will tell you why. All the appointments that you have made, you have abused that prerogative. [Interjections.] Do you remember the case of Menzi Simelane? [Interjections.] The court overruled that because he lied in the Ginwala Commission of Inquiry. [Interjections.] Remember the case of Nxasana whom you appointed to the National Prosecuting Authority as the National Director of Public Prosecutions, NDPP, which was set aside. Now, I put it to you, sir and I want your response that all the appointments you have made have been found wanting in the courts of law - that shows the calibre of the man you are. You refused to make appointments in the interest of South Africans, but you are making appointments in your

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:25

own interest. Your interest is nothing less, but corruption, maladministration and abuse of power. What is your response?

UNIDENTIFIED MEMBER: There is no question.

The CHAIRPERSON OF THE NCOP: No, he did put a question at the end. He said what is the President's response?

The PRESIDENT OF THE REPUBLIC: Madam Chair, firstly, the assertions made by the hon member are not correct. They are absolutely not correct. [Interjections.] Therefore, you can't talk about or answer the questions that are not accurate themselves. What he says is a kind of propaganda that is being talked about all over and he is basing his questions on such things. We have taken decisions to appoint the people he's talking about, and they are not in the Cabinet. He is talking about officers that were appointed at particular sectors of government, wherein there are processes that are undertaken in order to appoint and that was challenged by some people, some organisations and the courts took their decisions. It does not necessarily mean that if the courts take decisions in some cases that those decisions are correct. [Interjections.] That is why a judge will make a judgment and the higher court will disagree with that judgement. It does not necessarily say all decisions are

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:26

correct and therefore it is a debatable issue. We take decisions because we know people. At times, we appoint people thinking that they will be able to do the job. When they are in the job with all the qualifications, but they would not be able to do the job and you say I don't think, we need to continue. So, it is a debatable issue when he finally asked the question. So, I am saying, it's not accurate. These assumptions are his assumptions. They are not necessarily correct assumptions. Thank you, Madam Chair.

Ms L C DLAMINI: Hon Chair, my greetings to the President of the country. It takes a sound person, Chair, to understand that when you have developed a plan, you have to come up with people who will be able to implement it. After implementing it, you assess and reorganise your structural arrangement. It takes a sound person. Hon President, will I be correct to say that the North Gauteng High Court in the matter between the DA and the President of the Republic of South Africa granted you a leave to appeal its judgement ordering the President to submit the records and the reasons of the decisions for reshuffling the Cabinet on 31 March. I am raising this question, hon Chair, because the very same members of the party are asking the questions in this House. Thank you, Chair. [Interjections.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:27

The PRESIDENT OF THE REPUBLIC: Madam Chair, it is precisely the answer I gave a while ago, that when people don't know what to say they do exactly that. They go to court and also want to ask the questions on the same issue. You can see that there is fumbling there. They don't know what exactly they need to do. [Applause.] Thank you, Madam Chair.

Mr J W W JULIUS: Chairperson, I just want to tell the President that the DA must go to court because ...

*Setswana:*

... ga gona ditsebe ...

*English:*

... but Chairperson, just before I get to my question, today again the President did not answer any question. Again, we are invited ... [Interjections.]

The CHIEF WHIP OF THE NCOP: Madam Chairperson, I want to request the speaker to withdraw the comment that he made earlier on.

[Interjections.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:28

The CHAIRPERSON OF THE NCOP: Hon Chief Whip, please take your seat. Hon Julius made a statement that the DA must go to court because ga gona ditsebe - because there are no ears. Now in the parliamentary lingo, there is nothing I can rule out of order - it is not unparliamentary to say there are no ears. [Applause.] So, don't help me, hon Magwebu. Continue with your supplementary question, sir. [Interjections.] Hon Julius, please take your seat. What is your point of order, ma'am?

Ms M C DIKGALE: Chairperson, the hon Julius said from the beginning of this session that the President did not respond to any question. We have been here and we have been listening to the President responding to the questions. So, I want you to rule on that one.

The CHAIRPERSON OF THE NCOP: Thank you, Mme Dikgale, I have also heard that. Hon members, there is nothing I can rule against. If I say hon Julius cannot say ... it is his opinion. The President has been responding and giving responses. If the member of this House chooses to put a moral or a qualitative measure on the questions they are receiving - one needs to do so. However, I would be wrong if I said I am ruling the hon Julius out when he starts off with this long preamble of his - he is not out of order. So, I want you to continue, sir, and put your supplementary question.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:29

Mr J W W JULIUS: Chairperson, in light of that, you know, without answering the questions; it seems that today, we are again invited as the NCOP to a skilpadbraai - baie dop, min vleis. [tortoise braai - a lot of shell, not much meat.] [Laughter.] There is no substance. Chairperson, I noted earlier the response from the President that you have to win elections to get information on what is going on in government. Now, this is exactly the ANC's way of keeping voters in the dark and hide behind winning the elections, but that is just until you lose, Mr President. It will come to that. You will not rule until Jesus comes. Let me tell you that. Chairperson, my question is that the executive compiles, Mr President, a performance report which includes all performance reviews of all the Ministers which is made public. However, the reports regarding the individual Minister's performance for the year are not made public. This makes truth, transparency and accountability of the executive basically impossible. You will never know what the Minister performed well and what the Minister did not do well that year. Would you be willing to release the individual Minister's reports to the public as well as the compiled report, if so, when can we expect this, if not, why not in the name of transparency, hon President? Thank you, Chairperson.

*IsiZulu:*

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:30

UMONGAMELI WERIPHABHULIKI YASENINGIZIMU AFRIKA: Okokuqala nje akanazindlebe lo mfana. [Uhleko.] Akezwa. [Ubuwelewele.] Ingani usho njalo naye.

Ms T G MPAMBO-SIBHUKWANA: Hon Chairperson, the hon President has the Rules applied equally to him. The hon President is not supposed to call the honourable, "lo mfana" [this boy.], saying it in vernacular. He is supposed to say the hon member, if he doesn't know ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Mpambo-Sibhukwana, no, no!

Ms T G MPAMBO-SIBHUKWANA: Protect me, Chairperson!

The CHAIRPERSON OF THE NCOP: You are protected. Order members! Order! [Interjections.] Order! Order! You are protected, ma'am.

Ms T G MPAMBO-SIBHUKWANA: Can I finish, hon Chairperson.

The CHAIRPERSON OF THE NCOP: Yes, please.

Ms T G MPAMBO-SIBHUKWANA: The hon President is supposed to say hon member. May he withdraw and please, may he say so. [Interjections.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:31

The CHAIRPERSON OF THE NCOP: Order! Order! Hon President, please refer to hon Julius as hon Julius and not umfana [a boy].

[Interjections.] Hon Julius, I have ruled that the President must refer to you as hon Julius. Hon members of this House, sometimes you amaze me. I have ruled before and I have taken a view that you do not do certain things in this House. You rule, you leave people still dignified. I have ruled that the President would refer to the hon Julius not as umfana [a boy] but as the hon member of this House. That's my ruling. [Applause.] Hon President, please continue. [Laughter.]

Mr J J LONDT: [Inaudible.] [Laughter.]

The CHAIRPERSON OF THE NCOP: Hon Londt, whether he is blue or red, he is hon Julius in this House. [Laughter.] Hon President, please continue.

*IsiZulu:*

UMONGAMELI WASERIPHABHULIKI YASENINGIZIMU AFRIKA: Lungu elihloniphekile Julius awunazo izindlebe. [Uhleko.]

*English:*

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:32

Firstly, we have the way of measuring the performance of departments in government. We signed an agreement with all the Ministers. We have an agreement and they report on a quarterly basis the progress taken by all departments. So, we have a way of measuring where we are making a progress, where we are lacking and we debate about those things. So, it is there. It is there. [Interjections.] I am talking about members. That's what we do. So, for you to think that there is no measurement is a mistaken view. We do it in clusters in the main. We also do it on departmental issues. The Department of Performance, Monitoring and Evaluation does that, once it gives outcomes, it confirms or queries it. There is a very thorough process that is taking place. Again, once you are in government, you will get to know what we started. [Interjections.] Unfortunately, you will never ... [Interjections.] ... no, they do not take time, they will never [Laughter.] People vote for people [Applause.] Absolutely, people vote for people who have policies. They don't just vote for noises, if you make too much noise. They listen to your policies and your programmes. So far the ANC has superior policies and programmes that people vote for all the time. Thank you, Madam Chair.

Question 4:

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:33**

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, the issue of augmenting water storage capacity is recognised as a key issue for climate resilience at the Southern African development community regional level. SADC climate change strategy and action plan adopted by the SADC Ministers responsible for the environment and natural resources at their meeting in Gaborone in Botswana in November 2015 included water as a key component of the sector based adaptation strategic interventions. These interventions aimed to promote the development of water resources infrastructure, water supply, and conservation as well as related infrastructure development in order to increase the surface storage capacity of the region.

South Africa signed the SADC protocol of environmental management for sustainable development at the 34 th SADC summit held in Victoria Falls in Zimbabwe on 18 August 2014. The protocol will come into force once 10 SADC member states have rectified it. The protocol enables among others the joint implementation of environmental impact assessment for cross border infrastructure development which includes water. This paves the way for faster completion of the projects. The protocol promotes the sustainable utilisation and trans-boundary management of the environment thereby contributing to the regional industrialisation strategy and action plan.

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:34**

With respect to the SADC Infrastructure Master Plan of 2012, our government has been working with the New Partnership for Africa's Development, Nepad, planning agency and the African Union in rolling out the priority projects. The Nepad planning agency and the African Union took a decision to consolidate all regional Infrastructure Master Plans into one continental plan called the Programme for Infrastructure Development in Africa, Pida.

About 16 priority projects have been identified in the Pida which include water and sanitation, information and communications technology as well as transport and energy infrastructure. These projects are currently in the investor mobilisation phase which was initiated in Dakar in Senegal in 2014. The Department of Water and Sanitation is currently implementing the water sector projects that were identified in the SADC Regional Infrastructure Development Master Plan, RIDMP. These projects include the Lesotho Highlands Phase Two and the Vaal Gamagara Water Scheme which is a multiple phase project that seeks to meet the growth of the mining sector, the growth of domestic water requirements and the supply stock watering to farmers in the Kalahari region of the Northern Cape.

The other water project undertaken by the Department of Water and Sanitation which is part of the SADC RIDMP is the Limpopo Basic

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:35**

Joint Water Monitoring. This project entails the monitoring of the Limpopo River which is a trans-boundary river that is shared by Botswana, Mozambique, Zimbabwe and South Africa. Last year, our government launched the Trade-Invest Africa Programme in the Department of Trade and Industry. It aims to mobilise South African investments to prioritise infrastructure projects. These will include priority water projects in the SADC region. All these developments indicate our commitment to realising infrastructure development and not only in South Africa but on our continent as a whole. Thank you Madam Chair.

Mr E MAKUE: Chairperson, I am completely overwhelmed with information by the answer that the President has given but it teaches me a lesson now that, what you get is what you asked for. If you asked a right question, you get a relevant answer. The ANC's position is that water is life and water is dignity. We know that when we talk about water we are talking about people. The President mentions problems to the climate change and talks about the mitigating factors but then I am worried when we talk about the rectification of the protocol by the 10 member states because we cannot move effectively until that rectification has happened.

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:36**

Can you therefore, Mr President indicate to us how long it will take for that rectification by the 10 member states to be fully endorsed so that we will not have our people suffering because of water shortages within the SADC region?

The PRESIDENT OF THE REPUBLIC: Hon Chair, it is going to be difficult to be precise about when will these happen. The reason is that countries have different regimes in terms of how they process things legally, particularly if some of the rectification processes include Parliament and so forth. It is an accepted kind of time delay because this is as a result of the agreement of different countries and they must respect therefore what happens. We all agreed that this is an urgent matter. We are hoping that the urgency is going to guide all of us to move as quickly as possible to rectify. It is a matter that everybody is keen that we are able to co-ordinate the work with regard to water.

What we always do is to check when we meet how far are we and some countries would say this is either waiting for Parliament if it needs Parliament. In other countries other things are rectified by others and not necessarily Parliament because the details of how their protocols or bureaucracy go is not the same. That is why we are saying at least 10 member states should have been able to

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:37**

rectify which would then be the majority. We note the point and we will also check how far it is going because as you say water is life. Thank you Madam Chair.

Ms B A ENGELBRECHT: Mr President in terms of the Lesotho Highlands expansion project it was alleged that LTE Consulting and Construction Company called Khato Civils received water and sanitation projects with more than R4 billion in dodgy deals. The Minister allegedly delayed the project for a year to ensure that this company was involved in the project. Mr President you ordered the Special Investigating Unit, SIU's, investigations into why and how a little known firm of consulting engineers received millions without proper procurement processes being followed. Can you please, Mr President tell us how far is this investigation and who was held accountable to date for these corrupt tendencies in the ANC government? Thank you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Thank you Ms Engelbretch. Mr President before you respond, this question is new. This question that you are posing Ms Engelbretch picks up on one of the contractors and in his response the President did not give you a list of contractors. I said earlier on that, I will try and be as strict as possible. The question you are posing as a supplementary

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:38

does not flow from the response which was put on that question and therefore Mr President, please do not respond to that question. I have to keep what this House has forced me to do today.

Mr C F B SMIT: Hon Chair, on a point of clarity: I am a bit confused now. When we take hands for four follow up questions, it is done in the beginning. I want to know how you take the hands in the beginning of the question if the question needs to be after a response. It is just a question.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: I will be very elementary about this. A Member of Parliament puts a question to a member of the Executive. That member notes the question they have put to the member of the Executive. The member of the Executive is given the first bite to respond to the member. The member who has put the question is given the first supplementary question because it is assumed that their interest is first and foremost on the question and the response they are going to get.

The rest of the members are given the right to then follow up on the question either some of which may have elicited the secondary response from the Executive or if they feel that the owner of the question could have responded to some element of that response. So,

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:39

it actually flows and you develop all your questions but what you do not do is to take the primary question and turn it into a completely new question simply because you extracted an element or name in the response.

For instance, this question deals with water and the President in his response makes a response to the Highlands Water Project. He does not that we have 10 contractors from company x and y. The hon member in the supplementary extracts from previous but not from the response and not from this question and brings in a new question which is related to the Highlands Water Scheme project and that is why I am ruling it out of order. Hon member you are at liberty to put your question - as a question on its own on this one. So, I am not saying the question is wrong but all I am saying is that it does not constitute a supplementary question for today. As we chair, we are forced to listen to both the questions and to the supplementary so that we make those rulings.

When your supplementary question is even close to what it is, most of the time we allow you to slip it in. When it is 10 miles away, it is unfair on the person who must respond to you. If there is speculation or you are given responses - I have to now make a lesson on supplementary questions. If the response is such that it is not

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:40**

correct, you will come back to this House and say that, that Executive member misled the House. Whereas, you are required to give notice of a question so that when an Executive member comes into this House they are well prepared so that there are no rooms for doubts and dissatisfactions and that is why we rule this way. I hope you are satisfied Sir?

Ms L C DLAMINI: Yes Chairperson, they do not attend workshops. Thank you very much for your answer President and it is really encouraging that SADC decided to do a forward planning in terms of water in the region. In your responses you have indicated that there are a number of projects that you have identified. Amongst the projects you have identified, you mentioned one that is involving Zimbabwe. Without getting into details, my worry now is about the developments that are happening in Zimbabwe. Are they not going to affect the projects that you referred to in terms of water?

The PRESIDENT OF THE REPUBLIC: Madam Chair, yes, Zimbabwe is part of the SADC and indeed when the agreements were taken the developments of a few days were not there. In terms of how the states operate or governments, whatever happens in a country whether there are elections or a new government, what the country committed it with other countries or a country cannot be changed. The new government

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 41

or president would honour the agreements of the previous government or the president that the state entered into with other countries; they will continue. So, our agreements will never be affected by the developments in Zimbabwe although in the manner in which things are happening in Zimbabwe, it seems those who are speaking are correcting things. They are not necessarily saying that this government must go. We do not know the final thing on what will happen at the end. As I am talking today, the SADC ministers who are involved in the politics, peace and security subcommittee of SADC are meeting in Botswana discussing Zimbabwe. I am sure by today, because I am going to Botswana from here, I will get a report on how far it is going. I am sure in a very short space of time we will know what is happening in Zimbabwe but even if there was any change of regime these agreements will remain intact and they will not be affected. Thank you.

Ms T G MPAMBO-SIBHUKWANA: Thank you for the opportunity hon Chair. I really appreciate hon President the projects that you have implemented and would like to know from now on and until and ...

*IsiXhosa:*

... uncede ungajikelezi kuba kaloku wena into yakho kukujikeleza...

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 42

*English:*

... and beat about the bush.

*IsiXhosa:*

Uze ungajikelezi ke.

*English:*

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: No, no, no, hon Mpambo-Shibhukwana you are out of order. Put your question and it shall be responded to.

Ms T G MPAMBO-SIBHUKWANA: Okay hon Chair. Be short because my question is short and precise. How many projects have you implemented up until now since 2012?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order members, can I deal with this matter? Hon Mpambo-Shibhukwana are you referring to the projects which the 16 priority projects the President is referring to or are you talking about projects in general? The problem with you is that you are not specific.

Ms T G MPAMBO-SIBHUKWANA: I think I am specific hon Chair. I am referring to the projects that the hon President has alluded to.

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 43**

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: In that case, let me help you because you said how many projects have you implemented?

Ms T G MPAMBO-SIBHUKWANA: I said how many projects have you implemented since 2012 up until to date?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: That is exactly the point I am at. Order members; English is a very difficult language but I do know it. Hon Mpambo-Shibhukwana, the question must be clear. The President says 16 priority projects since 2012. When you asked the number of the projects it means, in my own little understanding, Mr President, that out of the 16, if I am correct Madam, how many projects have they actually been implemented? Yes, because if you do not contextualise it, it will sound as if you are asking the number of projects since 2012 and that is very wide and that is why I wanted you to confine it.

Ms T G MPAMBO-SIBHUKWANA: Hon Chair, how many projects have been completed since 2012. Completed is the key word, hon President.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 44

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order. The President is quite capable of responding. Let us leave it to the President.

The PRESIDENT OF THE REPUBLIC: The hon member says...

*IsiXhosa:*

... ungajikelezi xa uphendula kodwa nguye ojikelezayo xa ebuza umbuzo. Nguye oqala ngokujikeleza. [Kwahlekwa.]

*English:*

No, I cannot remember them out of hand right now. That is a short answer and thank you Madam Chair.

Mr T C MOTLASHUPING: Hon Chairperson, hon President without any ambiguity and for the fact that I have got ears and those who have no ears could not even listen to responses. I will be very brief and avoid ambiguity. Looking into the SADC programmes that we have alluded to in projects, there is a water pipeline in the North West that runs into Botswana. People in the Ramotshere Moiloa Local Municipality where the pipeline crosses do not have water. Is it not in the best interest of our government to provide, first, water at home though we have got a responsibility in SADC? I am not sure when

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 45

was this pipeline constructed that passes through those communities into Botswana. Is it not in the best interest of our government to supply water first to our people in the country?

The PRESIDENT OF THE REPUBLIC: Hon Chair, I just want to check if the hon member could help me. Has the pipeline been completed and now working? Some members can also help the member.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon President, clearly that water pipeline is not part of the 2012 projects and is something that was inherited from the apartheid government. Hon Hattingh, that pipeline predates the 2012 projects and therefore I would say that he is out of order.

Question 5:

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, the matter of the 18 charges is currently before the National Prosecuting Authority and I am taking legal advice on it. Thank you.

Mr G MICHALAKIS: Mr President, two weeks ago the National Assembly asked you for a full cost breakdown of your legal fees. You were unable to answer. Since then you have had 16 days to get this information which is sufficient time for someone in your position to

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 46

acquire this information. Therefore, Mr President, how much money have your legal fees cost this country and its people? Thank you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Michalakis, that supplementary question is not at all relevant to the primary question you put to the President. It is not.

Mr G MICHALAKIS: Hon Chairperson, may I address you on that?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: You cannot address me on this because I know you know. I move on to the hon Essack.

Mr F ESSACK: Chairperson, thank you for the opportunity, much appreciate indeed. Mr Zuma, since democracy began in South Africa, we have never, with due respect had a President who has faced so many court cases in his personal capacity. This country has never had to fund any President's legal fees for corruption, yet you find yourself in court constantly. You then refused of course to tell us how much this has cost the taxpayers even though you are constitutionally mandated to answer these questions in the House today.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 47

With due respect, my question is how can you, Mr President, in your good conscience continue to take this money out of our country and our people's mouths where we could be able to give them basic service delivery? A frank and honest answer would be a great

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Thank you Mr Essack, you have done exactly the same thing as what the hon Michalakis has done. The hon Zwane.

*IsiZulu:*

Nks L L ZWANE: Sihlalo, Mongameli, ngicela ukuthi ungicacisele mayelana nodaba olubekwe la lwenani lamacala okukhulunywa ngawo ngoba esikhathini esiningi abezindaba nalaba bamaqembu aphikisayo abanenzondo yombuso ophethe bayakwazi ukusakaza izindaba ezingelona iqiniso. Ulwazi olukhona oluthi amacala okukhulunywa ngawo ayi-18 bese kuthi izigatshana ezisukela kulawo macala zibe ngama-783. ngifisa ukuthi ungicacisele ngoba ngendlela okubekeke ngayo la kuleli phepha kusengathi kukhona ukushayisana kwangamabomu kolwazi olubekwe la. Ngiyabonga.

UMONGAMELI WASENINGIZIMU AFRIKA: Somlomo, eqinisweni okuyiqiniso ukuthi amacala ayi-28 kuphela nje. Lokhu okusuke kushiwe basuke bezihlobisela kuphela labo abafisa ukuthi kuthiwe wake wambona

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 48

umuntu onamacala ngaka? [Uhleko.]. Kungathethwa iminyaka neminyaka phela, 783 uyayibona nje leyo nto. Yilawo engikhuluma ngawo amacala lawo ekukhulunywa ngawo, lawa amanye basuke sebesho nje. Uyabona ababhali bezindaba kanye nabanye abafisa ukuthi bapende abantu, bayazisho izinto noma sekuvela amaqiniso bahlale bangazilungisi.

Uyabona nje uma sekukhulunywa ngesimo saseNkandla, kwavela ukuthi uZuma udle izinkulungwane zezigidi zezimali, zabhalwa lonke izwe leli. Kwakhethwa ukuthi kuyophenywa, kwaphenya izakhiwo ezintathu zathola ukuthi akakaze adle ngisho itiki uZuma. Akekho oke wavela wathi hhawu! Sasizwe kanjena. Noma, siyaxolisa sayipenda le ndoda ingonakele. Ngisho okunguyena owayefuna ukuthola ukuthi kukhona okonakele, lowo okuthiwa uMvikeli Wabantu, naye wathi akazange adle lutho uZuma. Ezintweni ezazisetshenzwa iminyango eyathi makwakhiwe lokhu nalokhu nalokhu, kulapho-ke okwathi mhlawumbe joma engadlanga lutho kodwa zazakhelwana lezi zinto, ngiyena ozozizwa noma ozozisebenzisa kanye nomdeni wakhe. Kufanele ukuthi kube khona imali akayikhokhayo okufanele ukuthi kushiwo noma inani layo libekwe nguNgqongqoshe Wamaphoyisa kanye noNgqongqoshe Wezezimali.

[Ubuwelewele.]

Ayikho nje into yokuthi ngoba uyintshontshile le mali ...

[Ubuwelewele.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 49

USHIHLALO WOMKHANDLU WEZIFUNDAZWE: Nginomuntu ome ngezinyawo umhlonishwa uMpambo-Sibhukwana.

UMONGAMELI WERIPHABULIKI: Oh! Bengingezwa bandla.

*English:*

Ms T G MPAMBO-SIBHUKWANA: Thank you, the President is not looking on the Western Cape side, the left hand side of him. I want to question the President, that the President must stop misleading the country. [Interjections.] He must stop misleading. The Public Protector, from what he said, found R246 million on the things that were done on Nkandla. The hon President must not mislead the country and speak in vernacular because our members cannot hear and talk in vernacular. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat. Hon Mpambo-Sibhukwana, you are making an assertion that the President is misleading the House and the Public. You can only do that in a substantive motion. Secondly, you started off by saying that he is not looking that side. Hon President, I am going to plead that you look throughout the House. [laughter.]

*IsiZulu:*

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:50

The PRESIDENT OF THE REPUBLIC: Ngibuke ngala?

USHIHLALO WOMKHANDLU WEZIFUNDAZWE: Ubheke wonke umuntu.

UMONGAMELI WERIPHABULIKI: Somlomo ...

*English:*

The CHAIRPERSON OF THE NATIONAL COUNCIL: Hon Mthimunye, you are on your feet, another point of order?

Mr S G MTHIMUNYE: Chair, I request you to come back with a ruling on the statement made by the hon Mpambo-Sibhukwana.

The CHAIRPERSON OF THE NATIONAL COUNCIL: Which one?

Mr S G MTHIMUNYE: That non substantive statement that she made.

The CHAIRPERSON OF THE NATIONAL COUNCIL: I have ruled that she must bring a substantive motion on the matter. Order! Order, members!

[Interjections.]

*IsiXhosa:*

Ngikujongile nami mama.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:51

*IsiZulu:*

UMONGAMELI WERIPHABULIKI: Uma uma sengimbheka yena ubheka le. Se3ngimbhekile-ke manje. [Uhleko.]

*English:*

The CHAIRPERSON OF THE NATIONAL COUNCIL: Please proceed Mr President. Please proceed.

*IsiZulu:*

UMONGAMELI WERIPHABULIKI: Okuyiyona nto ebengiyisho ukuthi abantu bayathanda ukusho izinto okungezona, zithi ngoba bazikhuluma zonke izinsuku zizezibonakale sengathi ziyiqiniso. Uyabona nje uma kuthiwa ukhohlakele uMongameli, bonke uma bezama ukusho ukuthi yini le akhohlakele ngayo bona bathi yiNkandla. Kwaphenywa eNkandla ayizange itholakale leyo nto kodwa ngoba abantu namaphepha nomabonakude bebaphindaphinda into abayizwa ekuqaleni, ngishoo sekuphenyiwe abafunanga ukulalela iqiniso. Yingakho-ke namanje baye bakhulume ngamacala ayingcwaba. Amacala ayebekiwe yilawa.

Amacala awakathethwa enkantolo ngoba phela ukuze uthi umuntu ngempela ukhohlakele kufanele ukuthi loyo muntu ulahlwe yicala. Umthetho waseNingizimu Afrika uthi uma kusabekwa amacala angakathethwa umsulwa futhi awusona isigebengu, awenzanga lutho.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:52

Alikathethwa icala laseNkandla kodwa uzwa abantu nje bethi ukhohlakele, iNkandla, ukhohlakele, iNkandla. Ayikho nje loyo nto benza le nto ebengiyisho ekuqaleni. Uma beswela izinto abangazisho benganawo abaqiniso bakhuluma yonke inhlobo yento. Yilokho okuyisifo esikhulu sala, sesangenela osomapolotiki, umuntu sekumela abike eqinjini lakhe ukuthi uke asukuma kangaki ePalamende. [Ihlombe.] Sekufanele ukuthi acabange ukuthi yoh, iNkandla bakwethu. Benzela nje ukubika ukuthi siyasukuma ngoba ayikho enye into abayaziyo abazosukuma bakhulume ngayo. Inkinga yiyo leyo nje kuphela. Amacala anjengoba ngiwabeka, njengoba uwezile. Ngiyabonga.

*English:*

Mr J J LONDT: Hon President, it is really frustrating having this question and answer in the House and there is no real accountability on the question. Many people watching us today know that there is real answers behind these questions but it seems like you do not want to give the answers to South Africans.

Hon President, you said in your first response that you are busy consulting your lawyers regarding the original question that the hon Michalakis put to us. These matters have been dragging on for yours and years in court and taxpayers money has been used to fund this legal bill. My question to you, hon President, is that you will not

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:53**

be in the presidency for long. You need to get these charges dealt with, either clear your name as you said, you want to have your day in court or get the necessary responses from whatever positive or negative. My question to you is, since you want your day in court and since you are not going to be in the Presidency for long, by when will you then go to the courts so that we can actually have an answer and we do not have to say that this is sub judice but we can say whether you are guilty or innocent with a judge's ruling.

The PRESIDENT OF THE REPUBLIC: Firstly, the matters are in court for such a long time not because of me. [Interjections.] I am not responsible for that. I have never taken myself to court. I have never. Currently it is the DA that is taking me to court. You can't take me to court and then complain thereafter, it is just unfair. The DA goes to court on everything and therefore causes taxpayers' money to be paid in defence of those working in government. It is your responsibility and not mine. It is not my responsibility. If you take somebody to court you must know that somebody must defend the case and if that somebody by law is working in government and the case is supposed to be arising out of what happened when the person who was working, by law the government pays. Not my problem.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:54

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Mr President, the hon Essack is on his feet. Yes, sir.

Mr F ESSACK: Hon Chairperson, with due respect, but then the very President of this country disputes a Chapter 93 institution and his own Public Protector and now deceives South Africa by saying that it is the courts problem. Why is the President then disputing the Public Protector's state capture report?

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

The PRESIDENT OF THE REPUBLIC: [Laughter.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: If you feel that the President is misleading the House or the public then present me with a substantive motion. Thank you very much Mr Essack, Mr President, please conclude your response.

No, I have finished my answer.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Okay, thank you sir. The hon Julius has the last supplementary question.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:55

Mr J W W JULIUS: Chairperson, seeing that we have court cases, the last time the President answered questions in this House, the President misrepresented the facts when you said that the Public Protector did not give you time to respond to the questions and that is why you interdicted it. You claimed the *alta vires* rule of law and then just after that, the Public Protector came up and she showed us a tape where you and your lawyer were present where she gave you an opportunity to respond ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Julius ...

The PRESIDENT OF THE REPUBLIC: [Laughter.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: ... make a supplementary. What you are saying, if we were debating I would let go but not in a question session where you are supposed to make a supplementary question and you divert. What is your supplementary question on this question that is before us?

Mr J W W JULIUS: Chairperson, earlier you said that I can make my preamble from my two minutes as I wish. Can I fulfil your wish please but let me go to the question of today. Hon President if there is no enough money in this country for students, then they

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:56

have to live without it. If there is not enough money for housing then the homeless must live without it. If there is not enough money for health, people must live without it - they must make do, the nurses and the doctors in this country. But for your charges and your legal bills, there seems to be a bottomless pit in this country. You pay everything. I want to know from you, Mr President, of this 783 charges that thanks to the DA taking you to court again and winning the cases back on the roll, will you commit to pay your own legal fees for these charges when you go to court ultimately? Thank you.

The PRESIDENT OF THE REPUBLIC: [laughter.] The member must know as I have just explained. The state pays for people who work if such allegations are about what happen when people were at work or they were employed. They do not pay from their own pockets, they don't. I am not going to pay from my pockets and change from what are the rules. The DA, if it is so sympathetic, it would not be taking people to court all the time. These are provoked by you taking people to court. [Applause.] You can't have the cake and eat it, it can't be. It is just wasting our time really by asking a question that has been answered because you have nothing else to say that is substantial in any way. [Laughter.]

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:57

Question 6:

The PRESIDENT OF THE REPUBLIC: Hon Chairperson, a lot of progress has been made since the launch of Operation Phakisa. Since the launch of the Oceans Economy segment of Operation Phakisa, the investments that have been unlocked are worth about R25 billion with a government contribution of R15 billion. Over 6 500 jobs have been created in the various sectors. Over 30% of these jobs are taken up by women, youth and persons with disabilities.

The largest contribution to the total investment in the Oceans Economy was from infrastructure development, mainly in our ports, manufacturing and largely in boat-building, aquaculture and scientific surveys in the oil and gas sector, having been facilitated through government incentives.

Skills development is a core component of the Oceans Economy in which women and youth are prioritised, especially in the marine transport and marine manufacturing sectors.

Specialised Operation Phakisa training programmes are taking place to assist communities around the ports of Cape Town, East London and Durban. In the port of Durban, 24 apprentices from surrounding communities are receiving training at Transnet engineering depots in

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page:58**

Durban. The apprentices are being trained to be qualified coded welders and wheelwrights.

Also, the marine youth development programme, which recruits unemployed young South Africans onto international cruise liners, has entered into memorandum of understanding with the Eastern Cape Office of the Premier to train 150 candidates from the O R Tambo and Buffalo City municipalities.

Employment for local communities has been an important spin-off from the Oceans Economy project. In the Eastern Cape the Hamburg Community Project has employed 23 people from the local community to produce 20 tonnes of dusky kob fish per annum. More jobs are expected to be created in the aquaculture projects, focussing on women and youth and black people in particular as part of radical economic transformation.

With regard to future investments, the new business development department of the Transnet National Port Authority working under the Oceans Economy is busy identifying new business opportunities in the maritime industry. The Oceans Economy Phakisa also seeks to grow the boat-building sector. The manufacturing of vessels has unlocked huge investments. The tugboat manufacturing project has unlocked

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page:59

R1,4 billion investment by the Transnet National Ports Authority in the port of Durban. An amount of R700 million has been earmarked for supplier development empowering suppliers, youth and graduates.

In the oil and gas sector, six production rights and 14 explorations rights have been issued. In addition, two technical co-operation permits have been issued, both of which are held by companies that are 100% owned by black people. More rural and local economic opportunities are planned for Xolonga in the Eastern Cape and aMatikulu in KwaZulu-Natal and other inland and coastal areas.

As government, we will continue to work closely with our partners, especially the private sector to attract investments that lead to economic growth and job creation through this important economic programme.

*IsiZulu:*

Uyayithanda iNkandla ngiyakubona, ufuna ukuya khona. [Uhleko.]

*English:*

Mr L P M NZIMANDE: Thank you, hon President. That indicates and demonstrates that, if you get a quality question that requires

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 60**

relevant details and information for the public, you get likewise the same.

My follow-up is therefore very small. It is that, given the squeeze that we are faced with in the whole world, not only South Africa, in the growth of economy – and it might require that government reprioritises – do you commit and ensure the public and the people that are benefitting ... that this investment will not be abandoned and will be sustained given the squeeze that I have referred to? Thank you.

The PRESIDENT OF THE REPUBLIC: Hon Chair, the Oceans Economy as approached from the point of view of Operation Phakisa has opened up a new area of economic activity. As I said, billions have been implemented as a result of this initiative. We have opened up such huge potential that in no way can we abandon this approach. We will continue to ensure that we add and expand our economy through this particular approach that we undertook. It is indeed becoming attractive to many and it is showing results in what we do. But as I said, particularly in the blue economy, we are very optimistic that our economy is going to grow bigger than even before as we tackle the Oceans Economy.

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 61**

So we are not going to abandon it; we are going to extend it. We are going to make it a point that we invest hugely and ensure that, throughout our coastal lines as well as coastal cities and towns, we create these activities more to expand our economy. So, rest assured, in another decade, this will make South Africa look great. Thank you.

Mr C F B SMIT: Hon President, will you please today confess that Operation Phakisa is actually a cover up programme to disguise the real profit-hunting for the connected elite to consolidate their control over offshore oil and gas exploration and mining to the detriment and cost of our environment and the welfare of our coastal and fishing communities?

The Safeguard Our Seabed Coalition, SOSOC, an alliance of NGOs, has warned that marine phosphate mining would have a severe and irreversible impact on the marine ecosystems and fishing resources and ... sorry ... and associated jobs, livelihoods and food security benefits sustained by our fishing industry. Such rights have already been granted by the Department of Mineral ... of ... of mineral affairs. If you will not confess this and you truly want to enhance the oceans economy through fishing, how do you intend ensuring that

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 16 NOVEMBER 2017**

**Page: 62**

the oceans economy industry is sustainable, especially with our dwindling fishing stocks.

The PRESIDENT OF THE REPUBLIC: Madam Chair, I will never confess; there's nothing to confess. I don't know ... that's a word just misplaced. Why should I confess? [Laughter.]

The whole world works on the oceans economy. From time immemorial, the ocean has been one of the big areas of economy. It is nothing new. We have never worked on this like many other countries. We have been opening up this space that is being done by other countries as a country. We believe in respecting the environment. We are one of the leading countries in the world in respecting our environment. We know what we are doing. I don't want to raise the issue of people who come to areas from somewhere else and believe that people in those areas don't know nature, they don't ... they mess it up. It's not true. It is absolutely not true. You know, for example, if you take hunting. Some people believe that we were never careful about hunting. We were always ... We hunted at a particular time, not when the animals had small ones. There were laws. But people who come from somewhere think that we were just not understanding nature. We lived in it at all material times. South Africa respects ... In

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 63

fact, we are one of the leading countries, not just one of the good ones, about respecting environment.

So, we are going to the ocean. We know exactly what to do.

So, there is nothing to worry about. Absolutely! Instead, we are going to grow the economy, increase our GDP and also create more jobs. [Interjections.] Absolutely! Thank you.

The CHIEF WHIP OF THE NCOP Chairperson, thank you very much for this opportunity.

*Setswana:*

Motlhompegi moPoresidente wa Rephaboliki ya Aforika Borwa ...

*English:*

Would I be correct in my understanding, considering the fact that this programme is not an event, but is a process ... Would I be correct to believe that an institutional framework is being developed for the Oceans Economy programme to enable multiple users of the same ocean space to use the space without being frustrated by bureaucratic procedures and lack of clear roles and responsibilities? Would my understanding be correct, President, that

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 64

an institutional framework is being developed to ensure the smooth running of the programme?

The PRESIDENT OF THE REPUBLIC: Yes, you are absolutely correct. An institutional framework has been developed very clear taking into account all things that need to be looked at. We are lucky because we are entering this blue economy at this time when technology has developed. So we are no longer going to make mistakes that other people have made. So it is more smooth and clear. We know exactly where we are going. So we have no worries. We are absolutely correct. We are starting a kind of economy that is going to benefit the country without damaging nature or making accidents because we have developed. The technology is on our side. Thank you.

*IsiXhosa:*

Nks T WANA: Enkosi Sihlalo, bendicela ukubuza Mongameli. Ndikuvile ngoku ubiza ezi ndawo sezingathi noko zihlumile kuqoqosho ezifana neKapa, iMonti naseThekwini. Ingaba uMasipala weSithili i-O R Tambo ebengenakukhe akhelwe izibuko elincinana phaya kwidolophu yasePort St Johns? Ukuba ungakhe uqaphele ngoku kusondele iintsuku zeKrisimesi kwaye abelungu bayaziba eza zinto zethu ziselwandle. Kaloku akukho zinto zibonakalisayo ukuba bugadiwe kusini na ubutyebi obuya bethu buphaya ngaphakathi elwandle. Enkosi Mongameli.

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 65

UMONGAMELI WERIPHABLIKHI: Hayi umba wasePort St Johns nawo uqwalaselwe kwaye asisayikuwushiya ngasemva. Uphuhliso luza kufika naphaya kwenzeka konke ekufuneka kwenzekile. Sifikelele exesheni lokuba silijonge lonke ilizwe lakowethu sikhangele ukuba singenza ntoni ukwenzela ukuba kwande amathuba emisebenzi njengoko inani labantu lisanda. IPort St Johns ke yindawo ebaluleke kakhulu kwaye lonke ela nxweme belingasetyenziswa ngaphambili thina siza kuluphuhlisa ukuze kukhule ubutyebi beli lizwe. Enkosi.

[Kwaqhwyatya.]

USIHLALO WEBHUNGA LAMAPHONDO LESIZWE: Siyabulela Mongameli.

*English:*

Order! Hon members, please take your seats.

I would like to thank the President for coming in today and taking these questions.

I would also like to thank the special delegates, the speakers, the MECs, the deputy speakers, and all our special delegates from the provinces. We are very grateful that you were with us since yesterday, that some of you had to come in from yesterday to sit

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 16 NOVEMBER 2017

Page: 66

with us through the programming stints yesterday and today. We wish you well, and thank you very much.

The Council adjourned at 16:05.

UNREVISED HANSARD