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**PROCEEDINGS OF THE NATIONAL ASSEMBLY**

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The House met at 14:00.

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

**PARLIAMENTARY AND PROVINCIAL MEDICAL AID SCHEME**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Thank you Deputy Speaker. We move:

That the House –

- (1) notes that the Parliamentary and Provincial Medical Aid Scheme Act of 1975, Parmed, is the

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compulsory medical aid for retired and current Members of Parliament, MPs, and judges;

(2) further notes that members of Parmed are paying high tariffs;

(3) acknowledges the need to inquire into the statutory requirement regarding compulsory membership for MPs; and

(4) establishes an ad hoc joint committee to, subject to the concurrence of the National Council of Provinces—

(a) enquire into and make recommendations on:

(i) the tariffs of members of the Parmed medical aid scheme;

(ii) the need for, and possible options with regard to Parmed and other competitive medical aids for MPs;

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- (iii) the necessity of introducing amending legislation; and
- (iv) the impact on retired MPs;
- (b) consult with the judges and provincial legislatures in this undertaking;
- (c) set up a committee to consist of 11 members of the National Assembly as follows: six ANC members, two DA members, one EFF member, two members from other parties and nine members of the National Council of Provinces;
- (d) exercise those powers as set out in Joint Rule 32 that may assist it in carrying out its task; and lastly
- (5) sets the deadline by which the committee is to report to 30 March 2018.

Agreed to.

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CONSIDERATION OF LEGISLATIVE PROPOSAL TO AMEND PUBLIC  
AUDIT ACT 2004 BY STANDING COMMITTEE ON AUDITOR-GENERAL

Ms Z S DLAMINI-DUBAZANA: Sanbonani, hon Deputy Speaker

...

*IsiZulu:*

... abahlonishwa beNdlu, kanye nezivashi zaleNdlu.

*English:*

Today the committee is reviewing the powers of the Auditor-General. The Auditor-General is a Chapter 9 institution and its responsibility and establishment is within the Act, called the Public Audit Act 25 of 2004.

I'm sure we can all remember that in March 2016 the Constitutional Court's Chief Justice Mogoeng Mogoeng handed down the judgement on the Nkandla matter. Within his key pronouncement he said, "the Auditor-General needs appropriate mechanisms to follow up on audit recommendations. Parliamentarians' role is to maintain oversight".

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The judgement presented new ideas and opportunities to review the powers of the Auditor-General so as to enhance consequences management in South Africa within the South African public sector.

The purpose of the review of the Auditor-General's power is to strengthen the Auditor-General's ability to restore administrative and financial integrity of systems and processes to facilitate service delivery and ...

[Inaudible.] ... of goals for which public money has been appropriated.

According to the Constitution of the Republic of South Africa, section 188, clause 4, the Auditor-General has the additional powers and functions prescribed by the legislation. It is for this clause that the committee is seeking to empower the Auditor-General to represent these amendments on the Public Audit Act, 25 of 2004.

The key amendment is as follows: To provide the Auditor-General ... to refer undesirable audit outcomes for investigation by an appropriate body and also to empower him or her to make regulations to guide the Auditor-

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General in deciding on the investigation. Deputy Speaker, we therefore submit ... Thank you.

There was no debate.

The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, we move that permission be given for the proposals to be proceeded with. Thank you.

*Declarations of vote:*

Mr A R MCLOUGHLIN: Deputy Speaker, it bears repeating that chapter 9 of the Constitution of the Republic of South Africa perpetuated the establishment of the Auditor-General of SA as one of the institutions supporting democracy.

The Constitution recognises the importance of the Auditor-General and entrenches his independence by providing that his office is subject only to the Constitution and the law.

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The Constitution requires the Auditor-General to be impartial and to exercise his powers and perform his functions without fear, favour or prejudice.

Apart from being a Chapter 9 institution such as the Public Protector and the Human Rights Commission, the Auditor-General also has to operate within the highly competitive and regulated environment which is the preserve of the South African chartered accountants' profession. This means that the work undertaken by the Auditor-General and his staff has to be performed in a highly competitive market and at the same time to the highest ethical and professional standards.

We are extremely fortunate in South Africa to have an Auditor-General's office that is not only competent and capable but is also a well-respected institution, both in South Africa and abroad.

The first South African Auditor-General was a certain Walter Gurney who took up office on Monday 12 May 1911. From that date to this the Auditor-General has successfully monitored and reported on the financial

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affairs of our government's many departments and offices despite a number of scandals and adverse accusations along the way.

The work of the Auditor-General is an essential cog in the machinery of government, both from the point of view of the all-important oversight function but also in providing government departments, entities and municipalities with indispensable management information.

However, in recent years the Auditor-General's work has become increasingly frustrating due to the high levels of noncompliance on the part of the auditees and the lack of any consequence for failure on the part of auditees to perform in terms of the provisions of the Public Finance Management Act, PFMA, and the Municipal Finance Management Act.

Many auditees receive adverse or qualified audit reports year after year and despite the best efforts of the Auditor-General and his staff, his reports and recommendations go unheeded and ignored, both by the auditees themselves and those to whom they report.

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By way of example, as recently as this week my colleague the hon David Ross reported to this House that this year no fewer than 26 government departments had failed to timeously table their annual financial statements, against only six such failures in the previous financial year.

If we are ever to enforce our financial obligations and bring about an end to corruption, fruitless and wasteful expenditure, mismanagement and incompetence, some changes will clearly have to be made.

The Standing Committee on the Auditor-General, in conjunction with the Auditor-General, resolved to remedy this situation in an attempt to provide the Auditor-General with mechanisms to rectify and curtail the many instances of breaches of statutory duties that his office uncovers in the course of their work.

The legislative proposal before this House today therefore seeks this House's permission to proceed with the work required to enable the proposed Public Audit Amendment Bill to become part of our law as soon as

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possible. The main additions to the existing Act, which this Bill will seek to bring about, are firstly, the introduction of new powers enabling the Auditor-General to disallow any expenditure that is found to be contrary to law, and to institute recovery proceedings against any person who is legally responsible for failing to collect monies due to the state, the improper payment of any monies to any person and for any deficiency or loss occasioned to the state under circumstances where there is no satisfactory explanation for any such failure.

The process involved in carrying out these new powers is fairly complex and will have unavoidable but necessary financial implications to the fiscus. It is estimated that approximately 100 annual audits will be referred to a specialised panel for further investigation. Of that number, approximately 15 will proceed to the next stage where actions will be instituted for the prosecution of offenders and the recovery of amounts declared by the Auditor-General as being due for repayment.

Secondly, the proposed Bill will provide for the Auditor-General to establish its own remuneration committee to

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enable the Auditor-General's office to move beyond the current constraints imposed by the Independent Commission for the Remuneration of Public Office Bearers. The reason for this is that, of necessity, the Auditor-General has to be a competitive employer and be placed in a position to attract and maintain staff members of the highest calibre.

Apart of the above, the Bill proposes a number of technical amendments which will enhance the Auditor-General's ability to perform his duties within the context of the modern technological environment within which he operates.

The DA welcomes this initiative and recommends the adoption of this proposal to the House. I thank you.

[Applause.]

*IsiXhosa:*

Nksz N V MENTE: Enkosi, Sekela Somlomo.

*English:*

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The EFF supports the proposal to amend the Public Audit Act of 2004 to give the Auditor-General more powers to implement its recommendations.

At present it is the responsibility of the executive to implement the recommendations of the Auditor-General. This makes it nearly impossible to improve financial management and control at most departments, entities and municipalities because the primary culprits and instigators of financial mismanagement are the politicians and executive management of these departments.

It will be very naive to expect someone like Minister Bathabile Dlamini to seriously implement the Auditor-General's recommendations on improving financial management in her department and at the SA Social Security Agency, Sassa, because her name is among the names of the people that are mismanaging the funds.

It will be equally naive to expect Ms Nomvula Mokonyane to do anything to stop the rot engulfing the Department of Water and Sanitation concerning irregular, fruitless

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and wasteful expenditure because she is the one who issued unlawful emergency instructions.

The most horrifying gap with the current legislative framework is the fact that the Auditor-General is not empowered to enforce consequence management. He cannot bring to book those who consistently misuse public funds. It is our considered view that the Auditor-General should have powers as binding as those of the Public Protector, unless set aside by a court of law.

The financial implications of empowering the office of the Auditor-General are nothing compared to what we lose every year because his recommendations are ignored.

We support the introduction of these amendments to the Public Audit Act and we therefore urge the Auditor-General's office, upon the implementation of this law, that he must not, I repeat, he must not ... he must never ever shy away from taking the money of the state from the Ministers and the executive. Thank you.

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Mr N SINGH: Thank you very much hon Deputy Speaker. Given the downward spiral that many of our departments find themselves in, in terms of corruption, mismanagement and general maladministration, and given that we are currently at war for the very economic survival of this country from ... [Inaudible.] ... clutches of state capture, we as the IFP fully support the proposal to amend the Public Audit Act of 2004.

These amendments are long overdue as the culture of nonaccountability and deviance from the principles of good governance and generally accepted accounting principles are quickly becoming relics of another era by many of the departments under this government.

As stated in the recent presentation of the Ibrahim Index of African Governance, despite South Africa's fiscal expenditure tripling in the last decade, very little of this has had any impact in terms of service delivery to our people. This is the very reason that the Auditor-General, who is one of our first lines of oversight, must be provided with more sweeping powers in terms of its

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mandate. The office of the Auditor-General requires teeth, not a squeaky voice.

As the supreme auditing body established under the Constitution, the office of the Auditor-General requires greater capacity to conduct its auditing functions. An area of concern is that of outsourcing. Now, we know full well that the office of the Auditor-General does not have the capacity to audit all state-owned enterprises, SOEs, and government departments. It is for this reason that they outsource some of the work to private firms. Having said that, many of the SOEs are being audited by these private firms and given our experience with the recent KPMG saga we have appealed to the Auditor-General that the office of the Auditor-General needs to take direct responsibility for auditing all SOEs, and they can pass on some of the state departments to these private firms until such time that we as Parliament appropriate more funds to the office of the Auditor-General so that they can have more capacity to audit all SOEs and government departments under their control.

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The time has come that we must move away from regularity audits, which are just financial audits, to performance auditing because very often we find that when we look at the budgets of government departments we find that they have spent all their money, but in terms of performance they haven't performed. Why should there be this kind of anomaly?

Although the Public Audit Act provides the Auditor-General with a large degree of independence in the execution of its mandate, it does not provide the necessary powers and authority to implement its recommendations, and as hon colleagues said, consequence management.

So this amendment to the Act is going to give the kind of teeth that is required and will also empower us as MPs in terms of our oversight over government departments and SOEs. We fully support this legislative proposal.

Mr A M SHAIK EMAM: Thank you Deputy Speaker. It is common knowledge in this House that year in and year out we continue to have unauthorised, wasteful and fruitless

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expenditure, with very little or no consequences despite the intervention of the Auditor-General. [Interjections.]

I see my colleagues on the left have a lot to say but they fail to realise that they have just invented something new. What is the new that they have invented? We have all heard previously about vote rigging but what we have never heard about is vote shredding. We found out after they rigged the votes in the Western Cape for the leader of the Western Cape, in a couple of hours they even shredded the ballot papers so that there was no trace. That's the high level of corruption that exists amongst them. [Interjections.]

The NFP welcome the amendments to the Act, wherein those that are personally responsible for the losses or corruption will now face stringent consequences, including having to pay back the money to the fiscus.

The Act also provides clear guidance on the mandate of the Auditor-General. Masters of corruption know how to manipulate the system and that is why the Auditor-General needs more power so that he can identify the manipulation

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by some of these corrupt organisations, like on my left.

[Interjections.]

A serious challenge is that monies that are spent ...

[Interjections.] ... performance is not measured according to the expenditure and the NFP believes that with the added power and responsibility that is going to be given to the Auditor-General, we would be able to identify the weaknesses in terms of that.

[Interjections.]

The purpose of this audit committee ... [Inaudible.] ... to address a whole host of challenges experienced by national, provincial and local government in ensuring that the PFMA is complied with. It will do a lot of good if the DA can concentrate on the corruption in the Western Cape rather than concentrate on challenges throughout the country. It can do a lot better for the people of the Western Cape that they are neglecting so badly.

The office of the Auditor-General would be further mandated with the task of reporting transgressors and

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that is welcomed. Further amendments to the Public Audit Act include consultation between the Independent Commission for Public Office Bearers.

What the NFP would like the Auditor-General to pay lots of attention to would be the issue of the abuse of parliamentary constituency funds, where offices don't even exist but they take the money and steal taxpayers' money. [Interjections.] Day in and day out they go to bed eating and stealing taxpayers' money. It's a shame on this DA.

The NFP supports the amendments made today because it's in the interest of all South Africans. We thank you.

[Interjections.]

Ms Z S DLAMINI-DUBAZANA: Thank you Deputy Speaker.

*IsiZulu:*

Ukhongolose uthi akathathe leli thuba sibonge amalungu Standing Committee on Auditor-General ukuthi sibone ngaliso linye ukuthi kuthi kufanelekile ukuthi

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uMncwaningi-Mabhuku Jikelele anikezwe amandla wokuthi abuyekeze loko okubalulekile.

Okuchaza ukuthi ngempela ngempela uKhongolose wuKhongolose njengoba kukhona ukucabangela nombono wokuthi uKhongolose unenkohlakalo. UKhongolose akanayo inkohlakalo [Ubuwelewele.] besingeke phela sibuye sizoma lapha sizothi cha kufanelekile ukuthi uMncwaningi-Mabhuku Jikelele adlulele njengoba iJaji Elikhulu lasho ukuba bekuthiwa siyavumelana nokuthi sinenkohlakalo. [Ubuwelewele.] Okungalungile akulungile. Okulungile kulungile.

*English:*

On behalf of the chairperson who is busy with other commitments of Parliament, thank you to the members of the committee and the House for adopting this request. I thank you.

Question put.

Motion agreed to.

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Permission accordingly given to the Standing Committee on Auditor-General to proceed with the legislative proposal.

**ELECTION OF MEMBERS OF PAN-AFRICAN PARLIAMENT**

The DEPUTY SPEAKER: Hon members, I wish to remind members that of the five representatives to the PAN-African Parliament, three are nominated from the majority party and two from the opposition parties.

We have received the nominations of Ms T Modise, Inkosi Z M D Mandela, Ms A T Didiza from the majority party to replace Mr C Nqakula (ANC), Ms T C Memela (ANC), Dr H Mateme (ANC) and Mr J S Malema to replace Mr N F Shivambu (EFF)

There are no further nominations therefore Ms T Modise, Inkosi Z M D Mandela, Ms A T Didiza and Mr J S Malema are accordingly elected as members of the Pan-African Parliament. [Applause.]

**DESIGNATION OF MEMBERS TO MAGISTRATES COMMISSION**

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The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thanks hon Deputy Speaker, I move that the House designate Inkosi E M Buthelezi, Member of Parliament, to replace Prof C T Msimang as a member of the Magistrates Commission. I so move.

Agreed to.

Inkosi E M Buthelezi accordingly designated to the Magistrates Commission.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION -  
REPORT OF PORTFOLIO COMMITTEE ON ARTS AND CULTURE**

The DEPUTY CHIEF WHIP OF THE MAJORITY: Thanks hon Deputy Speaker, I move that the Report be adopted.

*Declarations of vote:*

Mr M W RABOTAPI: Deputy Speaker, the DA has diligently sought to hold the Department of Arts and Culture accountable in respect of what they do with government's money. We have to acknowledge that in general the audit

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outcomes have improved however a lot has still to be done to reach our desired outcomes.

There are number of glaring shortcomings not adequately addressed by the Budgetary Review and Recommendations Reports, BRRR; and the lack of consequence management for officials responsible for fruitless and wasteful expenditure. The department must take a clear stance in respect of responsibility for litigations and unnecessary court cases it has become involved in.

GRAP 103 presents a clear problem and danger to all entities specifically to art institutions that have to put value to irreplaceable art pieces, artefacts and the tedious process of adding value to butterfly collections.

Since early 2016, the White Paper review process has not been concluded. This process must be concluded as a matter of urgency; and I thank you. [Applause.]

Mr M N PAULSEN: Thank you Deputy Speaker. The EFF rejects this Budgetary Review and Recommendation Report of the Department of Arts and Culture.

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This is one of the most important portfolios in terms of its role in constantly re-imagining the kind of people we are. Where we come from and what we ought to be; but unfortunately it has been let to groan but not just this Minister who is spectacularly useless but by others who have come before him.

The Auditor-General uncovered massive mismanagement in this department, not for the first time but as usual the recommendations were just ignored; from financial statements that are not prepared in accordance with the Public Finance Management Act, PFMA provisions to procurement of goods and services without inviting competitive bids. All these in order to allow more ANC comrades to participate in the feast on our state resources; following on the footsteps of the Dalai Lama of looting, Mr Zuma.

From incurring irregular expenditure to the value of R15 million to incurring fruitless and wasteful expenditure to the value of almost half a million, this department is a very good example of how not to manage a state department.

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More horrifying is the fact that there is no consequence management system; none of the officials responsible for irregular wasteful expenditure were ever taken through a disciplinary hearing.

We therefore reject the corruption promoted by Mr Jacob Zuma's henchman in that department. Thank you very much.

Mr J A ESTERHUIZEN: Thank you Deputy Speaker. Accelerated and Shared Growth Initiative for South Africa, AsgiSA has identified our creative industries as one of the drivers of the sustainable economic opportunities and livelihoods for local communities; whilst at the same time expanding business opportunities for Small, Medium and Micro Enterprises, SMMEs; deficiencies in internal control resulted in inadequate prices as in monitoring controls. We should ensure that reliable performance and financial information is produced, which is of course not a case. That means that laws and regulations have not been complied to.

The Department of Arts and Culture, DAC budget millions of rands every year in order to strengthen its internal

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controls and compliance, needless to say there was no compliance and even worse internal controls.

Crucial documents continue to disappear regularly from the national archives in Pretoria. How do we secure vulnerable records when there is no political will or finance assistance through this budget.

We are also of the strong opinion that traditional leaders who are of the primary custodians of culture and heritage and practices in traditional societies, are not been given a prominent enough role to play within the mandate of this department.

There is in fact no partnership between this department and the House of Traditional Leaders, not nationally or provincially and this must be corrected through the necessary assistance and funding.

Going forward, industries which have creativity as the key ingredients such as advertising and architecture must be included in the definition of creative industries in

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South Africa, under the protection of this department.  
The IFP will support this report.

Mr S C MNCWABE: Thank you Deputy Speaker. I present this declaration on behalf of my colleague.

The department had a budget of R4, 1 billion for 2016-17 financial year and spent R3, 9 billion or 97, 4% of the total adjusted budget allocated. We note that Programme 2 which deals with institution governance has under spent by 19, 8%; while we accept that underspending is due in part to the contractual challenges between the Department of Arts and Culture and the Department of Public Works, we urge the Department of Arts and Culture to make every effort to bring the situation under control.

However, having spent 97, 4% of its total budget, the department met only 52 of its 71 Performance Target, which is a moderate success rate of 73%.

The NFP believes that there is much more scope for improvement here and it is up to the Minister and his

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management to ensure that better performance is improved in the future.

The NFP also notes that the department has received the unqualified audit opinion with the findings similar to the previous financial year.

We are concerned by the Auditor-General's report which points to internal financial control deficiencies; Failure to prevent irregular fruitless and wasteful expenditure in the year under review as it has done before; and the lack of consequence management.

We trust that the department will move swiftly to remedy the deficiencies and work hard towards achieving a clean audit in the future. Finally, the report contains several pattern observations, commends and recommendations with which the NFP concurs.

We trust that the department will give due consideration to the recommendations and implement them. Thank you very much. We support the report.

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*IsiXhosa:*

Nks X S TOM: IKomiti yeMicimbi yeSebe lezobuGcisa neNkcubeko iliqhwabela izandla isebe ngengxelo yoMphicothi-zincwadi nangona kukho imiba ekufuneka iqwalaselwe. Isebe kufuneka ligxile ngakumbi kwimvelaphi yethu kwaye liyidandalazise yaziwe nanguthathatha nto leyo eya kunceda ukuzinzisa isizwe. Imali esetyenziswe kungalandelwangwa imigomo nemigaqo isaxhalabisa nangona beyithobile esebeni ngokuncomekayo. Isebe kufuneka liyisebenzise yonke imali eliyinikiweyo kuba ukungenzi njalo kuchaphazela gwenxa ngakumbi abantu abasebenza kwiSebe lezobuGcisa neNkcubeko.

ISebe lezobuGcisa neNkcubeko kufuneka libe ngathi liyayiqinisa imikhala, ingakumbi phaya kumaqumrhu aphantsi kwalo afana no-Performing Arts Centre of the Free State, Pacofs kunye namaziko olondoloza lweembali iDitsong. Siyawancoma amaqumrhu asebenze kakuhle kuba ingxenye yemali enikwa eli sebe iya kumaqumrhu. Yiyo loo nto sathatha isigqibo kwantlandlolo ukuba siza kugxila kumaqumrhu asebenzayo.

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Uchatshazelwe umba wesixhobo sokuphicotha iincwadi esibizwa u-Grab 103 osokolisa kakhulu ingakumbi kumathala encwadi. Sithi makuzanywe indlela eza kuthi ifezekise le migomo kwaye sibamba ngazo zozibini kuNongxowa ngokukhupha imali yokuba kwenziwe le nto. Ndiyabulela kakhulu kwaye siyayixhasa ingxelo. Enkosi.

Motion agreed to (EFF dissenting).

Report accordingly adopted.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION  
REPORT OF PORTFOLIO COMMITTEE ON ECONOMIC DEVELOPMENT**

There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

*Declarations of vote:*

Mr P G ATKINSON: Deputy Speaker, the Department of Economic Development continues to be well run and has had a successful year. It has met all 23 of its key

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performance indicators, spent 98,6% of its budget, and has achieved improved and favourable audit outcomes in the department and all the entities that report to it.

However, all of the hard work the department has done has not seen an improvement in employment figures or a positive impact on South Africa's economic growth. The department's actions are largely overshadowed by the bizarre economic actions of President Zuma and some of his Cabinet. Issues around state capture and corruption have had a chilling effect on investment into our country. President Zuma's machinations around the firing of the Ministers of the Finance, respected by the international investment community, as well as the worrying developments in both Sars and the Ministry of Finance have put South Africa in line for further credit rating downgrades.

The committee undertook a study tour to Malaysia in August. For the past 15 years, Malaysia has experienced average growth rates of between 5% and 7% and can claim what is, in effect, full employment. There are many lessons for South Africa in the Malaysian experience -

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the most notable being that Malaysia has a single economic policy that the whole country supports, unlike our confused mess of the National Development Plan, the New Growth Path, the Industrial Policy Action Plan, and the President's Nine-Point Plan, to name but a few.

In Malaysia, failure or underperformance in executing the economic plan is not tolerated, and a Cabinet committee meets regularly to ensure any blockages to its implementation are resolved. This is unlike the Zuma administration where there are no consequences for failure for officials or Ministers. The people who suffer the consequences are, in particular, the 9,5 million unemployed. Along with Malaysia, there are numerous other countries that we can learn from that enjoy impressive economic growth. It is therefore not right to keep putting South Africa's economic failures at the door of international events over which we say we have no control. Numerous other countries like ours deal with the same events but can still provide good economic growth to its citizens.

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In closing, it is worth noting the problems around the Industrial Development Corporation's R220 million loan to the Gupta company Shiva Uranium. It is very likely the Industrial Development Corporation, IDC, will suffer a significant loss as a result of this loan. That appears inevitable. The DA supports the budgetary review and recommendation report.

Dr S S THEMBEKWAYO: Chairperson, in order for this country to properly develop its economy, a national industrial policy is needed - one that centres the state as the owner and manager of the commanding sectors of the economy for the purpose of job creation and economic development.

Instead, the department and its entities' funds are used to buy stocks in Gupta banks. Hundreds of millions of rand is spent on feasibility studies, like the Masorini steel project, that see no material outcomes. Economic Development in this country can only be achieved through nationalisation of land and strategic sectors of the economy, state-led and protected industrialisation, replacing the tender system with state-led service

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delivery through in-sourcing and the creation of state-owned companies like a state construction company, creating a state-owned bank, and free, quality education for all. All attempts at economic development not based on these policies have been proven to fail time and again.

Government needs to change its approach and policies if it is serious about radical economic transformation and job creation. Until then, the EFF will reject all departmental reports. I thank you.

Ms E M COLEMAN: Deputy Speaker, perhaps the hon member should participate in the committee - since their member is no longer there - so that she begins to understand what happens in the committee. [Interjections.]

The Department of Economic Development has been running its operational matters very well. It spent about 99% of its budget, and it met all and exceeded some of the targets, something that has been a trend since the 2014-15 financial year. In addition, the department and all its entities obtained unqualified audit opinions for the

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financial year under review. The IDC, which was audited by KPMG, has now decided not to renew the KPMG contract.

When we look at the impact of the department, the Minister, as empowered by section 18(1) of the Competition Act, Act 89 of 1998, participated in six large mergers in the year under review. That Act makes provision for the Minister to participate on public interest grounds in intermediate and large mergers. Those mergers have been publicised widely. Two of them - AB InBev and SABMiller - raised competition and public interest concerns that included a negative impact on jobs, the local ... [Inaudible.] ... industry and black economic empowerment. A lot has been done. Thank you. The ANC supports the budgetary review and recommendation report. [Time expired.]

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION**

**REPORT OF PORTFOLIO COMMITTEE ON WOMEN IN THE PRESIDENCY**

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There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

*Declarations of vote:*

Ms T STANDER: Deputy Speaker, I have learned the ANC is impermeable to impassioned pleas, rebukes for the ever-increasing failures clang against empty hulls. I won't list the 32 negative observations or the 47 corrective recommendations but encourage you all to read the report.

The Department of Women in the Presidency was crafted to champion the advancement of women's socioeconomic empowerment and the promotion of gender equality. One might pity that this department has an allocated budget of less than the cost of Nkandla's upgrades but has a staff complement of 103 employees weighed down by a highly top-heavy management.

It spent 98% of its budget but failed to achieve 90% of its service delivery targets. The Minister denies that

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all gender machinery has collapsed. The department defies every law and policy guiding procurement and expenditure and fails to sanction criminal acts.

Our mothers, sisters and daughters bear the heavy cargo of increased inequality, poverty and unemployment. This department does not make it into the spotlight because of state pirating or recycled Zuma's deadwood, like chief operating officer, to MP and to colonel. It is one example of hundreds of ANC Ministries and departments that cruise under the radar, rudderless, quietly dredging money anchoring talents, potential, dreams and ambitions of our women.

The DA government would collapse 35 Ministries into 15 to promote inclusion of women in the economy. We would guarantee dignity and redress today's titanic inequality.

The DEPUTY SPEAKER: Hon member, your time has expired.

Ms T STANDER: All women need is the freedom, fairness and opportunity to captain their own ship and chart their own course. [Applause.]

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*IsiZulu:*

NKs M S KHAWULA: Siyi-EFF siyayichitha le-BRR ye Womens' League yesabelo mali. Abantu besifazane basahlupheka kakhulu kulo hulumeni kaKhangolose. Kuyimanje uma beyobeletha ezibhedlela kufanele baziphathele amaphenti namanabukeni ezingane. Kusho ukuthi uma uhlupheka ubonakala ngombala. Lokho kusho ukuthi ilungelo labantu besifazane alihlonishwa kulo hulumeni kaKhongolose. Kanjalo namacala okudlwengulwa nawokushaywa agcina enyamalala ezinkantolo kungekho okubonakalayo ukuthi obani ababoshiwe. Akubonakali uNgqongqoshe ekulandelela lokhu.

Okunye la ukuthi ngike ngakhala ngoGogo uMajola kanye nabanye abahlukumezekayo abahlala endlini engabavumeli njengabantu besifazane. Akaze nakanye uNgqongqoshe asukume ayobheka akhombise ukuthi uyabakhathalela, ngaleyo ndlela ngeke sikwazi ukuxhasa imali ezothatha uNgqongqoshe ayokwenza izinto zakhe zokuyokhankasa ngemali yabakhokhi bentela. Kuyimanje lo Ngqongqoshe lo uma ngabe kuthiwa akaveze ukuthi wenzeni ngezimali - lutho. Kuphela nje into ayaziyo yilezo zinsuku eziyi-16 kuphela, okuyikona kodwa azi ukuthi abantu besifazane

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bayoze kuyiwe kubona ngalelo suku, nalapho futhi akayi emakhaya kepha uya emadolobheni. Ngaleyo ndlela siyayichitha le bhajethi, mabahambe bayozabalaza ngendlela yakho bayokhankaselana ngokwabo. Hhayi siyayichitha le bhajethi.

Ms L L VAN DER MERWE: Deputy Speaker, just on Tuesday, during the 16 Days of Activism debate in this House we heard just how committed the ANC-led government is to women's empowerment and ending gender-based violence. However, the measly budget afforded to the Department of Women in the Presidency tells a completely different story.

While some in this government have a strong appetite for corruption and filling the coffers of the Guptas, the Zumas and the politically, the desire to address women's issues is just not as fierce. With this department only receiving R127 million to do its job. Let me remind you that this budget only amounts to the fire pool, cattle kraal and the tuck shop at Nkandla collectively.

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Apart from these constraints, there are other challenges. This department only achieved 10% of its targets, it has a top-heavy structure, and there is a duplication of work with the Commission for Gender Equality yet seemingly the two entities cannot work together.

This department has as its main function that of monitoring and evaluation yet they still without a finalised tool to monitor and evaluate, which means we are not sure what they are monitoring or evaluating. With the money that has been allocated to them, this department has managed to successfully capacitate the administration programme while core programmes go underfunded.

Most worryingly, this department together with the Department of Social Development have made no headway in tackling the crisis that is gender-based violence. It remains very clear that due to a lack of focus and lack of funding, this department remains at a perpetual state of doing very little and achieving nothing.

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Our women and our children deserve better. They deserve a future without an ANC government. I thank you.

[Applause.]

Mr S C MNCWABE: Deputy Speaker, the core mandate of the department is to advance the women' socioeconomic empowerment and through the Commission for Gender Equality to promote gender equality both in the government and society at large.

In order for this department to execute its mandate, a modest R196,9 million was budgeted for 2016-17 financial year of which 98,2% of the total budget adjusted was spent. In total, the department reported underexpenditure to the amount R2,1 million for the financial year.

The NFP notes that while the department manages to spend most of its budget, it is unable to efficiently deliver on targets within its core programmes. It is shocking that the department has an overall success rate of meeting only 36,8% of its key performance targets, making it the worst performing of all government departments.

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The NFP also notes that the department received unqualified audit opinion with findings. These findings relates to procurement, contract management, expenditure management, financial and performance management and the lack of adequate financial oversight.

We urge the department to take the necessary remedial action as recommended by the Auditor-General. We trust that the department will give due consideration to the recommendation contained in this Report and implement them in the interest of ensuring that our women in South Africa have a loud and clear voice that will be heard throughout our country. Thank you.

Ms T C MEMELA: Ms T C MEMELA: Deputy Speaker, having considered the performance of and submission to the National Treasury for the medium-term period of the Department of Women in the Presidency, the Commission for Gender Equality adopted the BRRR on 18 October 2017. In order to enable the committee to take informed decisions on the performance of the Department of Women in the Presidency for the financial year 2016-17, the Portfolio Committee on Women in the Presidency's key observations

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and recommendations were that the department revise the strategic plan and an annual performance plan for 2016-17. An annual performance plan for 2016-17 was submitted on 28 February 2017, which was near the end of the financial year - a report on the year before 2015-16.

The annual report for 2016-17 reports on two annual performance plans. The performance information for quarter one and two are informed by the initial 2016 annual performance plan tabled in March 2016 in Parliament; and the information for quarter three and four are informed by the revised annual performance plan for 2016-17, which was tabled on 28 February 2017.

The Department of Women in the Presidency received final appropriations of R189,102 million in the 2015-16 financial year and R196,9 million in 2016-17. Thank you.  
[Time expired.]

Motion agreed to.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION  
REPORT OF PORTFOLIO COMMITTEE ON WATER AND SANITATION**

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The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, I move that the Report be adopted.

*Declarations of vote:*

Mr L J BASSON: Deputy Speaker, I dedicate this declaration to the late hon Tarnia Baker as the tribute to her contribution in the portfolio committee. On 26 May 2017 hon Baker said in her budget speech: "The finances of the national Department of Water and Sanitation are in a deeper, darker and messier state than any one of its abandoned filthy streams."

Indeed, this is the true reflection of the finances and management of this department. The department could not explain their poor performance. The committee therefore requested the Special Investigating Unit, SIU, National Treasury and the Auditor-General to come and explain the problems within the department.

It only achieved 28% of its infrastructure target; overspent its budget with over R110 million; unpaid invoices of R1,5 billion and an overdraft of R2,2 billion

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could not be paid at the end of the financial year. This amount must now be funded out of 2017-18 financial year.

This shortage has stopped almost all infrastructure projects within this budget. There is also an irregular expenditure of R4,1 billion. Having analysed the annual report and the visitation by the departments, as well as the audit finance of the Auditor-General, the committee raised serious concerns on whether the department has the ability to ensure its finance sustainability or effective bulk water and sanitation infrastructure development for the future of South Africa.

In light of these critical issues, the portfolio committee strongly recommend that a forensic audit be done. [Interjections.]

Prof N M KHUBISA: Deputy Speaker, I am standing on a point of order.

The DEPUTY SPEAKER: Hon member, please take your seat for a while! What is the point of order about?

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Prof N M KHUBISA: I think the Rule that says that members must not converse aloud so as to drown the speaker is violated.

The DEPUTY SPEAKER: Hon members, please adhere to the wisdom of the professor. He is right. Let's converse so that members can hear. Go ahead, hon member!

Mr L J BASSON: The department obtained full understanding of the financial and nonfinancial risk in the Department of Water and Sanitation. The DA supports this report.

*IsiZulu:*

Nk M S KHAWULA: I-EFF iyayichitha le-Budget Review and Recommendations Report, BRRR, lesi sabelomali sisichithisa yilento, ngikhuluma nje lomnyango awuwusizi ngalutho umphakathi ikakhulukazi abantu abamnyama emakhaya. Inkinga enkulu emakhaya, kutholwa ukuthi kunamapitsi mhlawumbe akhiwe la awu-500. Kulo 500 uzothola ukuthi ayisikhombisa asebenzayo noma amahlanu. Kade sikwi-oversight le e-Limpopo, inkinga ekhona laphayana kusigceme-34 umphakathi wakhona kuyimanje amanzi awunawo

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Bese kuba nale nkinga yase-Nandoni la umphakathi khona wase-Nandoni Dam kusukela ngo-2015 ngifika la ePhalamende, saba nenkinga nomphakathi walaphaya owawukhala ngokuthi wasuswa kuleya ndawo ngenxa yokuthi kwakuzokhiwa i-Nandoni Dam. Kuze kube yimanje abakaze bathole isinxephezelo nabasitholayo uthola ukuthi kubona bancane bala eshumini. Umbuzo wami uthi, yini eyenza ukuthi bangasitholi? Nalezo zindlu enabakhela zona zincane ziyabhidlika izihlahla abaziholelanga. Okubuhlungu kunakho konke, uma sesibuya kwi-oversight kulonyaka, sizothola ukuthi kunemali engu-R30 million ebikishiwe ikhishelwa ukuthi laba bantu banikezwe, banxephezwe. Kuze kube yimanje labo bantu, leyo mali, abakaze bayithole. Umbuzo wethu uthi-ke, kuzosisiza ngani siyiKomidi elibhekene Nezamanzi Nokuthuthwa Kwendle sithole ukuthi njalo uma sikwi-oversight sizothola izinkinga, lezi zinkinga azisonjululwa.

Umbuzo wami uthi, Ngqongqoshe, laba bantu bazowuthola nini lo-R30 million wabo bakwazi phela ukuthi bazithuthukise ngezimpilo zabo? Yini ebanke ukuthi banikezwe ngoba sesikutholile ukuthi lemali ikhona? Okokugcina, [Kwaphela isikhathi.] ama-boreholes akhiwe

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laphayana e-Tzaneen yinqwaba kodwa wonke lama-borehole awasebenzi. Lilodwa lwakhiwe ngo-3 million.

The DEPUTY SPEAKER: We will switch off your microphone.

*IsiZulu:*

Nk M S KHAWULA: Ngqongqoshe ngeke siyeseke lento.

Mr M P GALO: Deputy Speaker, the depressing balance sheet of the Water and Sanitation Ministry reinforces the magnitude of leadership crisis in this department. It is no secret that any discussion on the performance of the department is a constant reminder of the extent of the rot in the department.

We will not bury our heads in the sand when there is a failure to adhere to the country's national prescripts, including the Public Finance Management Act, the Constitution, the National Water Act and various ancillary legislations.

The department overspent a whopping R110,8 million and it failed to achieve 31% of its annual performance plan. In

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2016-17 financial year, the water trading entity reflected a deficit of R5,8 billion. The projects that are undertaken by the Trans-Caledon Tunnel Authority, TCTA, which is established to improve capital infrastructure, have to be reinforced in the initial budget allocation by the department.

The department has to improve its internal control. The leadership and financial performance governance cannot remain the same. The Minister should demonstrate her leadership skills. The Water Research Commission, which is an entity under the department, is the only exception to the disastrous financial management seen in other entities under the department.

The commission has been able to attain unqualified audit in three consecutive years. [Time expired.] Give me just two minutes!

The DEPUTY SPEAKER: I have no authority over that. No, this is not your last speech, hon member. Take your seat!

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Inkosi R N CEBEKHULU: Deputy Speaker, this department was established solely to work on water challenges facing the country. Its main objective remains to audibly meet the challenge of preserving, conserving and supplying water. These challenges will not be met if more dams are built as our municipalities require additional water bulk infrastructures.

Drought has affected the entire country. We also have water pollution by the municipalities through improperly capacitated sewerage systems and sadly, the increasing problem of acid mine water, I'm sorry. Because of drought, the department had to rechannel funds to local government which was not budgeted for.

In addition, the department has to grapple with poor management issues and we have also seen the director-generals coming and going; the department has become a Hollywood for actors. The utilisation of the departmental technicians has been sidelined.

Instead, independent consultants were hired at exorbitant charges which had been fact of looting departmental funds

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and had added a negative impact of contractors failing to meet their contractual agreements and demanding more funds for unfinished projects.

All these has resulted on the department having an overdraft of more than R2 billion. The department had a budget of R16 billion which according to an independent research is far less than the actual work required for the department's mandate, including the building of dams and bulk infrastructure in nine provinces.

Many local municipalities and the department remain indebted to private water entities in the amount of millions of rands. This department must strive to do better and to put its house in order. I thank you. [Time expired.]

*IsiZulu:*

USEKELA SOMLOMO: Sesiphelile isikhathi sakho Nkosi, yebo. Iwashi elikhulu [clock] uma selibomvu, asisekho isikhathi esisele.

*English:*

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... not second left. Once it's red, it means your time is gone.

*IsiZulu:*

Amakhosi ... akukho kumithetho [Rules] aleNdlu.

*English:*

Hon Hlengwa, put it in the Rules if it can succeed. Go ahead, hon Khubisa!

Prof N M KHUBISA: Deputy Speaker, I'm presenting this and others that will follow on behalf of my colleagues. The comment at the department is to ensure that all South Africans have access to clean water, to clean safe drinking water and dignify sanitations. In order for the department to execute its mandate R15,5 billion was budgeted for the 2016-17 financial year on the main account of which R15,6 billion or 100,7% of the total adjusted budget allocated was spent. In total, the department reported an over expenditure to the amount of R110,8 million for the 2016-17 financial year.

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However, whilst the department manages to spend more than its budget it is unable to efficiently deliver on targets within its programmes, most notable in the water infrastructure development programme. At a dismal overall success rate of only for a percent of its key performance targets this department has a national problem. The NFP also notes that both the department and the water trading entity received qualified audit opinions rated to irregular and wasteful expenditure. Once again, we are faced with a department that does not prepare adequate financial statement lacking in monitoring supply chain management and generally displaying a slack sense of physical discipline and control. These concerns need to be addressed with immediate effect.

Finally, the department contains several important observations and comments which the NFP contest with. We trust that the department will give due consideration to the recommendations contained in the report. Finally, our people need clean water and that is their lives and it cannot be overemphasised. Thank you. We support the report.

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Ms D CARTER: Deputy Speaker, the mandate of the Department of Water and Sanitation revolves around promoting, fulfilling and protecting some of the most sacrosanct of basic human rights. Those have access to water and ensuring an environment for the benefit of present and future generations that is not harmful to our health and wellbeing, and yet, water and sanitation is amongst the worst administered ungoverned.

It is hard not to conclude that amongst our worse performing departments are those under the executive leadership of Mr Zuma's factional and state capture enforces. Cope shares the serious concerns of the committee as to whether the department has the ability to ensure its financial sustainability for the effective bulk water and sanitation infrastructure development of our country. We agree with the committee on the need for forensic audit in order to obtain a definitive understanding of the financial and nonfinancial risks apparent in the department's water infrastructure development and water trading entity.

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The Congress of the People shares the concerns of the committee regarding the instability in leadership of the department and the impact that this has on the management and governance of the department, let alone with regard to planning and strategic direction at our water and sanitation sector. It bothers to believe that during the Zuma Presidency the department has had seven director-generals, five of whom were acting. It points to a surge for pliant leadership and the distraction of an entity of our state for corrupt and state capture ends.

Finally, the Congress of the People notes the failure to ensure coherent governance of water and sanitation matters between the three spheres of government and support the committee's recommendations in this regard. I thank you.

Mr M JOHNSON: Deputy Speaker, members, colleagues and comrades, we are dealing here with the budget of R15,5 billion with an overspent of R110 million. The main object of this budget is to better the lives of our people via water as it is life and also as decent sanitation. Not only is that the department affected by

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budget constraints, but all government departments. This situation gives no one a license to object to such a report and its recommendations as this shall be a clear declaration of objecting to a good cause of bettering the lives of our people.

We hear some of us here objecting to this report. There are indeed saying to our people that they must not get water and they must not get sanitation. That is what they are saying. We are equally wish to urge the department to do more with less towards bettering the lives of our people making use of a functional construction unit and doing away with outsourcing is one of those.

Secondly, changing of mindset by implementing cheaper means of production of our water resources and decent sanitation, moving away from expensive Brick and Mortar structures, fruitless, wasteful and irregular expenditure cannot be condoned all in the name of emergency programmes like drought and bonus among the staff within the department. Systems towards programme management must be put in place as a matter of urgency if the department is to achieve its targets against its budget.

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*IsiXhosa:*

Iziphakamiso ezikwingxelo zicace gca, oku kwekati emhlophe ehlungwini. Sinika iSebe lezaManzi noGutyulo ukuba libuyele ePalamente lize kunika inkqubela-phambili ngomgama eliwuhambileyo ekufezekiseni izinto ebekumele ukuba ziyenziwa. Umbutho wesizwe uyayixhasa le ngxelo.

*Xitsonga:*

Inkomu. [I thank you.]

*IsiZulu:*

Nk M S KHAWULA: Siyawuchitha lo mbiko ake siye kuMabala Noise. Siyabonga.

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

The DEPUTY SPEAKER: The Secretary will read the Eighth Order. Perhaps before you proceed with the Fifth Order, hon members, in exchanging views with the ...

[Interjections.]

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Mr M N PAULSEN: Deputy Speaker, I just saw one of the most disgusting gestures ... [Interjections.]

The DEPUTY SPEAKER: Hon member, please when you raise a point of order let me advice you, your language yourself must be in order. Kindly fulfil the rulings that we want us to make against others and start with yourself.

Mr M N PAULSEN: What did I do with that one?

The DEPUTY SPEAKER: Go ahead, hon member.

Mr M N PAULSEN: Point of order, Rule 92 Deputy Speaker, the hon Minister of Water and Sanitation over there showed me a middle finger. I am shocked and disappointed that in this ... [Interjections.]

The DEPUTY SPEAKER: Hon member, okay. Take your seat and let's find out. Hon Minister, did you do any of that thing?

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The DEPUTY MINISTER OF WATER AND SANITATION: Deputy Speaker, I didn't do that and I've been talking to Mma Khawula.

The DEPUTY SPEAKER: Hon members, please stop that I don't think we should allow that. Hon members, let's not go that route, it is inappropriate. Hon members, I was saying that in our discussions with the Chief Whip of the Majority Party and Opposition Party, one of the issues we agreed on is that it is generally helpful that we must make our rulings in the House as soon as it is possible if not during the sittings. The rules do say that we can do them immediately or subsequently. Therefore, we realised that sometimes it can create unnecessary hustles if we do not do so.

There are often reasonable grounds for the delays, but for that reason, I'm going to be making rulings here that are outstanding. We do realise that the Table in front of me notified me that some of the people that we are going to be talking about are not in the House. However, even if they are not in the House these rulings are for the House. If it involves them they will, when they are back

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in the House, do as the ruling suggest if there is anything that the ruling wants them to do so. On that ground, I'm going to proceed to read these rulings that are outstanding that I have to do.

**UNPARLIAMENTARY BEHAVIOUR**

(Ruling)

The DEPUTY SPEAKER: Hon members, on Wednesday, 1 November during questions to Social services Cluster when the Chief Whip of the Opposition, Mr J H Steenhuisen, rose on a point of order about the Minister of Social Development's remarks. He had an exchange of words with the Minister. In the process, he accused me of not asking the Minister to take her seat. When he rose to make his point of order I indicated that I had indeed asked the Minister to sit down which he disputed.

I undertook to study the unrevised Hansard and return to the House with a ruling to clarify this matter. Having studied the unrevised Hansard I wish to rule as follows: Mr Steenhuisen was recognised to make a point of order.

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He said that I should ask the Minister of Social Development to stop, I quote: "blubbering on and sit down" so, he could make his point of order. I indicated to Mr Steenhuisen that it was he who was provoking the Minister whereupon I again asked the Minister to take her seat. I advised Mr Steenhuisen to address the Chair instead of engaging in an exchange with the Minister whereupon he charged that the problem started when I failed to protect him repeating that I should have asked the Minister to sit down because that was my job.

When I assured him that I told the Minister to sit down, he emphatically said that I did not. The unrevised Hansard confirms that I asked the Minister twice to take her seat. The accession by hon Steenhuisen that I did not ask the Minister to sit down is therefore false, and I'm sure if she had listened he would have heard my request to the Minister.

Hon members, as leaders we have the responsibility through our conduct not to deepen the acrimonious manner in which member sometimes interact with each other in the House. Hon Steenhuisen is not in the House and I was

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going to ask him to apologise for what he said as a result of the confirmation ... [Interjections.] ... Order, hon members! Please keep your quite. I want to appeal to members to do everything possible to uphold the decorum of the House. If we do not do this we inadvertently undermine our own freedom of speech and the constitutionally enshrined responsibility to hold the executive to account.

I was expecting to ask the hon Steenhuisen to apologise for that so he is not in the House and we will do this when he comes. That is the ruling, the first one.

The second one, again on October 17, when the House was about to consider the Liquor Products Amendment Bill, hon Steenhuisen rose on a point of order and said: "excuse me Deputy Speaker, but I'm correct in understanding that this is a Second Reading debate. When you have a debate you have members that participate in that debate." I replied that it was not a debate. Hon Steenhuisen then indicated that there was a speaker in the waiting bay to speak. I clarified that the time allocation would be according to the usual declarations.

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Immediately after declaration on the Second Reading debate on the Bill, I made a ruling on the earlier remarks made by hon Steenhuisen and clarified that the Programme Committee had agreed ... hon members, order! Can you suspend your conversation; you will have time to have it. I indicated to him that I requested for declaration earlier. This he disputed. Hon member further said that if examine the Hansard then I would see what he was talking about.

Having examined the unrevised Hansard it confirmed that I indeed said the following: The time allocation will be according to the declaration as usual, go ahead, hon member. In terms of the unrevised Hansard it confirms that I did not say what hon Steenhuisen alleged. He was therefore incorrect. Therefore, here too, the same thing would apply as a rule earlier on.

**UNPALIAMENTARY BEHAVIOR**

(Ruling)

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The DEPUTY SPEAKER: Hon members, on 31 August, during questions to the President, Mr Mackenzie raised a point of order about an alleged gesture made by Mr Dirks. The member subsequently refuted making such a gesture. The footage of proceeding for that day, however, seems to contradict the member. In this regard I must point out that section 17 of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, states that a member is guilty of contempt if he or she wilfully furnishes a House or committees with information or makes a statement before which is false or misleading.

In light of this, I have agreed to refer the members conduct to the Powers and Privileges Committee to look into the matter and recommend appropriate action.

[Applause.]

With respect to this issue, let me stress that deliberately misleading the House is a serious breach; it is however, the committee to make a determination on the matter after having followed due process. The circumstances under which this matter came to the

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attention of the Chair, may also be dealt with as part of the committee's deliberations. Thank you.

**UNPARLIAMENTARY LANGUAGE**

(Ruling)

Hon members, on the 1 November again, during question session to the Social Services Cluster, points of orders were raised on the Question 199 to the Minister of Social Development and there were verbal exchanges between the Minister and the hon Mkhalipi.

The Minister said in isiZulu, "We, wafutheka njenge selesele." Meaning in English, wow you are pumped up like a frog. [Laughter.] The hon Mkhalipi rose on a point of order noting that the Minister is insulting her and calling her a frog. The hon Mkhalipi said and I quote, "She the Minister is the one with a frog face and I am not iselesele."

Rule 82(3) states that no name to impugn the dignity of any member may be used. Rule 84 states that no member may

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use offensive, abusive, insulting, disrespectful, unbecoming or unparliamentary words or language nor offensive unbecoming or threatening gestures. It is an established practice that associating a member with some kind of an animal or animals or linking any animal behaviour or sounds to a member is in general frequently intended to be derogatory and insulting and it is then by its nature unparliamentary.

I therefore rule that the Minister of Social Development's remarks as referred to earlier, referring to the hon Mkhalipi as unparliamentary. Associating a member with an animal is generally intended to be as I said earlier insulting and has always been ruled unparliamentary in this House. I request the Minister to withdraw those remarks unconditionally. The hon Minister is not here.

I now wish to address the remarks made by the hon Mkhalipi responding to the Minister that she is the one with a frog face. The remark is equally unparliamentary. Hon Mkhalipi, I therefore request that you withdraw the unparliamentary remark unconditionally.

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Ms H O MKHALIPI: I withdraw.

The DEPUTY SPEAKER: Thank you. [Applause.]

**UNPARLIAMENTARY LANGUAGE**

(Ruling)

The DEPUTY SPEAKER: The last ruling hon members, is also on Wednesday the 1st Questions to the Social Services Cluster. The Chief Whip of the Opposition Mr J H Steenhuisen, rose on a point of order about the Minister of Social Development's response to Ms L L Van der Merwe's supplementary question. Mr Steenhuisen's point of order was that the Minister should not cast aspersions on Ms Van der Merwe's as she is a member of this House and that the Minister should not bring any wrongdoing in a form of a substantive motion to the House in terms of Rule 85.

I undertook to study the unrevised Hansard and returned to the House with a ruling on this point of order. In terms of the Minister of Social Development's comments,

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the unrevised Hansard states and I quote the translated version:

You keep delaying; you want to take procurement decisions where such decisions are not taken. You do have an interest. You are also conniving and you aware that you are conniving. So, the question that only we will do this.

Rule 85(1) provides that no member may impute improper motives to any other member or cast personal reflections upon a member's integrity or dignity or verbally abuse a member in any way. Rule 85(2) provides that a member who wishes to bring any improper or unethical conduct on the part of another member to the attention of the House may do so only by a way of a separate substantive motion comprising clearly formulated and properly substantiated charge that in the opinion of the Speaker *prima facie* warrants consideration by the House.

The assertions that the hon member has an interest and is conniving on the matter are unparliamentary has the impute, improper motives and cast personal aspersions on

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Ms Van der Merwe. Here too the Minister was going to be requested to withdraw her remarks and apologise to Ms Van der Merwe. The Minister is not here.

Hon members, these are the rulings and I request that the Whips to ensure that whether I as the presiding officer in those instances are here, but when the members are in the House who have been asked according to the rulings would be available that the members do as requested, because otherwise it will make these rulings pointless.

We now move to the Secretary reading the Eight Order.

[Interjections.]

Write to the Speaker if you want to question the ruling.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION**

**REPORT OF PORTFOLIO COMMITTEE ON TRANSPORT**

There was no debate.

Ms R M M Lesoma moved: That the Report be adopted.

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The DEPUTY SPEAKER: Hon members, before I handover to the member to declare, I want to do an unusual thing. One of us here, the hon Joan Fubbs is tomorrow turning 73. If I am correct. However, the reason I am raising it is also that she used that opportunity apparently to write a poem book which she published and was launched yesterday in the library. So, we draw your attention to that fact and invite you during your birthdays too to record your experiences. If you are as creative as she has been by force of example teaching us, we appreciate those inputs.

The library has a space for use by Members of Parliament, MPs. It is an important platform for us to support and including supporting the members including the writing of the first Secretary to Parliament. A brief remark about Parliament during his time here has also being published there. Do give us notice so that we can work with you to ensure that members busy as they are with the important questions for which they are in Parliament, they also have time to do that. Thank you, very much. I thought I should let you know about that. Hon member, please come over. [Applause.]

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*Declarations of vote:*

Mr C H H HUNSINGER: Hon Deputy Speaker, the Department of Transport with its 12 entities has to an increasing extent added to the national fiscus debt. Examples would include SA National Road Agency, Sanral, Passenger Rail Agency of SA, Prasa, Road Traffic Management Corporation, RTMC and the Road Accident Fund, Raf.

This year, in comparison to the previous years more than half of the entities have recorded losses as well as increases in the irregular fruitless and wasteful expenditure. More boards of directors of state-owned companies are incomplete with vacancies across nearly all parastatals.

A matter of big concern is the high number of senior executives serving in an acting capacity. This includes the acting position of one of our more important and crucial entities, the chief financial officer, CFO, of Prasa. In the case of Raf, the interviews for the position ended in April already. Yet, to this date, no appointment has been made other than yet another appointment in an acting capacity.

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All of these and other concerns related to management and execution of functions together with the increasing lack of oversight capacity diminishes the credibility of the Department of Transport and its entities. The Department of Transport however, carries the mandate to implement and enabling economic environment. Most importantly, provide transport and mobility solutions and services to our people.

Sadly, it continues to fail to meet this mandate and for this reason as well as others outlined in this limited declaration, we simply cannot support this report. I thank you. [Applause.]

Ms V KETABAHLE: Hon Chairperson, a good and efficient public transport system is central to any well-functioning society and economy. South Africa's public transport system is failing throughout the country because of government's corruption, mismanagement and incapacity.

The Passenger Rail Agency of SA, Prasa, continues to allow its funds to get looted by the Gupta family and

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baba kaDuduzane. Government continue to clamp down the taxi industry one of the few black-owned industries in the country, making it harder for them to operate.

The SA National Road Agency, Sanral, has cancelled R3,6 billion of e-toll debt showing that it has failed and should be scrapped completely. South Africa has some of the highest levels of drunk driving deaths in the world. If there was an efficient and safe public transport system at all hours of the day, people would not risk their lives driving drunk, but would simply take a train home. This department is a mess with no clear vision or way forward. It is an open purse for the factions of the ruling party and the Guptas, despite the important role it could play. The EFF reject this report. I thank you. [Applause.]

Mr X NGWEZI: Hon House Chair, this department is plagued by a list of failures some of which I wish to specifically raise in the hope of them receiving urgent redress. The SA National Road Agency, Sanral, continues to fail to submit their financial statements according to the prescribed Financial Reporting Framework and

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supported by the full and proper records required by the Public Finance Management Act.

The department has failed to monitor and evaluate the large number of contractual irregularities that have been perpetrated by Sanral contractors since 2012. The departmental vacancy rates remains high with critical post unfilled, yet the services of consultant's remains very high.

This is nothing but wasteful expenditure and gross mismanagement. In terms of its own oversight role, the department has also failed to ensure that Passenger Rail Agency of SA, Prasa, SA Maritime Safety Authority, Samsa, Air Traffic and Navigation Services, ATNS, submitted their annual reports to the Auditor-General.

There is failure of the department to provide subsidies to commuters that use taxi industry and the complete failure of the department to achieve their targets. The IFP does support this budget review and the recommendation report in the hope that the failures listed above are prioritised and the necessary corrective

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actions are taken. This declaration was read on behalf of the hon member, K P Sithole. Thank you. [Applause.]

Prof N M KHUBISA: Chairperson, thank you very much, this read on behalf of hon Mabika, the core mandate of the department is to ensure safe, reliable, effective, efficient and fully integrated transport systems that best meet the needs of South African passenger and freight users. In order for the department to execute its mandate, a substantial R56,3 billion was budgeted for the 2016-17 financial year and it spent R56,4 billion, and it total, the department reported an over expenditure to the amount of R117,8 million for the 2016-17 financial year.

Whilst the NFP accepts the explanation for the unauthorised expenditure as reported, we can not condone the fruitless, wasteful and irregular expenditure without demanding consequence management. An overall success of 81,1% of its key performance targets, the department must be commended, in particular the NFP is encouraged by the volume of policies and strategies which had been attended to and we now wish to see these translated into action and not remain mere intentions on paper. The NFP is

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concerned about what is happening in Passenger Rail Agency of South Africa, Prasa, and SA National Road Agency Limited, Sanral. The NFP notes that the department received an unqualified audit opinion with findings relating to noncompliance with legislation in management as well as expenditure management. It would be in the interest of a transparent and accountable government if the department were to attend to the Auditor-General's recommendations without delay.

Finally, the report contains several important observations, comments and recommendations which we support. We trust that the department will give due consideration to the recommendations contained in this report and implement them in the interest of ensuring that transport for all South Africans is safe. Thank you very much. We support the report. Thank you.

Mr L RAMATLAKANE: Hon Chair, as the ANC we support the committee report *in toto*. [as a whole] We have made, as a committee, our 16 recommendations that I think other members should take time to read in terms of what is it that the department should do but we need to say that the

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department did receive an unqualified audit with of course, matters of emphasis. With respect to the issues of concern around Prasa, as a committee we have been seized with these matters and I think we are ably dealing with them, including the meeting with Prasa tomorrow. I hope some of those members who speak will attend the meeting of the committee. Whilst we support the recommendations, we want to bring to bring to the attention of the House some matters that we consider to be matters of public importance. Earlier we met as a committee to consider the billions that have been given to all the municipalities, 13 cities that are dealing with Bus Rapid Transit, BRT.

What has been concerning us is how the expenditure has been in fact incurred in those 13 cities especially; I want to isolate the City Of Cape Town. That the City of Cape Town, we have been worried about the expenditure of BRTs and now it has come to light that in fact our concern has been confirmed to be fact, that the corruption that is taking place in the City of Cape Town is beyond comprehension. [Interjections.] The City of Cape Town, as we speak today, has R230 million in terms

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of BRT money that can not be accounted for of the tender that they had issued before. Today as we speak here, I am sitting here with an affidavit, an affidavit of the City of Cape Town official who brings to the fore the corruption that is taking place, incurred by the ... [Inaudible.] the mayor is covering up, the council for Brett Herron is covering up, in fact, the official who brings this to the attention ... today they say, he must be ripped of the powers of risk management. Let me just say, the city manager of Cape Town is involved with Melissa Whitehead, who is a commissioner on the BRT lane whole of the... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time has now expired.

Mr L RAMATLAKANE: ... And lastly to say, Mmusi Maimane is covering up by calling the city ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, your time has expired.

Mr L RAMATLAKANE: Thank you. [Interjections.] [Applause.]

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

Question put.

Motion agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Report accordingly adopted

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION  
REPORT OF PORTFOLIO COMMITTEE ON SPORT AND RECREATION**

Ms Z S DLAMINI-DUBAZANA: House Chair, I move that the report of the committee be adopted.

*Declaration(s) of Vote:*

Mr T W MHLONGO: House Chair, social cohesion has a long way for us as South Africans to make sure that we unify and it is not going to be achieved because of one thing.

*IsiZulu:*

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Ngithanda ukucacisa ngokuthi ngikhulume ngalezi zinto ezenzekayo eMnyangweni Wezemidlalo.

*English:*

Firstly, let's note: We don't have an asset register. For an example, in Pimville sports facility in Zone 5, the department and the province do not know who owns that land. I think the former Mayor, Mr Masondo ...

*IsiZulu:*

... uzositshela kabanzi ukuthi ...

*English:*

... what is happening with the ownership of that facility.

*IsiZulu:*

UMnyango awazi lutho ukuthi kwenzakalani. Dololo!  
[Ubuwelewele.] Bafake isikhalazo kuSomlomo kuze kube manje abakatholi impendulo ukuthi ngabe kwenzakalani.

*English:*

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There is poor governance and financial management is not adhered to. Let me speak about Boxing SA. An unauthorised expenditure of plus minus R4,78 million ...

*IsiZulu:*

... isetshenzisiwe kabi.

*English:*

A fruitless and wasteful expenditure of plus minus R2,37 million ...

*IsiZulu:*

... akwaziwa ukuthi ngabe kwenzakalani ngayo.

*English:*

There is poor planning, poor monitoring and poor evaluation. Let me speak about what happens with the appointment of Boxing SA. We highlight that the Minister must appoint a board permanently as soon as kusasa [tomorrow]. Minister, please, let us have a permanent board for Boxing South Africa.

*IsiZulu:*

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Abakwazi ukwenza ama-quotation ...

*English:*

... for an example, there is a quotation for an amount of plus minus R500 000 ...

*IsiZulu:*

... ephumile ephiwe ithenda kungalandelwanga inqubomgomo yezimali.

*English:*

Boxing SA is not adhering to different policies.

*IsiZulu:*

Mangikhulume ngoMnyango.

*English:*

We have actors in Hollywood. We have about 17 posts and in that 17 only five ... [Time expired.] House Chair, we support the report.

Mr S P MHLONGO: It is often said that a healthy mind is in a healthy body. This department is one of the most

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important departments yet the ruling party has no understanding of this and simply loot its resources.

In the building of the kind of a society that we imagine and envision for our country and the continent, sports and recreation are central to this. Rural areas and townships of this country are neglected or there are no sports facilities at all - meaning health and ability to engage in recreational activities is a right denied to the majority of our people.

Demobilisation of sports in black dominated schools has resulted to early teenage pregnancies and drug abuse as well as poor supply of talented soccer players to our national team, Bafana Bafana. Such failures deny our youth a brighter future and fracture our nation. All this can be put at the door step of the failures of this government.

When we speak of failures of our national team, we are reminded of schools like Sgwejwe High School in Wasbank, Orlando High School in Orlando and many other leading schools that produced the likes of Jomo Sono and Ace

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Ntsoelengoe. What are you producing today? You are producing victims of drugs and early teenage pregnancy because you have no vision of what needs to be done to build a winning nation.

It is in this particular context that, as EFF, we are calling on young people of our country to use 2019 and their voting power decisively in order to ensure that we cannot allow looters of state resources to predate over state resources whilst our nation is dying in poverty.

For this, as EFF, we reject this motion. Thank you.

Mr X NGWEZI: House Chairperson, of major concern to the IFP is the continuing delay and failure by the Department of Sports and Recreation together with the Department of Basic Education to implement their own memorandum of understanding when it comes to the Wednesday school programme activities.

Sports at our schools remain an essential part of child development and as such must form part of every school's curriculum. Identification of our young sport talent by

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the department requires a departmental programme so that our rising young sport stars can be identified early on in their sporting careers and their talents further trained and sharpened by professional coaches in their chosen sport.

The department has also fallen short in its oversight of provincial sports programmes many of which are not in operation. In terms of local sports club, departmental assistance remains poor and our local and rural boxing clubs, to mention a few, are suffering as a result.

The country's vision and call for active nation will not be achieved if the department does not assist local sports clubs. Transformation in sports requires further impetus and focus if we are to meet the transformation goals that have been set.

Funding of the department remains a concern and the IFP supports the call for a greater budget allocation for this portfolio. The IFP supports the budgetary review and recommendation. Thank you on behalf of the hon member K P Sithole. Thanks.

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Prof N M KHUBISA: Hon Chairperson, it is noted that most tertiary institutions now offer either a diploma or a degree in physical education or sports management. It is therefore advisable that in schools and in the community in particular, our children are encouraged to be involved in sport. As one member said, a healthy mind in a healthy body which is *mens sana in corpore sano*.

It is noted that the administrative systems, management systems and other systems within the department are not in shape and also the transformation agenda of this department seems to be taking a kneejerk or a snail's pace approach. As the NFP we therefore say the department must be very robust when it comes to effecting its transformation agenda.

Another issue that we want to bring to the fore House is the dysfunctional agreement of this department with the Department of Basic Education. This is noted in particular because in most schools there is lack of infrastructure. There are many learners, as I have said earlier on, who might wish to pursue a career in sports, get a diploma, a degree or a certificate in order for

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them to live but is there is not enough infrastructure. We believe that this is depriving our learners of a grandiose opportunity to pursue a career in sport.

Besides the fact that Banyana Banyana is performing well, and we congratulate them for the performance, but we believe that much can still be done with regard to women in sport and we believe that they must be given because they were hither to disadvantage even in the past.

We note that with an overall success rate of 82% of its key performance indicators, the department must be commended for achieving 23 of its 28 targets. The NFP also notes with approval that the department received a clean audit opinion on its performance but the issues that we have mentioned must be taken into cognisance. We support the report. Thank you.

Mr L M NTSHAYISA: Hon House Chairperson, as a portfolio committee we have considered the report by this department and its entities. This department is one of those that are being allocated the least budget.

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Of course we must be a winning nation, we must be an active nation and this department has to give a chance to all so that people can engage in sport. It is in sport that people can have healthy mind and body.

However, in terms of being a winning nation, we are always unfortunate, more especially in soccer and rugby, because we always lose but we don't have to give up.

The issue of infrastructure is very important, more especially in the rural areas where there are no sports facilities. It is unfortunate that the 15% of the Municipal Infrastructure Grant given to municipalities is not used as per instruction, that is to build sport and recreational facilities by most municipalities. This has become a norm.

This department has used about 99,7% of the budget that has been allocated, only 0,3% that could not be spent.

However, we are proud of the clean audit that the department always receives. We also urge the department to attend to the previous recommendations that we made during 2015-16 budget.

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The co-operation between the Department of Basic Education, health and social development and the Department of Sport and Recreation will always be appreciated. We know that sport can bring peace to the world because it has the power to bring nations together in a friendly manner. As AIC we do support this report. Thank you very much.

Mr M L W FILTANE: Sporting UDM supports the report. The under expenditure of R1,8 million in sport infrastructure caused by the department's failure to fill the staff vacancies is inexcusable. The department missed out on the opportunity to showcase South Africa as a sports tourism destination. This failure has a negative impact on the country's economy.

Intervention, possibly by the President, is urgently needed in order to nudge the Minister of Basic Education to co-operate in implementing the co-operation agreement between the two departments. This matter has been outstanding for about three years now.

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The impact is that there is no steady flow of talent and performance style from schools to adult sport. Look at the way Bafana Bafana are sluggish as if they are held back by the force of gravity. The Boks are lacking in pace and agility as if they are being pushed back by the Cape Town gale force winds.

Other concerning factors to sport development are enabling legislation; appropriate support from other relevant government departments; financial policy uncertainty which resulted in South Africa withdrawing from the 2022 Commonwealth Games. This decision may have had an impact on the negative results that South African rugby failed to secure the 2023 Sports Rugby World Cup.

The silo approach by government departments to developing is killing sport in our country, here are examples: Nutrition is a very critical part of a mental and physical development in a sports person. That responsibility rests with agriculture as well as the Department of Health. They are nowhere to be found supporting sport.

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The rural development and public works - major custodians of our land and buildings play no part either. Lastly, the transportation of poor amateur players is not being subsidised by the Department of Transport either. So, lack of co-ordination is killing sport in our country. Jerk up or step aside. [Time expired.]

Mr S M RALEGOMA: Hon House Chairperson, Ministers, Deputy Ministers and hon members, the following are six strategic goals that remain sacrosanct for the ANC: Citizens' success to sport and recreation activities; transformation of sport and recreation sector; athletes to achieve international success; enabling environment to support sport and recreation; sport used a tool to support relevant government and global priorities; and an efficient and effective organisation.

In keeping with the above goals, the ANC supports the report of the department because it has received a clean audit opinion four times in a row, spent 99,7% of its budget and reached 23 of its 28 targets.

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Two of its entities which are Boxing SA and SA Institute for Drug-Free Sport, SAIDS, received unqualified audit opinion with findings. Boxing South Africa has moved from qualification to unqualified audit opinion which is an improvement. There is now capacity and stability in the entity.

SA Institute for Drug-Free Sport remained on the same opinion report like last year and we think that they would have moved to clean audit opinion if not because of challenges of underfunding for the task confronting the entity as well as the Bloemfontein Laboratory which must be fully accredited.

We remain confident as the ANC that the action plans developed as a response to the Auditor-General and the recommendations that we have made in our report will make a huge difference. As the ANC we support the report.  
Thank you.

Motion agreed to (Economic Freedom Fighters dissenting).  
Report accordingly adopted.

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CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION  
REPORT OF PORTFOLIO COMMITTEE ON ENVIRONMENTAL AFFAIRS

Ms R M M LESOMA: That the Report be adopted.

*Declaration(s) of vote:*

Mr T Z HADEBE: Hon Chairperson, it is really concerning that once again the department failed to table its annual report as legislated. The reason cited is the dispute between the department and the Auditor-General on the application of the modifying cash standards. Of great concern is that this is an ongoing dispute since 2014-15 financial year. The DA therefore calls on National Treasury to intervene in order to resolve the impasse between the department and the Auditor-General office.

The revelation by the Auditor-General during the portfolio committee meeting on the overview of the audit outcomes in respect of the department's entities for the 2016-17 financial year is worrying. It was reported that a quality of annual performance reports submitted by the department's entities for audit, had retrogressed

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significantly for the two entities over the previous year.

South African National Parks, SANParks, even failed to correct certain mistakes that had been brought to its attention by the Auditor-General. Similarly, South African National Biodiversity Institute, SANBI, would not have achieved a clean audit opinion if it had not corrected certain material statements that the Auditor-General brought to its attention.

The Auditor-General further indicated that SANParks management did not design and implement appropriate systems and internal controls to report reliable performance information for certain indicators. The Auditor-General in the annual financial statement of the South African Weather Services, identified inadequate monitoring supply chain management legislation which resulted in non-compliance.

It was further reported that the pre-payment were made when South African Weather Services was not contractually required to make such payment. That resulted in irregular

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expenditure of R3 million being incurred by South African Weather Services. It is evident that where there are weak internal controls, corruption will thrive. I thank you Chair. [Applause.]

Ms N P SONTI: Chairperson, the EFF rejects the Budgetary Review and Recommendation Report of Portfolio Committee on Environmental Affairs. Ms Molewa is presiding over one of the least transformed portfolios in the country and when attempts are made to transform the sector, the corrupt ANC cadres are placed in strategic positions to loot the state.

Their very conception of transformation is suspect. For instance, iSimangaliso Wetland Park Authority's transformation target was to create 1800 temporary jobs, so to them, having black people with pigs and shovels working three days a week is transformation. Only last month, Ms Molewa refused directly to answer questions about massive corruption at the Eastern Cape parks and tourism agency invoking issues of jurisdiction.

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The CEO of that agency, Vuyani Dayimani has been using it as his cash cow. From colluding with property owners of the building they now use as their offices to using the game transformation programme as a means to loot for his own personal gain, but no, the Minister refuses to intervene.

The same goes for the South African National Biodiversity Institute; the sly corruption perpetrated by white women you have entrusted with leadership positions - that is alarming. Most of the biodiversity planning work in that institution is given to the Chief Director, Kristal Maze's husband through a network of corruption dominated by a few biodiversity planners while the department was made aware of this a long time ago. They have refused to intervene leading to the prosecution and eventually fired of those black staff members who reported. We reject the report. Thank you. [Time expired.]

*IsiZulu:*

Mnu M HLENGWA: Malibongwe ngoba anifuni ukungisholo.

*English:*

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Hon House Chairperson, the retrogression and quality of the annual performance report submitted by the South African National Parks, SANparks, and the South African Weather Services and it having received material findings on usefulness or reliability of the information submitted for auditing purposes is totally unacceptable and this requires investigation and intervention by the department.

For SANparks and in respect of the Auditor-General raising of material findings on performance information in terms of the usefulness and reliability of material indicators pertaining to the percentage reduction and recorded fatalities of rhinos and elephant poached has a ratio of recorded number of poaching activities in the Kruger National Park is also totally shocking.

Our South African rhino and elephant population are currently under siege by criminal poaching syndicates but our departmental entities and those that are expressively tasked with the wealth of such iconic species cannot even get their reporting information correct. How are we meant

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to effect adequate strategy going forward when we have incomplete reporting structures?

In terms of biodiversity, we are simply not doing enough. Scientists now agree that our planet is in the midst of its sixth mass distinction of planets and animals and estimate that we are losing species at one thousand to 10 thousand times more than a background rate, with literally dozens going extinct everyday. This is a sobering thought and one which we should all ponder deeply over.

The IFP supports the Budgetary Review and Recommendation Report and we support biodiversity and the full protection of our flora and fauna. More work must still be done to ensure that rhinos and elephants ...

*IsiZulu:*

... ngoba phela ngoba niyazi i-logo ye-IFP ...

*English:*

... is the elephant so the elephant must be protected. I thank you Chair.

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Prof N M KHUBISA: House Chairperson, the report contains a lot of issues that are worrying. Whilst we appreciate that the failure to submit its financial report is due to the dispute between the department and the office of the Auditor-General, it is patently clear from the committee's observation that the department has failed to rise to the occasion to resolve the dispute and attempts to create a platform for the department to do so.

Having expressed our concern, the NFP notes the varying audit outcomes of the entities reporting to the department. We commend the iSimangaliso Wetland Park Authority which has sustained its clean audit opinion as a result of maintaining adequate controls throughout the period under review and we acknowledge the significant improvement in the audit report for the South African National Biodiversity Institute, SANBI.

The state of the tourism agency is concerning. We also note the high level of achieving set performance targets among the entities which are overall highly satisfactory. It is obvious that the iSimangaliso Wetland Park Authority is

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executing their mandate exceptionally well and SANBI as well, but not that it is satisfactory.

The report contains several observations and recommendations that the NFP agrees with. We have a concern about the reported tense relationship between the iSimangaliso Wetland Park Authority and the communities that are adjacent to the park. For eco-tourism to be sustainable, neighbouring communities must both participate and benefit. We urge the iSimangaliso Wetland Park Authority to make every effort to ensure that communities are within and adjacent to the park are fully integrated.

*IsiZulu:*

Abantu baseMtubatuba, abantu bakwaViyane nabo mabasizakale ngalokho okwenzeka kuleya ndawo. Siyayixhasa Sihlalo.

Mr Z S MAKHUBELE: Hon House Chair and Members of Parliament, afternoon. You know, what becomes an issue is that, almost all the people who came here except one,

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attend our portfolio committee meetings, the rest are not members, and they do not come to the meetings.

So, I'm actually debating with people who do not have information. They were not there. What they say may be based on research, which is minimal information. They need to attend the meetings so that they may be educated and become true public representatives who represent their parties in a manner that is befitting.

What is happening today is like we just came to talk to you and give you information. You may make noise, I'm not going to degenerate your level. You can make the noise the way you want, but I can't do that. When the member of the EFF came here, she spoke about interference, not intervention. She cannot even differentiate the two concepts or terminologies. That cannot be done.

In terms of the Constitution, there are three spheres of government and there is core competency, you don't just interfere. If you don't understand, that is better. You must allow yourself to be educated around these issues so

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that you understand how the country is run on the basis of the Constitution.

The Portfolio Committee on Environmental Affairs had duly interrogated the annual reports, financial statements and the audit outcomes of the Department of Environmental Affairs' four entities. [Time expired.] You have been educated and there is something that you've learnt today.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, the motion is that the report be adopted. Are there any objections?

Motion agreed to (Economic Freedom Fighters dissenting).  
Report accordingly adopted.

The CHIEF WHIP OF THE OPPOSITION: House Chair, may I address you on a point of privilege?

The HOUSE CHAIRPERSON (Mr C T Frolick): What is the point of privilege, hon member?

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The CHIEF WHIP OF THE OPPOSITION: House Chairperson, you would be aware that one of the protections of the Members of Parliament is that they are not allowed to have warrants of arrest served upon them on the parliamentary precincts; it's an age-old tradition.

I have on my hand a warrant of arrest for Mr Shaik-Emam for harassment. It was handed down by the Cape Town magistrate's court this morning, relating to a parliamentary SAPS officer who has been subject to harassment.

House Chairperson, I would seek your guidance to ensure that Mr Shaik-Emam is not arrested while he's on the parliamentary precincts; that the House Chair confirms that Mr Shaik-Emam would not be arrested while he's on the parliamentary precincts and that this warrant will not be executed on this precincts. Thank you.

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

Prof N M KHUBISA: House Chairperson ... [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Khubisa, I'm still addressing this point of order. I will recognise you afterwards.

Prof N M KHUBISA: Oh!

The HOUSE CHAIRPERSON (Mr C T Frolick): Indeed, the matter must be referred to the office. [Interjections.] Order, hon members! Hon members, it may seem like a joke to some of you, but it's actually quite a serious matter when a warrant is served on the premises. The matter will be referred to the Speaker, and indeed if the necessary procedures were not followed, then it won't be executed on the premises.

Prof N M KHUBISA: House Chairperson, it's just also a point of privilege to indicate that, well I'm not privy to the document from the side of the party and whilst I can't stop the hon Chief Whip of the Opposition, but from our side, we were not privy to the document as such. That is what I wanted to say.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, your point is noted. Order, hon members!

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON PUBLIC  
SERVICE AND ADMINISTRATION AS WELL AS PLANNING,  
MONITORING AND EVALUATION - OVERSIGHT VISIT TO FREE STATE  
PROVINCE**

Mr C C MATHALE: Chairperson, the ANC-led government remains committed to promoting the values and principles of public service and administration and governance in public institutions. The National Development Plan, NDP, highlights the need for well-run and effectively coordinated state institutions committed to serving the people of this country. In order to find ways to improve service delivery, government institutions should instil a service ethos true to the Batho Pele principles and the Public Service Charter.

The main objectives of the visit are as follows. The committee appreciates the warm welcome by the Office of the Premier and the presence of all heads of department in the province. All the heads of department participated

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during the first meeting about the impact of service delivery improvement plans, Thusong Service Centres, and the report by the provincial Public Service Commission.

With regard to the promotion of professional ethics and impact, it was revealed that the province is still struggling to ensure 100% compliance with senior management service financial disclosure submitted to the Public Service Commission. However, the committee was concerned about the validity of contradictory information presented by the Management Performance Assessment Tool, MPAT, and the Public Service Commission that presented different figures in terms of compliance. The Public Service Commission reported 100% compliance, whilst the MPAT indicated 75% compliance, which is a serious discrepancy of 25%.

The instability at the level of head of department in the province was a concern to the committee. A political administrative interface is critical in any government, but it has to intend to improve performance and service delivery. The movement of heads of department from one department to another has a bearing on performance. The

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committee encourages the province to ensure stability, which is informed by a performance management development system for the heads of department and senior management service levels in the province.

The Department of Public Service and Administration should consistently monitor and assess effective implementation of improved senior management performance for it to be in line with annual performance plans. The Department of Public Service and Administration should intensify its efforts to address identified bottlenecks on this and ensure resources are allocated to this activity. The department should ensure all departments display the service charter in their buildings. The Department of Health should frequently monitor service delivery improvements and development improvement plans.

The Department of Public Service and Administration, in collaboration with the Office of the Premier, should speed up the process of finalising the disciplinary cases within a reasonable timeframe. The Department of Public Service and Administration should utilise a pool of experts in labour relations. This has to be utilised

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efficiently in order to finalise pending cases of discipline. The Department of Health should work with the Centre for Public Service Innovation in resolving cure management in most of the hospitals because this is a serious problem. Particularly in the Pelonomi Academic Hospital and Bongani Regional Hospital, cure management strategy has to be developed to manage the time taken by patients in the facilities. The strategy will benefit hospital management in order to monitor efficiency in this regard. The Department of Health should properly manage the huge overtime bill for health professionals and specialists, as it impacts on accruals in the subsequent financial year.

Given the above, the committee presents the recommendations of the report and calls for consideration of the report by this House. I thank you.

There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

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*Declarations of vote:*

*Afrikaans:*

Me D VAN DER WALT: Voorsitter, alhoewel ons die verslag in verband met die oorsigbesoek na die Vrystaat ondersteun, moet ek die Huis daarop wys dat ons almal soos vasgehaakte platespelers begin klink. Verslag na verslag wys ons almal op die skokkende bevindings van swak tot geen dienslewering aan Suid-Afrikaners, veral aan ons arm gemeenskappe, deur staatsinstellings.

Vir die meeste amptenare, veral op 'n provinsiale vlak, is dit ...

*English:*

... a nice day out.

*Afrikaans:*

Jare se notules van komitees wys dat hierdie besoeke bitter min verskil aan mense se lewens maak. Volgende jaar sal ons weer hier staan, en niks sou vir die siek mense wie byvoorbeeld by die Pelonomi-hospitaal van 15:00 tot 19:00 en selfs 'n volle dag in 'n ry staan en by die ontvangs oorslaap met die hoop op mediese hulp verander

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het nie. Met die swak toestand van hospitale kan 'n mens nie anders nie as om saam te stem met die pasiënte wat sê hulle gaan deesdae hospitaal toe om te sterf in plaas daarvan om gesond te word nie.

Ek daag vandag, eerstens, die Minister van Gesondheid uit om volgende jaar hier te kom staan en 'n 100% positiewe verandering om siek mense effektief te help by the Pelonomi-hospitaal, Bongani-hospitaal, en die Universitas Akademiese Hospitaal aan te kondig en, tweedens, die Departement van Openbare Werke om by dié hospitale broodnodige instandhouding te doen. Slegs dan sal ons weet ons oorsigwerk as dienaars van alle gemeenskappe dra gewig. Dankie.

*English:*

Ms N V MENTE: Chair, the oversight visit by the portfolio committee allowed the provincial government of the Free State to make presentations to the committee and allowed the committee to make surprise visits to hospitals to the province to see if the provincial Public Service Commission is doing its job.

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The presentations were revealing both in what was and wasn't said. Whilst the visits to hospitals reinforced what we already knew, the Public Service Commission is failing to ensure that services are delivered to our people. The problems seen at the hospitals visited are the same problems we see every year: the failing infrastructure, the lack of staff, vacancies, mismanagement and, obviously, corruption. The Public Service Commission is useless and serves no purpose in the province. The presentations made to the committee were confusing and probably based on lies. There were two presentations given to the committee, and the information differed.

These oversight visits and reports continue to have little or no effect on service delivery. The conditions in Pelonomi hospital in Bloemfontein, Manapo hospital, Bongani hospital, and Elizabeth Ross hospital are just chaotic. It is a mess. Patients are traumatised. They do not have enough beds. Patients sleep on the floor with no care whatsoever. The Department of Planning, Monitoring and Evaluation and the Public Service Commission have no monitoring tools to oversee the hospitals.

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By the way, it is not just the Free State. You find it all over the country - in the Eastern Cape, in Limpopo, in KwaZulu-Natal. In the rural provinces, there is no care whatsoever for the people who the ANC calls their voters. You have failed! This is not going to bear any fruit for our people. It is just a visit, one of the many. Nothing will happen. There are no consequences - absolutely no consequences, as it stands for the ANC. [Interjections.] Thank you.

An HON MEMBER: Well said!

*Declarations of vote:*

Mr E M BUTHELEZI: Thank you Chairperson. In terms of the recent oversight visit to the Free State province to discuss that the state of the province in regard to public service and administration, the IFP whilst not party to that oversight visit would like to raise the following concerns emanating from the report:

In line with the theme of back to basics and entrenching a culture of Batho Pele Principles and professionalising the public service, the committee was briefed about the

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quality of the province management performance assessment tool provided with the status of the Service Delivery Improvement Plan, SDIPs and the Tsogo service centre; and low co-inspection at the service delivery centre were also conducted in order to ascertain the service and the status of the facilities.

In respect of the human resource we reacted to the importance of ensuring that personnel are recruited on the bases of skill, knowledge and experience if we were to assure the public of effective performance and ensure that there are adequate retention strategy in place especially in respect of scarce skills.

The critical service delivery areas must be prioritised and lead with their applicable professional standards legislation and standard operation procedures, which are not aligned or have been addressed in many instances.

Silo operations must not be tolerated and it is essential that departments integrate the SDIPs process into strategic planning as this will avoid separate planning and possible duplication of service delivery plans.

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Another issue is the fact that there is inconsistency in the officials reporting in various departments, which affects continuity and this must be addressed. The IFP support the provision of effective, efficient and transparent accountable and coherent public service to the people of South Africa. The IFP therefore does not oppose the report.

Mr S C MNCWABE: Thank you Chair. First and foremost, we must commend the committee for a very thorough oversight visit and for a detailed report thereon.

The observation gives us a clear understanding of a situation and the various sites visited, and assist greatly in formulating an informed analysis of the report.

Continuous monitoring and evaluation of the public service is a key component of the NDP, which places great emphasis on the importance of the professional and accountable public service culture.

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A comparison between the sites reveals different level of competency and efficiency, different challenges and different responses. There are however some similarities to office space constraints in Thusong service centres which is so pervasive that three of the centres in Free State are not operational and reliable IT capacity; and staff shortages. All affect the ability to provide quality public service.

The NYDA also faces a challenge in that their office is not visible and accessible to the majority of young people in Free State by virtue of its location.

The hospital is also first comparable challenges which impacts on their ability to provide efficient service to the public. Ageing and crumbling infrastructure due to a lack of maintenance makes working conditions difficult for staff and patience alike.

Long queues are the norm and high staff vacancy rates due to insufficient resources all contribute to challenges the hospital face.

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The Department of Home Affairs in Bloemfontein does seem to get a nod of approval particularly so since it is situated in the township; and hence close to the people.

The boarder post at the Maseru bridge port of entry however seems to face more challenges than most of the sites visited. In fact, this point of entry is a fine example of just how porous our borders are, with numerous reports of unlawful border crossing in the vicinity.

How humble some emigration and immigration procedures are, and how important is it to have a stable and reliable IT system in place to ease the flow of people.

Turning to the recommendation of the committee, the NFP welcomes the emphasis the committee places on consistent and continuous monitoring and assessment. Frequent and consistent monitoring and assessment are important in order to establish a baseline measure for performance and also to give early warnings if potentially challenges are about to rise. The NFP support the report.

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Ms Z S DLAMINI-DUBAZANA: Thank you hon House Chair. Hon House Chair, I think firstly what I need to make is maybe to reinforce Chair that as the ANC, we pride ourselves by saying what we have promised the South Africans in 1994, we are actually doing that. The main reason why the committee went for an oversight was to make sure - or to ensure that what we promised the people, the accessibility and to help to better the conditions of health of our people, we did exactly that.

Now if the committee goes out on a visit it is because we agreed and looked at the conditions. Indeed, we need to improve the infrastructures not of the health services alone; in most of the infrastructures, which are depilated because we took those infrastructures from the system that was there, which is the apartheid, being in the poor conditions.

Secondly, there is a brain damage - because you know very well what you did to the health services, especially the DA; and what the ANC is saying we will try to make sure by giving policies like community service to make that

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all those community centres have got skilled personnel. So we have to be honest.

The committee agreed on the report. We all agreed on it, so the bottom line is that let us have time. Let us - even Members of Parliament that stays in those constituencies, it is their task to make sure that every time they go and visit including the DA, including everybody who came here and criticised the report; because it means at the end of the day, us, the legislators, we are not honest unless the committee goes and do the oversight.

So you cannot blame the ANC because the ANC did exactly what it promised the people. We promised the people that health services will be accessible to everybody irrespective of the colour and the creed; and that's exactly what we have done.

However, we must be given the time to make sure that those infrastructure we look after them. We maintain them. Indeed, there is a problem but we need to improve them. Don't tell me because the people in Gugulethu as we

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speakers don't even have the clinic that is accessible to them. So let us not play with the lives of our people.

To the South Africans I am saying, the ANC is taking care of you. We will make sure that the drugs are there. We will make sure that the clinics are there. They are at the doorstep. We will make sure irrespective of whatever that is being said by the people that are grandstanding here. I thank you. [Applause.]

Motion agreed to (EFF dissenting).

Report accordingly adopted.

**CONSIDERATION OF REPORT OF CONSTITUTIONAL REVIEW**

**COMMITTEE ON 2015 PUBLIC SUBMISSIONS**

**CONSIDERATION OF REPORT OF CONSTITUTIONAL REVIEW**

**COMMITTEE ON 2013 PUBLIC SUBMISSIONS**

Ms M R M MOTHAPO: Chairperson, hon members, fellow South Africans, the Joint Committee on Constitutional Review has established in terms of sections 45(1)(c) of the

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Constitution; and it operates within the joint Rule 102(2) (a) of the joint Rules of Parliament 6th edition which came into effect on June 2011.

The committee held its first meeting on 4 September 2015 where in 13 legacy submissions outstanding from the 4<sup>th</sup> democratic Parliament were tabled and presented. The committee resolved to process the submissions by requesting legal opinions and briefings from relevant stakeholders and to hold public hearings which took place on 15 April 2016.

This gave submitters an opportunity to present their submissions and response to clarity seeking questions in order to inform the committee's deliberations during their subsequent meeting on the desirability of the proposals contained on the submissions.

Submissions received by the committee to date the Fifth Parliament's Committee on Constitutional Review was established in March 2015 and accordingly called for submissions in public media for 30 days as of 1 May 2015 in terms of joint Rule 102(2) (a) as has been alluded to.

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During 2015, 18 submissions were received including three updated resubmissions of the 4th Parliament and two submissions requesting a review of section 6(1) the one dealing with languages pertaining to official languages as I said.

To this end the committee extended invitation to submitters to attend public hearings and for consideration of all outstanding legacy submissions. This strategic approach was undertaken with a view to consolidate all submissions on official language status and other legacy submissions submitted during 2015 for thorough consideration and stakeholder consultation in due course. The committee has received and it is currently processing 67 submissions for 2016 and has received 11 submissions for the 2017 year cycle.

I would like to thank all members of the committee for the year commitment and dedication. Notably, the committee - because of the resubmission of - in terms of section 6(1) of the Constitution are relating to sign language by the Deaf Federation of South Africa, Deafsa, which requested a review and amendment to Chapter 1 of

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the Constitution to include South African sign language under section 6(1) instead of recognition under section 6(5) (a) (iii).

We therefore, saw this very desirable and as a committee we recommend that this report be dully adopted. Thank you.

The CHIEF WHIP OF THE MAJORITY PARTY: House Chair, I move that both reports be adopted by this House.

There was no debate.

*Declarations of vote:*

Dr A LOTRIET: Chairperson, firstly I want to thank the Chairpersons, hon Nzimande and hon Smith for really making an effort to work through the submission backlog that the committee is confronted with, many of those submissions relating back to the 4<sup>th</sup> Parliament.

As can be seen from this report we are now dealing with, at the end of 2017 it deals with submissions made in 2013 and 2015, so there is still some work to do. These

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particular reports deal with a number of submissions on which the committee has obtained legal opinion, held public hearings and then deliberated on.

All of the submissions except for one have been deemed not to justify an amendment of the Constitution. And this indicates that any amendment to the Constitution is not taken lightly. All submissions are scrutinised from different angles and assessments are made whether the requested proposal cannot rather be satisfied by existing legislation.

However, the one submission that the committee felt qualified for the constitutional amendment is the submission that the South African Sign Language be included as an official language in section 6 of the Constitution. And although the Constitution in section 6(5)(a)(iii) recognises the sign language as the one of the nine official languages of South Africa and the South African Schools Act of 1996, the use of official languages Act of 2012 and the Pansalub Act of 1995 make some provision for the promotional use of sign language, it is

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not sufficient to enable deaf people to enjoy all the constitutional rights provided for.

This recommendation by the constitutional review is long over due as the first recommendation in this regard was made ten years ago in 2007. We really trust that the parliamentary process to effect this amendment will be done without any further unnecessary delay.

We also have to mention that one of the main problems for this committee is that it very seldom quorates and important decisions then cannot be taken. However, the DA supports the report. [Applause].

Ms H O MKHALIPI: House Chair, I am here on behalf of Mr Matiase who does attend the committee, chief whip of the ANC. As the EFF we view the constitutional committee as an important mechanism to regularly respond to the views of our people on what ought to be done to strengthen the Constitution and make it responsive to the needs of the people. As in its current form, this committee is functioning at less than optimal and does not take seriously the various submissions made. We are here now

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dealing with the submissions that were made as far back as 2013 and most of the submissions that were dismissed out of hand of a fundamentally nature to the South Africa we want to field.

For instance, Mr Ncuma submitted a substantial proposal for the committee to look at the need to amend section 25 of the Constitution regulating the payment of compensation for expropriation of land.

He correctly argued that the inclusion of the market value as a factor to be considered for compensation is grossly unfair and leads to unfair enrichment of those who through colonialism in apartheid managed to get as much land as possible. Some of them do not even have title deeds as we speak.

The committee dismissed this without giving it much attention. There are other submissions was dealing with the preamble of the Constitution on the question of South Africa belonging to all who lived in it. This too was dismissed without engaging thoroughly with the submissions. The submissions by the institution for

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accountability in Southern Africa for establishing an anticorruption commission as a Chapter 9 Institution is once again proof that citizens have lost trust in the existing crime fighting institutions which have been captured by Mr Zuma and the Guptas who have no regards for the Constitution.

Granted: most of the submissions were frivolous but the committee should strive to take its work more seriously and respond timeously to matters raised. May be, if the committee take this matter seriously, the EFF will consider supporting the next report, but for now we are therefore rejecting this report.

Mr E M BUTHELEZI: Chairperson, in line with section 45(1)(c) of the Constitution, and in terms of Joint Rule 102(2) of the Joint Rules, the Constitution Review Committee conducts an annual review of the Constitution. Public submissions were accordingly invited on any constitutional matter and numerous written submissions were received and fully interrogated. Where necessary, Parliament's legal services were sought to provide the committee with sound legal opinion, input,

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advice and assistance. We commend them for their good assistance in this regard.

A very positive step arising from the number of issues that were received for interrogation was the committee's recommendation that the National Assembly and the National Council of Provinces should facilitate an amendment to the Constitution to include South African Sign Language, SASL, as one South Africa's official languages. The Inkatha Freedom Party fully supports this as it does the remark of the Pan-South African Language Board's, PanSALB, chief executive officer who said that sign language is a fundamental human right and should, as such, be treated equally to other languages.

Another proposal that merits further attention submitted by the institution for accountability in South Africa is the establishment of an anti-corruption commission within our Chapter 9 framework. Such commission is to investigate the growing number of crime syndicates linked to corruption and the criminality in our government departments.

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In alignment with giving effect to the values of the founding provisions of the Constitution, and given the fact that our Constitution is a living document which should therefore be interpreted, as stated before, in light of the moral, political and cultural climate of the time, this committee provides a very necessary platform for public consultation and review of submissions as we further grow and mature the rule of law in South Africa. The IFP supports the report. Thank you.

Mr S C MNCWABE: Chair, Albert Einstein once said –

The strength of the Constitution lies entirely in the determination of each citizen to defend it. Only if every single citizen feels duty-bound to do their share in this defence, are the constitutional rights secure.

A constitution is not cast in stone. It is a living document that reflects the hopes, aspirations and ideals of a people. At the same time, it sets out the framework for government.

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The NFP believes that it is imperative that a review of the Constitution of our country must be done on an ongoing basis. As our society evolves, develops and grows, so too does the Constitution need to adapt and grow with our people for, ultimately, our Constitution is owned by the people for the people.

The report tabled here today is an important part in this ongoing process of reviewing the Constitution. The value of the work of the committee lies in affording every citizen – whether a natural or juristic person – an opportunity to contribute to that review. Our people do have a voice and it is encouraging to see that their voice is taken seriously.

The NFP agrees with the findings of the committee in respect of all the submissions made. We believe that the deliberations were thorough, fair and transparent and that, above all, the committee displayed a judicious caution and subjected the submissions to rigorous analysis to ensure that the concerns of the submitters were dealt with thoroughly.

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We commend the committee for this important task that they are performing.

Several of the submissions highlighted once again why our Constitution is and always must be neutral, impartial and objective. Our society is very diverse and this diversity must be accommodated and reflected in our Constitution. It must be protected and promoted, for in our rich diversity lies our uniqueness as a nation.

More importantly, however, is the principle that the protection of rights must be inclusive, balanced and in harmony with competing rights. One such example is the submission to introduce religion, and Christianity in particular, as an inalienable part of government and governance. At face value, it would seem just that we should do so, since almost a quarter of the population is Christian.

However, there is a reason South Africa adopted a secular government in 1994. The collusion and collaboration between state and religion during the apartheid era unleashed unspeakable brutality and indignity upon people

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and must never again be allowed to happen in South Africa. The majority of South Africa might be Christian, but the country's population is not exclusively Christian. We support the report. [Time expired.]

Mr S N SWART: Chairperson, firstly, I want to thank the legal advisors for the lengthy legal opinions they provided to us in the committee. It really assisted us to deal with all the various submissions. As various speakers have said, these are the 2013 and 2015 submissions.

Now, we in the ACDP raised certain objections to recommendations in the report. A number of them are related to the committee's rejection of the proposals from Kingdom Governance Movement, one of which relates to abortion. The stand of the ACDP in opposing abortion is well known, and we believe that the proposal from Kingdom Governance Movement should have been accepted to amend section 11 of the Constitution to the effect that the right to life is protected from conception.

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The second issue that we dealt with was a proposal from Kingdom Governance Movement to amend the Preamble to the Constitution to state that –

... to recognise God as the Creator and embrace the application of godly norms, ethics, moral, values and principles for the goodness of humanity.

We had a lengthy debate about the issue, and a legal opinion was obtained to the effect that South Africa is a secular state and that these words should therefore not be inserted.

I differed very firmly on this issue. It's not the first time that I've dealt with it. Since 1999, it has consistently been argued that South Africa is a secular state. I have held a different view. I've strongly differed from that. If you look at the certification judgement ... It is stated in the judgement on the certification of the Western Cape Constitution, that the phrase in the Western Cape's Constitution's Preamble "in humble submission to Almighty God" is acceptable.

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Therefore, an amendment as proposed would not infringe on any constitutional rights.

The report's recommendation on this issue stated obliquely that South Africa is not a secular state, and does not support a specific religion. I have no problem with that aspect. It's the second part of the report that is problematic. It states that amending the Constitution by embracing godly principles may not only impose a specific religion or principles, but may also offend against the spirit and letter of the Constitution.

As we debated this issue, it is very clear that we, as the ACDP, do not agree with that view. When the Constitution was drafted, we ensured that section 15(2) was inserted:

Religious observances may be conducted in state, or state-aided institutions under certain conditions.

So, we had a lengthy debate. The committee said, we are a secular state. But, I'm pleased to announce that, in terms of the Organisation for Religious Education and

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Democracy, Ogod, case recently in the Gauteng High Court, the court found that South Africa is not a secular state.

An HON MEMBER: Oh no!

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. Your time has expired.

Mr S N SWART: So ... but I do just want to support this report because of the Deaf South Africa language issue,

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

Mr S N SWART: So, while we have those reservations ...

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

Mr S N SWART: ... we will support it.

Ms M R M MOTHAPO: Chairperson, let me start by responding to the hon Swart. You know very well that the ANC respects all religions. In the committee, we put it categorically that we don't align ourselves with a

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specific religion; we all respect all. But you kept on pushing that we must amend the Constitution to suit the ACDP's agenda. Maybe if you can just win elections that will be fine.

Coming to the EFF, thank you so much for appreciating and making an input into the report of this committee. I hope one day ... we normally sit on Thursdays between 12h00 and 14h00 ... to come to the committee. Okay? [Laughter.] Yes.

*Sepedi:*

Ke rata le go botša babogedi kua magae gore ka moka tšeo ba di tlišitšego Komiting ya Tekolo ya Molaotheo re di šetše morago, kudukudu tše mabapi le dipolelo. Bale ba gore re lebelele karolo ya 6(1) - ke a tšhepa Mna Matsepe o tla tonkulla ditsebe a ntheeletša lehono - re e lebeletše taba yela ya Sesotho sa Lebowa/Sepedi. Le se ke la fela pelo. Le bale ba Khilobedu, le se ke la fela pelo. Tsebang gore mokgatlo wo o bušago wa Modimo le badimo o di lebeletše ka moka ditaba tše. Mokgatlo o tla le bitša ka mo go sa fedišego pelo - e ka ba ngwaga wo o tlogo.

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Bjalo, ke boe ke re go EFF ...

*English:*

... all the issues the hon MkhaliPhi raised here were attended to adequately by the committee. Adequately so. That's why I say, unfortunately, you don't have time to attend a very important committee which is the Constitutional Review Committee. I humbly request you to come to the committee. Hon Paulsen, I request you to come to the committee and see how progressive the ANC is moving in that committee. [Interjections.]

*Sepedi:*

Le tše ntši tše di fihlilego gonabjale tše 16 tša ngwaga wo re lego ka gare ga wona, re di lebeletše. Ebile re a tshepa gore pele ga ge Palamente ye ya bohloano e kgaotša, re tla be re di šetše morago, re di senkasenkile gape re dirile seo batho ba re romilego gore re se dire. Re šomela batho bjalo ka ANC.

Re a tseba gore bagaditšong bona le baloi ba duma okare re ka palelwa. Efela bjalo ka mokgatlo wo o bušago - mokgatlo wo o ka beletšago tau - ... [Tšhwahlelo.]

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*IsiZulu:*

Mnu S P MHLONGO: Sihlalo, ilungu elihloniphekile naku ngathi sekusele kancane ukuthi libe yi-fighter ngoba naku namanje lisagaxekile ...

USIHLALO WENDLU (Nks M G Boroto): Qha bab'uNjomane ...

[Uhleko.] ... qhubeka mama.

*Sepedi:*

Tšwelapele, mmagorena.

Moh M R M MOTHAPO: O a tseba gore khwibidu ga se ya thoma ka bona; ba e hweditše. Akere ngwana ge a e tšwa ka gae o tšea tše di botse tša ka gae a di iša ka gabo.

*IsiZulu:*

Nks M S KHAWULA: Inkinga yami ukuthi bengifuna ukubuza ukuthi ilungu elihloniphekile akanayo yini into okufanele akhulume ngayo ngengoba ezobona abantu abahlasele nami aphinde angihlasele. Makayeke ukuyoba yinhloli [monitor] akazi ukuthi yini okumele akhulume ngayo.

*IsiZulu:*

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USIHLALO WENDLU (Nks M G Boroto): MamKhawula ngiyakucela okokugcina ukuthi ungasayenzi le nto oyenzayo, ngikutshelile nayizolo. [Ubuwelewele.] Qha, ngeke akhulume lokhu okufunwa ngumama uKhawula, ukhuluma lokhu okulaphaya kuye.

*Sepedi:*

Tšwelapele, mmagorena.

Moh M R M MOTHAPO: Ke a leboga, Modulasetulo. Ba swanetše ba tsebe gore mo ke lepatlelong la dipolotiki. Ga go na gore re ka bolela ka tše dingwe ntle le dipolotiki. Ba swanetše go ba le letlalo la go tia.

Ke boe ke tsebiše babogedi kua gae gore ba tsebe gore ...

Ke be ke sa boeletša. Ke re tšela tša dipolelo re di kgobokantše ka moka ga tšona. Re tlo ya go bona re le komiti ye ya mohlakanelwa ya Tekolo ya Molaotheo ra ba kwa. Re le mokgatlo wa Modimo le badimo wa ANC, re tlo tšwa ka makatanamane ra ba sedimoša ka dilo ka moka.

Ebile re rata gore ba tsebe gore ge nkabe e se ka rena mokgatlo wa Modimo le badimo wa ANC, nkabe lehono re se mo re lego gona. Bjale ke re e gona ga ... [Tšhwahlelo.]

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*IsiZulu:*

Nks M S KHAWULA: Sihlalo ngenhlonipho.

USIHLALO WENDLU (Nks M G Boroto): Yebo mam' uKhawula.

Nks M S KHAWULA: Ngiyabonga, uyazi ngilokhu ngithi  
ngiyazama la kodwa qha, asikho isiZulu.

USIHLALO WENDLU (Nks M G Boroto): Asikho ma?

Nks M S KHAWULA: Yebo, sengibuya kubo-5, kobani kobani,  
ngiyasicela isiZulu. Ngiyabonga.

*English:*

THE HOUSE CHAIRPERSON (Ms M G Boroto): We don't have it?

*IsiZulu:*

Bazayilungisa mama.

*Sepedi:*

Tšwelapele, mmagorena.

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Moh M R M MOTHAPO: Ke a tseba gore ge ke bolela, go na le ba bangwe ke ba swara moo ke sa swanelago go ba swara gona. Efela mošito wona o tla dula o tšwela pele.

Ke sa boeletša ke re re le mokgatlo wo o bušago; re le mokgatlo wa Modimo le badimo woo re lego mo ka baka la wona ...

Le ge bagaditšong ka mo ga mpogošo ba re ga se nnete, ba a tseba. Ba bangwe ba bona ba go swana le nna ka mmala nkabe lehono ba se gona mo ge nkabe e se ka ANC le mekgatlo ye mengwe yeo e bego e lwela tokologo

MODULASETULO WA NTLO (Moh M G BOROTO): Re a leboga, mmagorena. Nako ya lena e fedile.

Moh M R M MOTHAPO: Ke a leboga. Le ge e le gore ba bangwe ge re gohlola re a ba šišimiša, mošito wona o tšwela pele.

MODULASETULO WA NTLO (Moh M G BOROTO): Re a leboga, mmagorena.

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*IsiZulu:*

Mama uKhawula, bathi sikhona ku-5. Oho, besingekho, siyabonga, ungasilalela manje. Sizabacela ukuthi basilungise.

Motion agreed to (Economic Freedom Fighters dissenting).

Report on 2013 Public Submissions accordingly adopted.

Report on 2015 Public Submissions accordingly adopted.

**CONSIDERATION OF JOINT REPORT OF PORTFOLIO COMMITTEE ON  
AGRICULTURE, FORESTRY AND FISHERIES, PORTFOLIO COMMITTEE  
ON WOMEN IN THE PRESIDENCY, AND MULTIPARTY WOMEN'S CAUCUS  
ON OVERSIGHT VISIT TO MPUMALANGA PROVINCE**

Ms T M A TONGWANE: Chairperson, the ANC supports the adoption of the Joint Report of the Portfolio Committee on Agriculture, Forestry and Fisheries, the Portfolio Committee on Women in the Presidency and Multiparty Women's Caucus on the oversight visit to Mpumalanga province from 26 to 31 March 2017. The purpose of the joint visit was to oversee the implementation of

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concurrent activities and crosscutting policy issues by the Departments of Agriculture, Forestry and Fisheries and Women in the Presidency. It also included matters related to gender equality.

During the oversight visit, the delegation visited several projects in the Ehlanzeni, Gert Sibande and Nkangala District Municipalities. The delegation visited the agricultural produce packhouse at Huttington, the Allandale Mango and Citrus Estate, the Lebombo Border Post, Lebombo international border fence and the foot-and-mouth disease red-line fence, Nkomazi West Maize Mill, Maquabi Primary Co-operative, the Pixley Family Primary Co-operative, the Vukuzenzele NPO project, the Valksfontein Siyabuswa Veterinary Clinic and the Marapyane College of Agriculture.

The committee made the following notable observations. The Mpumalanga province has the potential to expand its commodity production through sustainable farming systems that contribute to sustainable food security and job creation, not only for the province but for the country, as well. This was evident in the programmes of government

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in ensuring food security at all levels, particularly through the school nutrition programme.

It was brought to the attention of the joint portfolio committee that it is the provincial farmers that will supply produce to the school nutrition programme and social development nutrition centres, while supplies to hospitals will be piloted due to the stringent health requirements.

Although the delegation noted that 35% of people in Mpumalanga are food insecure, it was members of the delegation that emphasised that the co-ordination of all government programmes targeting food security issues in an integrated manner was key. In line with the revitalisation of agriculture and the agro-processing value chain's programme of government, which is part of the Nine-Point Plan announced by the President in 2015-16, the joint portfolio committee commended the Mpumalanga province for its initiative to ensure market access for smallholder farmers through the school nutrition programme and the decision to reopen Marapyane College of Agriculture for farmer training.

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The delegation acknowledged the efforts of the province to address the shortage of veterinarians. There is also a shortage of the appropriate infrastructure for veterinary facilities to address shortages that are faced by provincial veterinary services, such as Valksfontein Siyabuswa in the Nkangala district.

Further to this, the joint portfolio committee made the following recommendations to the national Department of Agriculture, Forestry and Fisheries and the provincial Department of Agriculture, Rural Development, Land and Environmental Affairs. The MEC and the provincial department should submit to Parliament comprehensive reports on Agri-parks in Mpumalanga, the Fortune 40 youth incubator programme - including details on incubators and incubatees - and the refurbishment of the Marapyane College, including the cost thereof and new plans. This would form an important part of the committee's oversight role in making sure that the allocated budget is efficiently utilised to address unemployment, skills development and the participation of women and youth in the implementation of key government programmes.

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The national Department of Agriculture, Forestry and Fisheries should submit to Parliament the norms and standards for comprehensive producer support and also provide feedback on the progress made in the developing the comprehensive producer support policy. This is expected to address the anomalies that currently exist in the support that is given to smallholder producers across the province, particularly farmers on communal land and those settled on land redistribution and restitution farms.

The ANC supports the adoption of the Report. [Time expired.]

There was no debate.

The CHIEF WHIP OF THE MAJORITY PARTY: Chair, I move for the Report to be adopted.

*Declarations of vote:*

Ms A STEYN: Chairperson, chronic hunger is a silent symptom of poverty and social inequalities, such as child marriage, lack of women's empowerment, lack of access to

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clean water and sanitation facilities, and a lack of education and literacy.

According to the SA Food Sovereignty campaign, 53% of the country's citizens do not have enough food. It is estimated that 40 million people in this country go to bed hungry every night. We are also very concerned by the fact that four children under the age of five die every day due to malnutrition. These statistics refer to children who die in hospital. It could be higher, because we don't know how many children die at home. This is a very scary figure and it must be a concern for all of us. It is therefore important to note the findings of the committee on its oversight visit to Mpumalanga, earlier this year.

Poor alignment of functions between departments is leading to small-scale farmers being vulnerable and having to struggle, mostly on their own, to keep themselves fed and barely making ends meet. If the Department of Agriculture, Forestry and Fisheries cannot even assist small-scale farmers to become food secure,

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how will we ever get our extremely high food insecurity number down?

We visited the Huttington Packing House in Bushbuckridge, where R9 million has been spent. Although this packhouse was built under the Agri-park concept, it was clear that very little consultation took place with the farmers or between the Departments of Agriculture and Rural Development and Land Reform. I am also not sure that this packhouse will ever become operational or if it will just become another white elephant, like some of the other projects we have seen in the past.

The second project on our visit, the Allandale Mango and Citrus Estate, we did not even visit, because there was not much to see due to the fact that the farm has been lying fallow for years and it has been vandalised. Millions of rand have been pumped into this project and it will become revitalised again, and again, and again.

This seems to be the trend in Mpumalanga. We see projects being "under construction" for years and we struggle to find out what the total costs were for these projects.

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Every time we asked questions, we would get told R5 million or R15 million had been spent the previous year. When I asked about the years preceding that, no one could give us figures. So, millions of rand are being pumped in every year to revitalise these failed projects.

We visited the Lebombo Border Post, and I witnessed first-hand how people are walking into the country without going via the border post. There is a path through the bush along which people are coming across the border on a daily basis. When I informed the officials about the people passing, they said, "Oh, we know them. They are going shopping. They are coming back later this afternoon."

The most shocking part of our visit was the visit to the Marapyane College of Agriculture. Millions have been spent on this college, which was closed in 2012. However, after it was closed in 2012, R54 million was spent on it in 2013 - during the time very close to the 2014 elections, I might add. We couldn't find out who got the tenders for that.

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It is hoped to revitalise the college again, but two years later, the college is still closed. Apparently, it will be opened again - I think, just nicely before the 2019 election, it will be opened again, or money will be spent on it.

All of this was not doom and gloom. At least, it did look like the Fortune 40 projects for the youth were going forward, or bearing some fruit. We will have to visit again after a year or two to see if this has become sustainable, or it will need revitalisation again. It has become clear that very little monitoring and evaluation is taking place and millions of rand are being spent on projects that are not functioning properly.

There is no clear plan from the Departments of Rural Development and Land Reform or Agriculture, Forestry and Fisheries on how we are going to make sure that the millions of South Africans who go to bed hungry are fed on a daily basis. Thank you, Chair. [Applause.]

Mr M N PAULSEN: Chairperson, women in Mpumalanga, like in many parts of South Africa, continue to be the foundation

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of society and of families. However, they also continue to suffer more than men do.

Young women, especially, face high levels of unemployment, while 40% of households in the province are female headed. In addition, HIV/Aids infection remains extremely high amongst women in the province, especially for those between the ages of 15 and 49.

Agriculture remains one of the primary economic activities in Mpumalanga, yet most of the farms are owned by whites who exploit and abuse their workers. The EFF will never speak of agriculture without speaking about the need for expropriation of land without compensation. Whether the farms are productive, or not, only concerns us as far as food prices are concerned.

As long as the white minority owns the land belonging to the black majority, there will always be an issue of black people going to bed hungry. This report fails to address this, along with an annual failure to follow through on recommendations made to improve the plight of women in the province, which is why we reject it.

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I would just like to echo the sentiments of the hon Steyn about the Marapyane College of Agriculture, which is a disgrace. Two years ago, an empty college was issued with brand-new desktops, probably to the tune of R10 million. It will always be a means whereby the ANC siphons money off the state. So, let's hope, hon Chief Whip, that the CR17 campaign can stop the rot. Thank you very much, Chairperson.

Inkosi R N CEBEKHULU: House Chairperson, women in agriculture fulfil very important and very necessary roles in the industry. However, those roles, as regards the extent of women's engagement in the agricultural sector in making decisions on agricultural production, access to and decision-making power over productive resources, control over use of income, leadership in the community, and tenures, still require transformation in terms of gender equity and empowerment.

The purpose of the Mpumalanga oversight visit was, amongst others, to oversee the implementation of concurrent activities and crosscutting policy issues by the Department of Agriculture, Forestry and Fisheries,

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the Department of Women in the Presidency, and the Commission for Gender Equality, as well as the progress made on Agri-parks in the area, the implementation of the Agricultural Policy Action Plan, the implementation of the Comprehensive Agricultural Support Programme, the veterinary clinics, and in respect of support to smallholder agricultural producers.

Agriculture, together with mining, although competing against each other for space in the province, are the two main economic drivers of the provincial economy, with agricultural strength lying in the areas of crop production, then livestock, followed by forestry. In this and in many other respects, it is imperative that the economic empowerment of women must be prioritised. This must be done in partnership with the Department of Agriculture, Forestry and Fisheries and the Department of Small Business Development, through the development of agricultural co-operatives and programmes for the allocation of land to women for commercial agricultural farming practice. In addition, engagements must be held with the Department of Rural Development and Land Reform, in this regard.

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The department's budget must become more gender responsive. Oversight and monitoring in this regard is essential. The IFP supports this report. I thank you.

Mr M L W FILTANE: This report reveals a number of the things which are the following: The role of strategic partners is pathetic and is just not yielding the expected results. It is about time that government begins to review this. Rather it must use the unemployed graduates because they have got the academic know how of how to run agriculture. Forget about these strategic partners because they bring no value at all right across the country. It is only in isolated cases where you can say they have brought any value.

The women's involvement in agriculture remains critically low, for whatever reasons and it is seriously limited. It is not because they are people who are resisting but the support the government is supposed to be giving is not giving to the women. It is as simple as all that. The issue of intergovernmental co-operation in implementing government programmes has been laid to bare here. It is just not happening and virtually non-existent at all.

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Each department that is supposed to be playing a role in programmes of this nature is just not coming to the table. The current government simply has got no skill and no means, if it has got a serious political will at all to ensure that there is effective inter-governmental operations of its own programmes. It is totally not there.

Food security remains a critical problem and there is absolutely no report confirming that since this government came into power long time ago, there is no improvement in food security. It is just getting worse by the day and budgets keep going up and down being siphoned. There is no food security at all and government is not able to prove to people that the land that is there can be used by the current government in spite of this great budget to make sure that there is food security. Millions of South Africans continue to go hungry but the stomachs of the politicians continue to bulge like this.

*IsiXhosa:*

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Ungababona xa bengena apha. Abanye abaPhathiswa seebutshintshe kathathu ubukhulu beebhulukhwe zabo ngenxa yokwamkela kwabo apha kodwa abantu emakhaya balambile.

*English:*

Do something about it. It is serious.

*IsiXhosa:*

Abantu bayafa yindlala nikhona.

*English:*

This is what this report tells us. I did not even go deep but just browse it...

*IsiXhosa:*

... ngela xesha bekuqalwa iingxoxo apha.

*English:*

It is a 54 page report; I have gone through it and this is what it reveals. It is as simple as all that. There is nothing complicated and it was like a tour but it reveals

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a number of things. So, you either move up or you step aside.

*IsiZulu:*

Ms P BHENGU-KOMBE: Sihlalo, kuyamangaza ukuthi kube khona abantu abakhuluma nge-food security la. Kumele sonke sivumelane ukuthi abantu bakithi bebancishwa amathuba okuthi babe ngabanikazi bamaplazi nokubamba iqhaza kwezolimo kwakuwumsebenzi wabelungu kuphela. Ngakho-ke akuthusi ukuthi sibone izinto ezenziwayo zihambe ngonyawo lonwabu, mhlonishwa uSteyn. Kodwa sinethemba lokuthi kungekudala isimo sizovuna futhi sibone nomehluko ebantwani bakithi abamnyama.

*English:*

As women we have a presentation by the Office of the Status of Women in the Premier's Office focusing on the provincial demographics, on unemployment rates; unemployment status of women; child mortality; employment equity within the province and provincial departments; gender focal persons; and the structure functioning of the Office of the Status of Women and their challenges thereof.

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There were challenges that were identified including the lack of adequate shelters for mostly women still living in inappropriate shelters. There are also lack of funding for women entrepreneurs in rural areas; lack of involvement in women empowerment by the private sector; rising of the number of women dependency on government grants; domestic violence; women abuse by employers; and HIV prevalence rates in women from 15-49 years old.

We also got reports by the Commission for Gender Equality, CGE, for the complaints on the registration of customary law marriages and successions; and discrimination on the grounds of sexual orientations especially at schools and in the work place. We visited several projects although some of the projects were not user friendly to people with disabilities that have no ramps which limit the participation of people with disabilities like the agricultural produce pack house in Bushbuckridge; Allendale mango-citrus estate for a fortune four incubator project; and Marapyane College of Agriculture to mention the few. We even got a briefing from the Speaker of the Mpumalanga Legislature on the

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establishment functioning and the structure of the Mpumalanga Multiparty Caucus.

As women we were very happy at how Mpumalanga is dealing with the issues of women. We attend the legal clinics by the CGE on how they fulfil the mandates to deal with women issues. As the ANC we would like to say that we support the Joint Oversight Report of the Portfolio Committee on Agriculture, Women and Multiparty Caucus. Thank you very much Chairperson.

Motion agreed to (Economic Freedom Fighters dissenting).

Joint Report accordingly adopted.

**SABC SPORTS PRESENTER CEBO MANYAAPELO PASSES ON**

(Draft Resolution)

Mr N E GCWABAZA: Chairperson, I hereby move without notice:

That the House-

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- (1) notes with sadness the passing on of legendary SA Broadcasting Corporation, SABC sports presenter Cebo Manyapelo on Wednesday, 22 November 2017;
- (2) acknowledges Manyapelo has a rich history in broadcasting which dates back from 1984 as a sports presenter for Radio Bop and will be remembered to millions of South Africans as one of the best commentators this country has ever produced;
- (3) remembers that his in-depth, factual, well-informed and yet playful commentary captivated many football fanatics to the SABC channels and his proficiency in Setswana inspired many youngsters and attracted them to the sports field;
- (4) recalls that he worked on events like Fifa World Cup in 1998 and 2010, Africa Cup of Nations in 2013 and 2015 and the PSL;
- (5) believes that he will be remembered for his immense contribution at the national broadcaster

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where he hosted breakfast programmes like *Re tla dula re thabile* and *Mamepe* on Motsweding FM since the eighties; and

- (6) conveys its condolences to his family and friends.

Agreed to.

**GROSS FINANCIAL MISMANAGEMENT IN MPUMALANGA DEPARTMENT OF  
HEALTH IMPACTS NEGATIVELY ON CRITICAL INFORMATION  
GATHERING ON CHILDREN BORN WITH FOETAL ALCOHOL SYNDROME**

(Draft Resolution)

Mr K P ROBERTSON: Chairperson, I hereby move without notice:

That the House -

- (1) notes with concern the gross financial mismanagement which has resulted in the failure of the Department of Health in Mpumalanga to

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gather critical information on children born with foetal alcohol syndrome, FAS;

- (2) also notes that the department has no record of babies with foetal alcohol syndrome and has no FAS educational programmes, but supports a number of DSD initiatives;
- (3) further notes that the lack of information is blamed on the fact that those who suffer from alcohol-related neuro-developmental deficits usually do not show clinical features until their milestones are delayed;
- (4) acknowledges that according to the research published in an American Medical Association journal, *Jama Paediatrics*, South has the highest prevalence of foetal alcohol spectrum disorder in the world, which is more than 14 times the global average;

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- (5) also acknowledges that Mpumalanga health sector is critically understaffed, leaving health care professionals overworked and underpaid;
- (6) condemns any acts of neglect and financial mismanagement which impact directly on the most vulnerable of our citizens;
- (7) calls on the MEC of Health, Mr Gillion Mashego to urgently investigate and put a stop to financial mismanagement in his department.

Agreed to.

**FORTIETH COMMEMORATION OF ZANLA MASSACRE IN FORMER  
RHODESIA**

(Draft Resolution)

Mr T RAWULA: Chairperson, I hereby move without notice:

That the House -

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- (1) notes that on this day, 40 years ago the government of what was formerly known as Rhodesia massacred over 1 000 men, women and children in an attack on Zanla headquarters in Chimoio, Mozambique;
- (2) further notes that that was not an act of war but terror, and over 70 aircrafts attacked the headquarters of Zanla, shooting the people;
- (3) acknowledges that this attack violated international borders;
- (4) further acknowledges that despite that attack and many others, the people of Zimbabwe were able to liberate themselves;
- (5) and notes that in the same way that they expropriated the land without compensation, they will continue to build Zimbabwe without reversing the gains of President Mugabe's progressive policies; and

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- (6) also notes that under the leadership of the EFF, South Africa shall do the same.

Agreed to.

**APPOINTMENT OF LIEUTENANT-GENERAL KHEHLA JOHN SITOLE AS  
NEW NATIONAL POLICE COMMISSIONER WELCOMED**

(Draft Resolution)

Mrs Y N PHOSA: Chairperson, I hereby move without notice:

That the House -

- (1) welcomes the appointment of Lieutenant-General Khehla John Sitole as the new National Police Commissioner on Wednesday 22 November 2017;
- (2) acknowledges that Sitole worked his way through the ranks to become the Free State provincial Police Commissioner in 2011, Deputy National Commissioner of Policing in 2013, and National

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Divisional Commissioner of Protection and Security Services in 2016;

- (3) understands that he is a man of integrity who could restore stability to the top ranks of the SA Police Services;
- (4) believes that his extensive experience in the SA Police Services will assist him to execute this critical task of making South Africans and everyone in the country safer; and
- (5) congratulates Lieutenant-General Khehla John Sitole on his appointment and wishes him well in his new position of responsibility.

Agreed to.

**DR NOMUSA SHEZI, FIRST BLACK WOMAN NEUROSURGEON FROM**

**KWAZULU-NATAL**

(Draft Resolution)

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Mr X NGWEZI: Chairperson, I hereby move without notice:

That the House -

- (1) notes that Dr Nomusa Shezi, aged 32, is the first black woman to graduate in KwaZulu-Natal as a neurosurgeon;
- (2) further notes that the Pietermaritzburg-born young woman attributes most of her success to hard work and the influence, guidance and support of her parents;
- (3) also notes that she says she fell in love with neurosurgery after reading about the exploits of Dr Ben Carson in the United States, who separated conjoined twins;
- (4) congratulates this trailblazer in her field for a job well done and encourages her to continue to be a great success in all her professional endeavours;

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- (5) acknowledges that there are only five Black female neurosurgeons in South Africa, the first having qualified in 2013; and
- (6) wishes that her achievement inspires other young people as well as open doors for other young women, in particular black female neurosurgeons to come out of the province and the country.

Agreed to.

**TWO-YEAR-OLD TSEPANG MOSIA ELECTROCUTED BY ILLEGALLY-  
CONNECTED LIVE WIRES IN SUKAMUMVA INFORMAL SETTLEMENT,  
CHARTSWORTH**

(Draft Resolution)

Prof N M KHUBISA: Chairperson, I hereby move without notice:

That the House -

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- (1) notes that Tsepang Mosia, a two-year-old boy from Sukamumva informal settlement in Chatsworth, died on Monday, 21 November 2017, after he slipped and landed on illegally-connected live electricity supply wires snaking through structures;
- (2) further notes that Tsepang's nanny, Aniswa Shazi, was severely injured and shocked as she tried to save him, and was rushed to the nearby R K Khan Hospital;
- (3) also notes that an inquest docket was opened at Chatsworth police station for investigation and the police have said that the circumstances surrounding the incident are being investigated; and
- (4) conveys its sincere condolences to the family of Tsepang Mosia on the tragic death of their child, and wishes Anishwa Shazi a speedy recovery.

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Agreed to.

**ANC WELCOMES OFFICIAL RESIGNATION OF ZIMBABWEAN PRESIDENT**

**ROBERT MUGABE**

(Draft Resolution)

Ms D D RAPHUTI: Chairperson, I move without notice:

That the House -

- (1) notes that the ANC welcomes the official resignation of President Robert Mugabe as the president of Zimbabwe on Tuesday, 21 November 2017 to allow for the smooth transition of power in that country;
- (2) further notes that the ANC commends the Zimbabwean people for demonstrating and remaining peaceful, allowing the takeover of their country in a dramatic, bloodless week;

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- (3) acknowledge that this peaceful resolution of Zimbabwean political crisis by Zimbabwean people vindicates the ANC and proves once again the correctness of the political position it advanced, that the people of Zimbabwe are able to find solution to their political challenges without outside interference and did that without bloodshed and damage to property;
- (4) notes that the ANC believes Mugabe's decision to resign paves the way for a transitional process owned and led by the sovereign people of Zimbabwe, giving them an opportunity to collectively attend to their social, economic and political challenges; and
- (5) also note that the ANC and the South African people are looking forward to the new transitional leadership with confidence that it will restore Zimbabwe to her yesteryears' glory at the basket of Africa.

Agreed to.

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UNIVERSITY OF FORT HARE ROPES IN MR THANDO MPULU

(Draft Resolution)

Mr M L W FILTANE: Chairperson, I move without notice:

That the House -

- (1) notes that Mr Thando Mpulu recently joined the advisory board of the Department of Business Management and Commerce at the University of Fort Hare to serve as a member;
- (2) acknowledges that Mr Mpulu recently graduated with a Master of Business Administration, MBA, degree from the Regent Business School and is also a member of provincial legislature in the Eastern Cape as a UDM Chief Whip;
- (3) believes that the higher education sector is at a critical stage of its development in our country, where sage and considered advice is required to negotiate the complex path forward;

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- (4) further believes that what is needed by the Department of Business Management and Commerce at the University of Fort Hare is an improvement on a range of areas such as curriculum development, research, internships and graduate placement; and
- (5) congratulates Mr Mpulu on the role that he will play in contributing to the higher education sector of South Africa.

Agreed to.

**ARGENTINIAN ARA SAN JUAN SUBMARINE WENT MISSING**

(Draft Resolution)

Mr S J F MARAIS: Chairperson, I move without notice:

That the House -

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- (1) notes that an Argentinean submarine, the ARA San Juan, has gone missing 268 miles off the southern Atlantic coast of Argentina;
- (2) also notes that the submarine with its 44 submariners went missing after experiencing technical faults last Wednesday, 15 November 2017;
- (3) further notes that although the submarine has enough food and fuel onboard to survive for 90 days under water, they must surface for oxygen every seven days;
- (4) acknowledges that up to 20 vessels and various marine patrol aircraft from various nations are taking part in a sea search and rescue mission to do everything possible to rescue the crew of the ARA San Juan;
- (5) also acknowledges that the critical seven day period passed yesterday, subsequent to which the

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chances of finding any survivors are now very slim;

(6) expresses its solidarity with the 44 submariners and their families; and

(7) conveys its heartfelt condolences to Argentinian Navy during this difficult time.

Agreed to.

**BRITAIN NATIONALISES BASIC INDUSTRIES**

(Draft Resolution)

Ms S S THEMBEKWAYO: Chairperson, I move without notice:

That the House -

(1) notes that on 24 November 1949, Britain began the process of nationalising 94 iron and steel companies under the Iron and Steel Corporation

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of Britain, through the Iron and Steel Act of 1949;

- (2) further notes that this was a strategic move on the part of the British government to rebuild the economy after the World War II, in the absence of private capital to rebuild the economy;
- (3) acknowledges that this formed part of a broader nationalisation programme including the nationalisation of the coal, rail industry, banks and energy;
- (4) further acknowledges that this allowed the Government of Britain to establish an efficient social welfare program, which included the world famous National Health Service, ensuring that all Britain's
- (5) received quality healthcare, child support, a pension on retirement

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- (6) and unemployment support; and
- (7) recognises that this serves as an example of the benefits of nationalisation, and should guide this Parliament and Government on its position on nationalisation to rebuild the textile, mining, manufacturing and all other job creation industries.

Agreed to.

**157TH YEAR ANNIVERSARY OF FIRST INDIANS IN SOUTH AFRICA**

(Draft Resolution)

Mr X MABASA: Chairperson, I move without notice:

That the House -

- (1) notes that 16 November 2017, marks the 157th anniversary of the arrival of the first Indian indentured labourers to South Africa;

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- (2) also notes that this day also marks the 100th anniversary of the abolition of indenture labour system;
- (3) recalls that as indentured labourers, the Indians were subjected to a soulless and binding contract between the colonial farmers and their employees who paid them a mere 10 shillings a month, plus rations of rice, for their labour;
- (4) further recalls that they were herded into unfinished barracks and ordered to labour on the cane fields from dawn to sunset, and forced to live in unhygienic and cramped quarters not fit for human habitation;
- (5) recognises the sacrifices and resilience of successive generations of Indians who survived and prospered against the extreme and often humiliating conditions they experienced under colonial rule;

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- (6) further recognises the critical role played by the Indian community in the country's development and sociopolitical transformation;
- (7) remembers that the Indian community as an integral part of a vibrant diverse non-racial democracy;
- (8) believes that this important chapter of South African history must be promoted through various forms ... [Time expired.]

Agreed to.

**CITY OF DURBAN SCOOPS CLIMATE AND CLEAN AIR AWARD**

(Draft Resolution)

Ms P E ADAMS: Chairperson, I move without notice:

That the House -

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- (1) congratulates the City of Durban for being honoured with an Honorary Climate and Clean Air Award;
- (2) notes that the award was conferred on Durban for its Durban Landfill Conservancies project by the Climate and Clean Air Coalition in Bonn on 12 November 2017;
- (3) acknowledges that Durban's recent winning streak is an indicative of the world class city that continues to share and learn through best practice in the field and through global partnerships and networks;
- (4) believes that reducing dangerous air and climate pollutants is key to improving air quality, slowing the rate of climate change and provides multiple benefits for health, ecosystems and the sustainable development goal;

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- (5) further believes that the climate and clean air awards recognise Durban's exceptional contributions and actions to implement projects, programmes, policies and practices that reduce short-lived climate pollutants, such as black carbon;
- (6) recognises that being bestowed this award bestowed on Durban indicates the city's serious about climate change and cares about the impacts it has on her community; and
- (7) wishes Durban well and much success in the commitment to reduce carbon foot print, and leading by example in building a new resilient city.

Agreed to.

**NONINDIFFERENCE AND NONINTERFERENCE POLICY OUTLOOK**

(Draft Resolution)

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Mr L M NTSHAYISA: Chairperson, I move without notice:

That the House -

- (1) notes that the Southern African Development Community ,SADC's, noninterference policy outlook must be recalibrated in response to sporadic and growing conflicts engulfing the southern tip of Africa;
- (2) records that SADC incorporate the African Union, AU's, nonindifference policy outlook to quell the unrest besieging southern countries;
- (3) commends the bloodless smart coup by the soldiers of Zimbabwe; and
- (4) further wishes the growth of economy in Zimbabwe as they begin the new era.

Agreed to.

**MAJOR SEITEBATSO PEARL BLOCK SCOOPS UN AWARD**

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(Draft Resolution)

Ms S R VAN SCHALKWYK: Chairperson, I move without notice:

That the House -

- (1) congratulates Major Seitebatso Pearl Block on scooping the United Nations Military Gender Advocate of the Year Award on Wednesday, 15 November 2017, at the UN Peacekeeping Defence Ministerial Conference held at Vancouver, Canada;
- (2) notes that the award bestowed on Block recognises the dedication and efforts of an individual peacekeeper in promoting the principles within the United Nations Security Council Resolution 1325;
- (3) further notes that the conference is the largest gathering of defence Ministers dedicated to UN Peacekeeping;

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- (4) recalls that MsBlock has been an officer since 2007, and has been deployed twice to the Democratic Republic of Congo, DRC, under the leadership of the United Nations Organisation Stabilisation Mission in the DRC;
- (5) further recalls that her first deployment was in 2010 as an information operations officer, and in 2016 as a Force intervention brigade planner;
- (6) understands that she was instrumental in the implementation of a project aimed at reaching out and disseminating information to women's organisations in far-flung areas of the DRC; and
- (7) salutes Major Block for her hard work and dedication while serving in the DRC as well as her commitment to the protection of civilians, especially women and children; and

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- (8) hails her for being a peace and goodwill ambassador and wishes her more success in her future endeavours.

Agreed to.

**STELLENBOSCH UNIVERSITY CHOIR SCOOPS INTERNATIONAL CHOIR**

**AWARD**

(Draft Resolution)

Mr A P VAN DER WESTHUIZEN: Chairperson, I move without notice:

That the House -

- (1) notes that the Stellenbosch University Choir was recently ranked the Best Choir in the World by Interkultur;

- (2) further notes that Interkultur is a group made up of 80 internationally recognised musicians,

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politicians and leading names from the arts world;

- (3) recognises that the choir was ranked number one out of 1 000 competitors from around the world;
- (4) acknowledges that the judging panel was blown away by the moving harmonies of the Stellenbosch University Choir which is made up of 80 to 100 members from a wide diversity of vocational areas;
- (5) also acknowledges that the choir, started in 1936 by William Morris, and has done many worldwide tours and has received dozens of accolades over the years;
- (6) further acknowledges and congratulates the other South African choirs who featured well in the competition - the Kearsney College Choir ranked 12th best choir, the Stellenbosch Girls Choir ranked 18th place and the University of

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Pretoria Camerata ranked 25th place in the world; and

- (7) congratulates the Stellenbosch University Choir on their remarkable achievement and for proudly holding the South African flag aloft - you have made us tremendously proud.

Agreed to.

**PROFESSOR HEATHER ZAR WON 2018 L'OREAL-UNESCO WOMEN IN  
SCIENCE LAUREATES AWARD**

(Draft Resolution)

Ms W M NEWHOUDT-DRUCHEN: Chairperson, I move without notice:

That the House -

- (1) notes that the University of Cape Town, UCT's, Professor Heather Zar, a physician and

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scientist, has been declared one of the 2018 L'Oreal-UNESCO Women in Science Laureates;

- (2) also notes that she has won this prestigious award for her wide-ranging contributions to child health;
- (3) further notes that Professor Zar has been recognised for her work on child health in Africa, and has triumphed above several other opponents from the Middle East and Africa;
- (4) recognises that the prestigious award is awarded annually and contestants are chosen from Africa, the Middle East, Europe, Asia-Pacific, North America, Latin America and the Caribbean;
- (5) further recognises that Professor Zar now joins the likes of past laureates Valerie Mizrahi, Jennifer Thomson, Tebello Nyokong, Jill Farrant, and Quarraisha Abdool Karim, and is

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the only South African women in science who have won this prestigious award;

(6) believes that her contributions to child health has improved and saved children's lives across the globe as well as helping to shape international policy;

(7) thanks her for her outstanding work and for putting South Africa in the world stage; and

(8) wishes her more success in her future endeavours

Agreed to.

**UNPARLIAMENTARY LANGUAGE**

(Ruling)

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, on Thursday, 26 October, during Members' Statements, Mr D M Gumede rose on a point of order in respect of the remarks

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made by hon N V Mente. Before this point of order, concerns had been raised about the absence of members of the executive in the House to provide answers to Members' Statements.

According to the Unrevised Hansard, Ms Mente had said:

I will read it because it does not require an answer; it's a message to you masela. Yesterday's Medium-Term Budget Policy Statement and any other speech made by Mr Malusi Gigaba will never be legitimised by the EFF. We will not legitimise his appointment as Minister, which, in actual fact, is just an extension of Mr Zuma. He is not different from Duduzane.

Before making an undertaking to look at the Unrevised Hansard, I indicated to the House that the matter of the use of the word "amasela" was receiving attention and that I will return with a comprehensive ruling.

Having studied the unrevised Hansard, I would like to rule as follows:

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Rule 82 stipulates that members must refer to one another in respectful terms and that no name may be used to impugn the dignity of any member.

Rule 84 provides that no member may use offensive, abusive, insulting, disrespectful, unbecoming or unparliamentary words or language when referring to other members.

Established practice dictates that any statement or remark that impairs on a member's dignity or affronts that person's honour must place a curb on freedom of speech. All members are honourable and every member should therefore afford other honourable members the same dignity and respect which they expect for themselves from their fellow members.

However, on close reading of the Unrevised Hansard, the remarks by hon Mente do not seem to be directed at any specific political party or member of the House. I would therefore give hon Mente the benefit of the doubt and caution the House from using unbecoming language in the House. I thank you.

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Hon members, from my own other point of view, please, let's just refrain from using these words. Others become offended because of our interpretation of the word.

Hon members, on 8 November 2017, during Question Time for the governance cluster, Mr C Mackenzie raised a point of order to object to a remark made by the Minister of Co-operative Governance and Traditional Affairs, Mr Van Rooyen, to Mr K Mileham.

During the debate, the Minister said:

Yes, I know will never believe in me, hon Mileham. I am just too dark for you to believe in me.

[Interjections.]

In response to this comment, Mr Mackenzie contended that, with reference to Rule 85, it was not parliamentary for the Minister to imply that another member was racist.

At the time, I undertook to study the Hansard and return to the House with a ruling.

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Having now had the opportunity to study the Hansard, I wish to rule as follows:

First, as members are aware, public representatives enjoy freedom of speech in the National Assembly, subject only to its Rules and Orders. The intention of the Rules is to promote the free exchange of ideas and meaningful debate without recourse to insult, which only serves to compromise the good standing of the House and its members.

In this regard, allegations or inferences that a member is racist have always been considered and ruled to be offensive and unbecoming and therefore unparliamentary. To paraphrase, the Minister asserted that Mr Mileham did not believe in him because he had a dark skin. This remark insinuates that Mr Mileham, by implication, does not believe in him because of his skin colour, which is the same as saying that the member has racial prejudices.

This is, therefore, in terms of Rule 84 and 85, out of order and the Minister will have to withdraw the remark when the Minister is available. [Applause.] Thank you.

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Now we continue to Members' Statements.

The CHIEF WHIP OF THE OPPOSITION: House Chairperson ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: I know you are probably getting very tired of these points of order, but I'm getting very tired of having to make them, as well, so I have sympathy with you.

We have one Minister in the House today and I really need to ask ourselves whether this is really giving effect to the oversight and accountability model adopted by this Parliament which we all agreed to. If Ministers are not prepared to subject themselves to oversight and accountability, it really makes a mockery of Members' Statements. We've prepared them; we're bringing them to the House, but we don't have anybody to share them with. We thank the hon Mthethwa for being here today and taking his duty seriously, but I think that the rest of the Cabinet who are not here ... it's an indictment on them

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and amounts to a shirking of responsibility in terms of the Constitution.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Steenhuisen, as usual, I will say that we know we are in the process of rectifying all of this ... [Interjections.] ... and I must say that we also have Deputy Minister Landers and Deputy Minister Chohan in the House. [Interjections.] And also Deputy Minister Olifant! So we have four of them in the House. Let's hope that we will succeed in our endeavour to rectify this. Might we continue?

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, I accept that, but perhaps we could find which of the two are missing from the roster, this week. Because we were told by the one Minister that there is a roster of six. So obviously, not even the roster system is working, because they're two short.

The HOUSE CHAIRPERSON (Ms M G Boroto): I'm not privy to that information, but I will find out. Thank you.

[Interjections.] Yes, hon Mnguni?

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Mr P J MNGUNI: House Chair, I have noted that the Chief Whip of the Opposition always raises this matter. As a member of this House, I took my time to carefully read Rule 132(5) in this regard. I would suggest that I think that this is about blatant misinterpretation of the simple English provided therein. There is nothing in Rule 132(5) that compels a Minister. At best, the language used there is that of "may". "A Minister of Deputy Minister may ..." and then it gives the timeline. If I'm required to quote verbatim, I may do that with absolute humility. Therefore, given this, I am just saying that the practice of hon Steenhuisen grandstanding on this item all the time... [Interjections.] ... has got to come to an end.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mnguni, I think we already said ... I think we understand that Rule very well. That's why I have indicated to hon Steenhuisen that we have other Deputy Ministers in the House.

Please bear with me, hon Steenhuisen. We know where we are going with this. We have talked about it in the Chief Whips' Forum and I know that you know what it means by

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members of the executive ... what is meant in Rule 132(5). Please allow us to continue for today.

The CHIEF WHIP OF THE OPPOSITION: Chair, I'm happy to continue but, in terms of Rule 85, no one may impute improper motives to another member of the House. And so, to be accused of grandstanding when standing up for Parliament ... I think it's ... But I do think it is more important to note that the Chief Whip of the Majority Party has expressed these selfsame sentiments. I wonder if there's not a coup underway by Mr Mnguni to try and undermine his own Chief Whip, because it certainly appears that way! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mnguni, may I please request to suppress you. Please take your seat. We are dealing with this matter. The Chief Whips are dealing with this matter. As I said, they said there is a roster, but I'm not privy to it, I must say. We will find that out. [Interjections.] Hon Filtane?

Mr M L W FILTANE: Chair, if the Rule that hon Mnguni is quoting is accurately like that, it means it is

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unconstitutional because the functions of Parliament to oversee the executive are in the Constitution. It means the ANC majority helped to pass an unconstitutional Rule for this House. Therefore, this calls for urgent interpretation and correction. Thank you. [Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, baba. I think the Rules Committee will deal with that.

**CITY OF EKURHULENI APPROVES AEROTROPOLIS MASTER PLAN**

(Member's Statement)

Ms H B KEKANA (ANC): House Chair, the ANC comments the City of Ekurhuleni recent approval at its council meeting at the end of October of the 30-year Aerotropolis Master Plan, which is expected to bring much needed jobs for the Gauteng Province. The approved Master Plan will pave way for economy impact that is projected at R8,1 billion per annum. The Master Plan is the re-signing of the City's layout infrastructure and economy to be centred on major airport.

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The Master Plan has been developed to identify project in sectors such as retail, hydro pace, advise, manufacturing, logistics and distribution, research at development, health and life science to be used as an abler of economy turnaround plan.

The Aerotropolis is the first on the African Continent and seeks to leverage on the present airport which handle 19 million passengers every year and has the capacity for 60 million passengers. It also positions the city to become a destination for investors seeking to resolve ...  
[Time expired.]

**SARS PAY BONUSES TO MANAGEMENT WITHOUT APPROVAL**

(Member's Statement)

Mr R A LEES (DA): House Chair, the reputation of SA Revenue Service, Sars, is in tatters. The tax Ombudsman recently published a report of Sars apparently delaying the payment of tax and vat refunds and putting businesses at risk of failure.

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The most Senior Executive below the Commissioner, Jonas Makwaka was suspended on full pay for more than a year and is now inexplicably back at work despite being under investigation by the Hawks for possible money laundering.

The SA Revenue Service annual report tabled under the cover of darkness late last night has revealed that Sars allegedly failed to comply with legislation by unlawfully paying R3 million in bonuses to members of the Executive Committee including R930 000 paid to Jonas Makwaka.

According to the Auditor-General the noncompliance represents a significant internal control deficiency. This is because the payment of the bonuses to management requires the approval of the Minister of Finance which was not obtained. Sars narrowly avoided a qualified audit opinion and this is indicative of the institutional decay at Sars.

One of the main concerns of the rating agencies is the weakening of institutions of which Sars lies at the centre stage. [Time expired.] Thank you House Chair.

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**MARIKANA PEOPLE CONTINUE TO SUFFER**

(Member's Statement)

Ms N P SONTI (EFF): House Chairperson, living conditions in Marikana, yes before Marikana massacre and after it, people in the community suffered and continue to suffer. Many mining companies operate in the Marikana area and in the Madibeng Municipality. These companies use large amounts of water and electricity and have good infrastructure to transport minerals and equipment, yet the community and people in the area continue to suffer. Many do not have running water and when they do, the taps are so rusty and those people are being poisoned.

Access to electricity is a privilege with more than half of the community in Marikana having no electricity while the lights at the mine are on 24/7. When it rains the roads are so bad to an extent that children cannot get to school, ambulances cannot fetch patients and police cannot respond to crime.

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The clinic in the area opens late and closes early and does not have enough nurses. This is reality of the people of Marikana and Madibeng 23 years after democracy as the legacies of apartheid are allowed to continue to grow under ANC-led government. We need economic freedom in our lifetime. [Time Expired.] Thank you.

**ROLE OF INNOVATION IN FOSTERING ECONOMIC GROWTH**

(Member's Statement)

Ms S R VAN SCHALKWYK (ANC): House Chairperson, innovation with a crucial driver that continually creates new competitive advantages as well as opportunities for prosperity and growth. In South Africa, like in other countries, we are facing both opportunities as well as challenges. The Chief Director of Innovation and Technology at the Department of Trade and Industry, Ms Nkuli Shinga said recently in Pretoria. She was speaking at the World Bank presentation of the 10<sup>th</sup> Edition of South African economic update, the addition review South Africa's recent economic and social development and its outlook in the context of global economic prospects.

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The focus was on the role of innovation in fostering economic growth by creating and reducing poverty. Policymakers and implementers have an opportunity and responsibility to use innovation as a leader to address socioeconomic challenges. We should not be daunted by the need for intensive capital and human development inputs. According to Shinga South Africans can explore simple innovative solutions to address these challenges and productivity growth.

According to World Bank's lead economist, Mr John Gabriel Goddard, the update South Africa's innovation strengths need to be integrated more effectively with the rest of the economy and the filling of the skills gap. He said South Africa should harness innovation potential through improving investment climate for Small Medium Enterprises. [Time Expired.] I thank you.

**RESIGNATION OF PRESIDENT MUGABE WELCOMED**

(Member's Statement)

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Mr M HLENGWA (IFP): House Chairperson, the news of the resignation of Robert Mugabe as President of Zimbabwe marks the dawn of the new era for the people of Zimbabwe. The resignation of Robert Mugabe as President of Zimbabwe offers a unique moment for regional and continental reflection on the key areas of democracy and human rights. The nation state of Zimbabwe collapsed under the close watch of the Southern African Development Community, SADC, leaders who chose to stand on the side of this leader rather than the people.

We call upon the leadership of Zimbabwe to ensure a peaceful transition into a democratic dispensation in the country. We recognise that this is a new beginning and that it should not be without its challenges as President Robert Mugabe is not a universal per messiah but rather a necessary step in the rebuilding process of the nation.

Whilst there is global euphoria around the changes in Zimbabwe, the temptation to intervene prematurely by other nations should be avoided. Zimbabwe must be allowed to chart its own way forward and to bring the process that was started last week, to its logic and democratic

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conclusion. The people of Zimbabwe through their freely and fairly elected representatives will determine the democratic trajectory they wish to follow.

We hope that this paves the way for the international community to lift economic sanctions against Zimbabwe so that the process of socioeconomic recovery and development can commence.

The IFP wishes the new government of Zimbabwe well as they rebuild their country but warn that the great heed should also be taken so that today's liberators do not become tomorrow's oppressors. [Time expired]

**SASSA AND SAPO AGREEMENT THE PERFECT SOLUTION FOR SOCIAL  
GRANTS PAYOUTS**

(Member's Statement)

Ms H H MALGAS (ANC): Chairperson, the ANC understands the anxiety that the impasse over social grants has caused, including fears that the card may expire and beneficiaries will not receive the grants.

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And as such, welcomes assurances from the Inter Ministerial Committee, IMC, Chairperson on comprehensive social security briefing to the joint meeting of Standing Committee on Public Accounts, Scopa and the Portfolio Committee on Social Development on the payment of social grants.

That an implementation protocol has been concluded and signed between South African Social Security Agency, SASSA, and the post Office. This will pave the way for collaborative agreement towards the payment of social grants. This comes after the IMC assured the joint meeting on 8 November 2017 that it would establish a team that would work towards the finalization of the agreement between SASSA and South African Post Office, SAPO, as well as the development of the implementation plan and communications strategy.

The ANC believes on outline stages including finalization of all necessary service agreements. Of which the final stage will be an over process from Cash Paymaster Services, CPS, to the new service provider. In the process, Government Communication and Information System,

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GCIS, racks communication of government will ensure that the beneficiaries remain informed and the fears about the payment of social grants are [Time Expired.] thank you.

**LACK OF RESPECT FOR THE CONSTITUTION AND PARLIAMENT BY  
THE PRESIDENT AND MINISTERS**

(Member's Statement)

Ms D CARTER (Cope): Chairperson, power corrupts and absolute power corrupts absolutely. We know that democracy is meaningless and downright dangerous if those in power cannot be held accountable in public for their acts and omissions and for the decisions and their indecisions.

The difference between democratic order and tyranny is accountability. Our founding fathers were mindful of this when they devised our system and structures of governance. It is for this reason that our Constitution insists on the provision of transparent and accountable government. It is for this reason that our Constitution requires of this House to provide for mechanisms to

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ensure that government is accountable to it and to maintain oversight over our national executive authority. It is for this reason the Constitution is explicit that the President and member of his executive are collectively and individually accountable to the NA for the exercise of their powers and performance of their functions.

Chairperson, the unwillingness of a President to account to Parliament as witnessed yet again in the most recent questions session in the NCOP and in the NA. And the refusal of our Presiding Officers to ensure that the President answers legitimate questions put to him, points to the dysfunction of our constitutional democracy under the ANC majority.

Today we have one out of 35 Ministers in House. At the end of a line of accountability [Time expired.] relations stands out, citizens will judge you. Thank you

**R8 BILLION INVESTMENT TO BOOST WESTERN CAPE'S METRORAIL**

(Member's Statement)

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Ms B P MABE (ANC): Chairperson, the ANC seeks to create better passenger transport by replacing outdated trains thereby bringing safety, efficiency and comfort to millions of commuters.

In this regard, the ANC welcomes the announcement by the Department of Transport that more than R8 billion will be invested in Metrorail in the Western Cape to ensure safer and efficient passenger journey, erection of high walls between communities and railway lines to curb vandalism and the rolling out of 60 new trains will be undertaken.

Part of this massive investment would be the reinforcement of security in trains to deal with crime, as well as protecting public infrastructure. The trains that had been set alight are being repaired in Salt River, Cape Town.

The ANC understands that sometimes commuter become frustrated by Passenger Rail Agency of South Africa, PRASA, services and the vandalism of trains.

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The ANC calls upon the South African commuters to be patient and desist from vandalism of the passenger rail system. I thank you. [Applause.]

**LARGE NUMBER OF PREGNANT WOMEN DYING AT LIMPOPO HEALTH  
INSITITUTIONS**

(Member's Statement)

Ms D VAN DER WALT (DA): House Chair, this week this House debated 16 days of activism against women and child abuse. But there is another crime against women and children committed by the Limpopo government's health institutions.

During a Scopa hearing earlier this month it was revealed that a large number of pregnant women died at various hospitals across the province whilst in labour in just the first quarter of this year. It is clear from the shocking statistics that the Limpopo Department of Health is nowhere near achieving its provincial development plans to reduce maternal, infant and child mortality as aligned to Millennium Development Goal 5.

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It just cannot be that in our country, South Africa, in the 21st century a woman - it means a wife, a daughter, a sister or a mother - is admitted to hospital awaiting the birth of a new baby, only to lose her own life. The Minister needs to account to how the system can give rise to outcomes like this. Perhaps he should spend more time stopping these appalling deaths rather than designing National Health insurance, NHI, model, which will not fix anything and which we cannot afford or implement successfully or sustain.

Something is drastically amidst and I call upon the Minister of Health to investigate and to table a report in Parliament on the findings. We cannot afford something similar to Esidimeni tragedy [Time expired.]

**VANDALISM OF SCHOOL INFRASTRUCTURE**

(Member's Statement)

*IsiZulu:*

Nk M S KHAWULA (EFF): Ngibonge sihlalo lapho ngaphambili ngiphakama egameni le-EFF ukuthi ake kusukunyelwe udaba

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lwezikole, othisha kanye nabafundi indlela abasengcindezelweni ngayo ngenxa yaloMnyango Wezemfundo ongafuni ukulale izikhalo zabantu. Laphaya esikoleni Isibonelo kwaMashu izingane bezibhalela emakilasini angenazicabha. Izicabha zonke ziyantshontshwa kuze kugqobhozwe nothayela bokufulela kuthathwe konke loku okufulelwe ngakho. Okubuhlungu lesiya sikole sakhiqiza uMnu Jeff Radebe yena nabanye. Angazi noma usekhohliwe yisona yini. Okubuhlungu kakhulu okwenzakalayo kade kwakukhalwa ngokuthi ezikoleni kuyaziwa ngisho koMlazi ukuthi bekutholakala izingane zidlwenguliwe, zabulawa ngenxa yokuthi ezokuphepha aziqinile. Lezi zinto zenzeka ebusuku nasemini kade kwakuthiwa kufuneka onogada basebusuku nasemini.

Kanjalo nalaphaya eDutywa e-Eastern Cape eJ S Skenjana High nakhona inkinga ifana ntshe. Besizocela ukuthi uMnyango ake ucabangele othisha. Othisha laphaya basenkingeni izikole zakhona aziphephile bathathelwa omakhalekhukhwini. Izikole kwazona uqobo yiloko zagcina kade ukuhlanzeka ngomhlaka 20 Novemba kulonyaka bengiye khona ngiyobheka. Ngiyacela lento ingathathwa

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njengehlaya. I-ANC ake isukume, iyeke ukuhamba ikhankasa ikhohlwe ngabantu. ... [Kwaphela isikhathi.]

**FALLOUT WITHIN THE DA OVER WESTERN CAPE ELECTION RESULTS**

(Member's Statement)

Ms M R M MOTHAPO (ANC): The DA once again exposes their true unfaithful nature which is a bit rich for a party that portrays itself as the most disciplined and fair in its conduct. DA is alleged to be embroiled in tricarious games and subtle dirty tricks to ensure that the outcome of the DA conferences are predetermined and preferred leaders are victorious at these conferences.

This scenario is evident in Lennit Max's challenge of the outcome of the recent provincial leadership election. Max had lost out to Bonginkosi Madikizela who emerged as the successor of the Cape Town Mayor, Patricia De Lille, during the election. Max claimed that irregularities had cost him the win and is therefore asking for documents and video footage of the conference, and proceeded to lodge an appeal against the leadership election result.

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He lodged his appeal with the DA Federal Council Chairperson, James Selfe, and had given the DA 14 days to respond.

The ANC therefore calls upon the DA leader, Mmusi Maimane, to rescue his party and stop being obsessed with the ANC and stop going to the Union Buildings looking for something he himself is not sure of. What is it that he is looking for? Rather focus on fixing the falling house of cards before it's too late. [Interjections.]

[Applause.]

**FARM OWNERS CONTINUE TO ABUSE AND VIOLATE FARM WORKERS'  
AND THEIR FAMILIES' RIGHTS**

(Member's Statement)

Mr L M NTSHAYISA (AIC): Chairperson, it is high time that the government intervenes and stop the suffering on the part of the workers in the farms. Most of the farm owners do not allow farm workers to enjoy their rights; they are not even allowed to attend the meeting that are convened by the government and their unions; they always

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intimidate them by saying they will apply the principle of "no work no pay" but they are working more than the normal working hours. Sometimes they are forced to lose their jobs if not towing the line.

They are getting very low wages; the exploitation and victimization on the part of these workers can never be tolerated. Their children are always given hard times in terms of education; they travel very long distances to school. Farm workers and their children seldom get a chance to go to clinics as they always get sick because they work under bad conditions. They are not even given quality rain material.

Immediate attention and specific programmes are required to curb this suffering. And the expected services to the farm workers and their children must be delivered.

To emphasise on this issue of farm workers, I wish to quote from the poem written by Joan Phabs, titled betrayal of workers, "all we called for was better wages and living wages [Time expired.]

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The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member, your time is up. I will indeed advise members to buy the book of poems by Joan Fubbs so that they can conclude that wish by hon Ntshayisa to read that poem.

**CUBA'S MEDICAL TRAINING PROGRAMME HELPING RURAL  
COMMUNITIES TO ACCESS COMPREHENSIVE QUALITY HEALTH CARE  
SERVICES**

(Member's Statement)

Ms D Z SENOKOANYANE (ANC): Hon House Chair, the ANC is working tirelessly to ensure that South Africans have access to comprehensive quality health care services irrespective of their socioeconomic status.

As the ANC we believe that a health co-operation agreement between South Africa and Cuba is helping a great deal in addressing South Africa's shortage of rural doctors.

The medical training programme seeks to address the shortage of doctors in the country by sending young

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aspirant doctors from poor communities for medical training at a Cuban university. Since the inception of the programme in 1996, 590 doctors have qualified and are now working in the rural communities, from where they come from.

Currently there are 302 medical students who are being trained in Cuba studying to become medical doctors; an opportunity they might not have had, had it not been for this programme.

This ANC believes that the programme will produce a large number of doctors who will make a huge difference in the rural communities. The success and impact of this programme is drawing the attention of first-world countries because the high quality of medical training that the Cubans offer. I thank you. [Applause.]

**UPCOMING ELECTRONIC COMMUNICATIONS LAW AMENDMENTS A**

**DISADVANTAGE FOR THE COUNTRY**

(Member's Statement)

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Prof B BOZZOLI (DA): Chairperson, South African mobile users aggrieved at the service levels and communication costs levied by their mobile network operators must be aware of what they wish for.

If the electronic communications law amendments - to be introduced to this House next year - are promulgated, your service provider would be the ever-greening, duplicitous, master and commander of South Africa's telecommunications universe, the Minister of Telecommunications and Postal Services.

He plans to take back the spectrum from the current license holders and allocate it and all the new high demands spectrum to a yet to be formed wireless network wholesaler comprising - one assumes - people or enterprises of his choosing. And these people don't necessarily need networking experience. This means that the spectrum used by your cellphones via your network provider, will be given to a monopolistic entity governed by opportunists keen to take over the customer basis and operations of the established cellphone companies.

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Call it an appropriation of the mobile network operators; call it a land grab; call it radical economic transformation and SMME empowerment. But, all it would mean to you is increasing costs for a service of declining quality that will severely cripple our economic growth; it will hinder job creation and service delivery; and it will radically and rapidly transform us into a poorer angrier nation. [Applause.]

**STRENGTHENING SARS AND ITS REPUTATION**

(Minister's Response)

The MINISTER OF ARTS AND CULTURE: House Chair, the first statement from the DA ... [Interjections.]

Mr P G MNGUNI: On a point of order, Chair ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Order! Oder! Hon members! Hon Khawula and hon Mkhaliphi!

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The MINISTER OF ARTS AND CULTURE: House Chair, I am glad that the hon member raising the issue of Sars, its reputation and all the things he raised, the major thing he ended up with is the strengthening of the institutions; and when he says that then we are talking one and the same language because institutions for democracy cannot be weakened in our country and anything which suggest such would have to be attended to.

The issue from a member of the EFF on Marikana, I think the major point she is raising on the living conditions, particularly the lights she raised the issue of the clinics. I would say that these are matters which will be taken to Ministers responsible to ensure that we actually attend to the matters which have been dealt with here.

The Matter raised by the hon member from the IFP about what is happening in Zimbabwe; firstly, SADC couldn't have done any other thing than what it had done; like going on a fact finding mission. I agree with you, hon member, that in Zimbabwe people had spoken and when people speak there is no other country which should or must interfere with that. I think we should all support

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the rebuilding of Zimbabwe as it is going on, hon member.  
On the issue of IMC ... [Time expired.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Your time is up, hon Minister. You did very well you answered three members' statements in the two minutes. Order! What is your point of order?

Mr L S TLOHAOLE: On a point of order, Chair, may I address you in terms of Rule 132(5) please? And for a ruling that you may wish, hon Chair, it pertains to the time that the hon members of the executive have to respond; and respectfully, we want to make a submission because we think that if we let this go without bringing it to your attention, presiding officers, if I may read it, it says: At the conclusion of the statements by members a Minister or Deputy Minister present may be given an opportunity to respond for not more than two minutes to any statement.

We with respect wish to ask, hon House Chair, that even if you defer - you want to apply your mind - but what it says at the present; if there are 10 statements, as

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members of the august House we are entitled to the 10 responses or whatever according to what might be transpiring.

Therefore the two minutes is restricted - in my interpretation - to the statement and not to the Minister's or Deputy Minister's response. We would wish that you apply your mind to that hon House Chairperson. Thank you.

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you, hon Mnguni. That issue was raised last week and we reflected on it. Indeed, as it stands now it is only two minutes however many statements may be, and you would know that only six Ministerial responses are allowed, and yet there could be as many member's statements. However, the ANC can table the matter in the rules committee so that there can be further clarification given by members as to what was their intent in the drafting of the rule. Thank you.

**REVITALISATION OF AREAS AROUND O R TAMBO**

(Minister's Response)

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The DEPUTY MINISTER OF HOME AFFAIRS: House Chairperson, to me it seem to be a bit unfair that if indeed the idea behind the statements was to give us an opportunity to be accountable that, in fact, we should be given sufficient time to respond. But nonetheless, Chairperson, we welcome the announcement of the ... [Interjections.] ... 30 year plan.

Mr L M NTSHAYISA: Inzwii! Inzwii! [Laughter.]

The HOUSE CHAIRPERSON (Ms A T Didiza): What is the point of order hon Ntshayisa?

Mr L M NTSHAYISA: I was just pleading with hon members to keep quiet and not make noise so that we could hear what the Minister is saying.

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you, hon Ntshayisa. Hon members, let us lessen our voices so that other people can also hear the responses of the Minister and the Deputy Ministers.

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The DEPUTY MINISTER OF HOME AFFAIRS: House Chair, as I was saying, we welcome the announcement of the 30 year plan by the city of Ekurhuleni, and particularly note that the special development around the area around the O R Tambo is aimed at revitalising sectors in the retail manufacturing research particular in health sciences. And certainly the Department of Home Affairs will dovetail with this initiative through our one-stop centres aimed at facilitating is of investment into our economy.

We also not that our ramp up of our modernisation programme will leave up to its reputation and be able to facilitate the envisaged annual 60 million passengers through the airport.

I also want to comment on the hon member from the AIC who urges us to think deeply about the exploitation of farmworkers. I just wish to add my voice to that calling and propose that this hon House does in fact discuss this very salient issue particularly the exploitation of the illegal migrants who work on farms. This is a cause of brewing social tensions. Thank you very much.

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**ISSUES OF MINES AROUND THE MARIKANA AREA**

(Minister's Response)

The DEPUTY MINISTER OF MINERAL RESOURCES: House Chairperson, and thanks for the statements raised by hon members. Let me start by thanking the EFF for raising the matter of Marikana but also would like to say this morning we were meeting as integrated marketing communications, IMC, to look exactly on issues of the programme that has unfolded of revitalisation of mining towns.

I think we have done very well, may be the information that should be given to members - in whatever form by portfolio committees - we should try and update the records of member in terms of this. But we should request that we actually work together to correct these things.

The member who has raised it might want us to exchange some details so that we can make a follow up on these matters because as the Department of Mineral Resources we give the legal license to mine but mining companies know

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that they ought also to have a social license to mine by engaging communities; and where we are doing very well is where the mines with their corporate social responsibilities are actually giving these services to the neighbouring communities.

Also as part of their social labour plan, SLPs, they are obliged to invest in those communities. So, I find it very odd that where they have been doing very well in running water, electricity and others, that in that area that matter has not materialise. We want to say that let us work together on this to get it right and get information.

We are excited about the aerotropolis because that is where the beneficiation and industrialisation is going to be happening for mining commodities. The N2-way has trained a lot of young people in jewellery design together with the academy of jewellery design in Italy. They are ready we have discussed about three weeks ago with this initiative of Gauteng to participate on this matter.

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Lastly, on the issue of the Cuban doctors we obviously are excited about this ... [Time expired.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you, and I am sure all of us will have to upraise ourselves on the mine and safety Act, hon Landers, you are covered.

[Interjections.] Order!

**NOTICES OF MOTION**

Ms D P MAGADZI: I move on behalf of the ANC that in its next sitting:

The House debates building stronger and more socially cohesive communities.

Mr G R DAVIS: Hon House Chairperson, I hereby move on behalf of the DA that in its next sitting:

This House debates the necessity and affordability of building new nuclear power stations at an estimated cost of R1 trillion.

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Thank you.

*IsiXhosa:*

Nks N V MENTE: Somlomo ohloniphekileyo, ndenza isaziso sokuba, xa le Ndlu ihlala kwakhona, ndiza kwenza isiphakamiso egameni le-EFF:

Sokuba le Ndlu-

ixoxe ngendlela entsha yophuhliso loluntu eza kuthi ikwazi ukubala imizi yabantu abahluphekayo ukuze bancedwe ngokutya, impahla yesikolo, incwadi zabantwana nemali yesikolo.

Ms H B KEKANA: Hon House Chair, I move on behalf of the ANC that in its next sitting:

The House debates measures to curb road accidents especially during the festive season.

I thank you.

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Mr J A ESTERHUIZEN: Hon House Chair, on behalf of the IFP

I hereby move on its next sitting:

The House debates the unrealistic high amount of mining licenses issued, the fraud and corruption that is rampant in connection with issuing of mining licenses, the number of mines left unattended and the lack of rehabilitation in the mines.

Thank you.

Prof N M KHUBISA: House Chairperson, I rise on behalf of the NFP and move that in its next sitting:

The House debates the high incidents of HIV/Aids in poverty stricken rural areas and dense populated informal settlements in the Republic of South Africa.

I so move.

Ms H H MALGAS: I move on behalf of ANC that in its next sitting:

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The house debates encouraging involvement of communities and organisations on matters of governance.

I thank you.

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

The House debates ways in which government can encourage health eating habits through subsidies and require schools and universities to change cafeterias to offer healthy food and debate the positive outcomes of healthy eating.

I so move.

Prof B BOZZOLI: I hereby move on behalf of the DA that in its next sitting:

This House debates the funding of higher education in South Africa given the significant and uncertainty in the system, students threats of considerable protests early

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next year, university uncertainty about fees for next year, the release of the widely criticised fees commission report and persistent rumours of an unsustainable funding plan preferred by the President will be adopted.

Mr T RAWULA: I move on behalf of the EFF that in its next sitting:

The House debates a moratorium on all Ministers that are implicated in corruption and the extent in which they damage the decorum of this House. We don't want to mention names but I wish to mention one. [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Don't mention names because you are saying it is an allegation.

Ms P B MABE: Hon House Chair, I hereby move on behalf of the ANC that in its next sitting:

The House debates the improvement of access to quality house service in urban and rural communities.

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I so move.

Ms M R M MOTHAPO: I move on behalf of the ANC that in its next sitting:

The House debates water facilities and quality water moving closer to communities in order to improve the quality of people's lives.

Mr L M NTSHAYISA: I hereby move on behalf of the AIC that in its next sitting:

The House debates Professor Samantha Vice's reflection on the role of white South Africans in the post apartheid democratic order.

I so move.

Ms D Z SENOKOANYANE: Hon House Chair, I hereby move on behalf of the ANC that in its next sitting:

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The House debates international strategic intervention in the fight against the spread of terrorism in the world.

I so move.

Mr P G ATKINSON: I hereby move on behalf of the DA that in its next sitting:

The House debates a slower rollout and implementation of industrial development zone in Saldana Bay and the impact that this has on the economic development of the region.

Thank you.

The House adjourned at 18:31.