

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 1

WEDNESDAY, 28 FEBRUARY 2018

PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 15:02.

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

CONGRATULATING Ms NALEDI PANDOR

(Announcement)

The SPEAKER: Hon members, may I take this opportunity to welcome back hon Naledi Pandor to the House and congratulate her for the global acknowledgement for the work she did in the previous portfolio. [Applause.] And also congratulate her for the new portfolio. [Applause.]

NOTICES OF MOTION

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 2

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker,

I move:

That the House -

- (1) notes the resolution adopted on 6 June 2017, which established the Ad Hoc Committee on the Funding of Political Parties to enquire into and make recommendations on funding of political parties represented in national and provincial legislatures in South Africa with a view to introducing amending legislation if necessary and report by 30 November 2017;
- (2) the ad hoc committee, in terms of Rule 253(6) (a), ceased to exist after it reported and submitted the Political Party Funding Bill
- (3) (c) the need for further consideration, inter alia, of the financial implications of the Bill; re-establishes the ad hoc committee with the same composition, membership, chairperson and powers as its predecessor;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 3

- (4) resolves that the ad hoc committee further consider the Political Party Funding Bill upon its referral to the committee;
- (5) instructs the ad hoc committee to take into account the work done by the previous committee; and;
- (6) sets the deadline by which the ad hoc committee must report for 30 March 2018.

Motion agreed to.

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

That the House -

- (1) refers the Political Party Funding Bill, currently on the Order Paper for Second Reading, to the Ad Hoc Committee on the Funding of Political Parties.

Motion agreed to.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 4

The SPEAKER: The next item on the Order Paper is the statement by the Minister of Police. Hon Minister you went the wrong direction [Laughter.] but you are still welcome and well congratulated for taking over.

[Applause.] We see that you hit the ground running. You are welcome. [Applause.]

**THE INCREASED KILLING OF POLICE OFFICERS IN THE COUNTRY,
WITH PARTICULAR FOCUS ON THE INCIDENT THAT HAPPENED IN
NGCOBO - EASTERN CAPE.**

(Statement)

The MINISTER OF POLICE: Madam Speaker of the National Assembly, hon Ministers present, Deputy Ministers present, hon Chairperson of the portfolio committee, the President and Deputy President and all members.

It is with great sadness and heavy heart that we stand here and tell a story of young South African Police Service, SAPS, members that we lost at eNgcobo. It could be said that for last two weeks, we have lost nine

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 5

members nationally of which five of them are from eNgcobo Police Station.

This terrible deed happened on 20-21 February 2018, between 23h25 on February 20 and early hours of 01h20 on 21 February 2018. The police station was attacked and some members were shot and killed. Other police were ambushed from the same police station, shot, killed and dumped on the side of the road.

These were young energetic and very healthy bodies with the names of Warrant Officer Zuko Mbini, Constables Sibongiseni Sandlana, Zuko Ntshoku, Nkosiphendule Pongco, and Kuhle Mateta and also one South African National Defence Force member.

Adding to the five police officers and a soldier, we have also lost three more officers through a motor vehicle accident, who were deployed coming from the unit in Potchefstroom, in the North West. More than that, we have lost one police officer at KwaMaphumulo in KwaZulu-Natal, KZN, who was shot and killed at the mall, which brings

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 6

the total of killed police officers to nine in a space of two weeks.

These brave men and their families shared commitment and sometimes bigger than themselves, they were committed compatriots, committed to the service and safety of South Africans, for that they had to pay the supreme price by losing their own lives in the line of duty. For that, we take salute of these fallen heroes of South Africa. We offer them maximum gratitude to their families and loved ones. Life would have been much better had this not happened. Therefore, as the SAPS, we commit ourselves that we will work harder to prevent such tragedies happening in the future.

Nonetheless, this has happened and the SAPS had to respond, their response had to be quick and practical. A multidisciplinary Task Team, led by Major General Galawe, was established on 21 February 2018 to investigate the matter, comprising of senior members representing the following capabilities: the Directorate for Priority Crime Investigation, DPCI, which is Hawks, Visible Policing, VISPOL, Crime intelligence, CI, Detective

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 7

Service, the National Intervention Unit, NIU, Public Order Policing, POP, Local Criminal Record Centre, LCRC and Special Task Force, STF.

On 22 February 2018, information was received from reliable sources that a certain taxi driver had been observed in possession of a pistol, suspected to have been involved in the shooting at the eNgcobo Police Station. The information was immediately followed up, one suspect was subsequently arrested and one Norinco pistol was found in his possession.

A tactical team comprising of members from the STF, NIU, CI, DPCI and the Detective Services was activated to conduct an operation at the church premises. Upon arrival at the premises, the task team came under fire from a nearby location and immediately retaliated, resulting in seven suspects being fatally wounded and a further three suspects being wounded. In addition, 37 other male persons found within the shacks from which the gunfire emanated, were arrested.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 8

The Independent Police Investigative Directorate, IPID, was immediately notified on the action taken by the SAPS. The following firearms and exhibits were seized during the operation: two shotguns, two rifles, six 9mm pistols, two safes, two laptops, one police bullet-resistant vest, four swords, two crossbars, four tempo watches, and twenty-seven cellular phones.

All the suspects who were arrested during the operation were questioned and it transpired that only five suspects out of the 37 arrested individuals were involved in the murder of the police officers at the eNgcobo Police Station. The identity and age of the aforementioned suspects are as follows: Andani Monci, Kwanele Ndlawana, Siphesihle Tatsi, Siphosonzi Tshefu, and Phumzile Mhlatywa.

The confessions made by the above-mentioned suspects indicated that a group of eight individuals had conspired to rob the Capitec Bank ATM, situated diagonally across the road from Engcobo Police Station. The police station was identified as an ideal source of firearms and the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 9

eight individuals decided to attack the night shift at the police station.

One of the individuals was tasked to lure the police officers on patrol duties in town, towards the direction of Mthatha. A suitable spot was identified near the Nyanga High School for the rest of the group to lie in ambush for the SAPS patrol van that would be lured out of town.

When the first individual arrived in town, he behaved in a manner that was intended to attract the attention of the SAPS members on patrol, however, the members ignored him. He then called his colleagues to inform them that the police were not responding and was then advised to recklessly make a u-turn in front of the officers on patrol, which he subsequently performed.

The SAPS patrol van pursued the individual to the area near Nyanga High School, stepped out of their vehicle to confront the individual and were subsequently shot by the group lying in ambush. The member's firearms were taken by the attackers.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 10

The group of individuals returned to eNgcobo and went straight to the police station where they shot two members inside the community service centre, CSC, fatally wounding them and removing their firearms. They then commanded the female members that were in the CSC, to open the safe in order to access more firearms. These were female members who were forced to walk and lie on the blood of their colleagues that was there.

While engaged in the process of removing additional firearms, the SAPS patrol van arrived at the station. The group of individuals attacked the driver and his crew, fatally wounding both. The member's firearms were also removed.

The group then proceeded to the Capitec Bank with the intention of grinding the safe and accessing the money. Whilst grinding the safe, they were disturbed by another SAPS patrol van that came from the Mthatha direction and decided to flee from the scene. The group drove towards the mountain behind Engcobo, where they buried the firearms and discarded the SAPS patrol van and bullet-resistant vests that they had stolen.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 11

On 22 February 2018, a group of hunters found the shallow trench where the hidden firearms were buried. The group of attackers confronted the hunters and removed the firearms to their place of residence. They marked some of these firearms with red paint and then hid them until Friday night, when they were confronted by the SAPS Task Team and the firearms were seized.

All suspects not positively linked to a crime were released and five suspects appeared in court on 25 February 2018. Three of the deceased persons encountered at the Seven Angels Church have been positively linked to this case.

The discarded bullet-resistant vests were recovered where they were disposed off by the attackers. Forensic examinations on all the exhibits, including DNA and ballistics analyses are underway to further link the arrested suspects and the deceased suspects.

The case has been remanded to 8 March 2018, for a formal bail application. All five accused are in SAPS custody. Further investigations and follow-ups are in progress.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 12

The National Commissioner has ordered the deployment of additional reinforcements to the eNgcobo area. These additional deployments have been sourced from the national office and various areas in the province.

The proactive deployments include VISPOL, POP, TRT, the NIU and STF. The reactive deployments include the DPCI, Detective Service Tracking Teams and the Forensic Services.

The community of Engcobo and surrounding areas are assured that day-to-day policing will be maintained, at the required level and professionalism.

Out of the ten stolen guns, nine have been recovered. The ninth one was recovered last night. The entire operation is led by the HAWKS. The commissioner will be keeping these forces at the community of eNgcobo until the situation stabilises.

We will be going back there after the funerals and make an assessment, if needs be, extend the operations. We

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 13

would like to thank the community of eNgcobo which has co-operated very well with the SAPS and make sure that the results are quick.

For now we have no church there. We were told that there is a church house or a church room. We have a crime scene. That church for now is a crime scene. There is no church. It will be determined by investigation if it remains a church or perished as a permanent crime scene.

We want to make it very clear that the SAPS are not an undertaker company. We resist to burry our members. I want to issue a strong warning that any military engagement by the thugs engaging SAPS should be one side that go to bury after engagement and that side shall not be the SAPS. I thank you. [Applause.]

The SPEAKER: Hon members, before I proceed with the speaker's list, I wish to draw to your attention an addition to our benches and I'm indebted to hon Cornelia September for drawing this to my attention that there is a person who looks rather lost in our midst. [Laughter.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 14

Hon members, I take the opportunity to welcome hon Minister Mantashe. [Applause.] [Laughter.]

AN HON MEMBER: Maqwathini!

The SPEAKER: I can attest that he took the oath, eh, which was conducted by the Chief Justice yesterday afternoon.

So, hon Mantashe, you are welcome. Thank God you are sitting next to someone who has been working with you for years now. So welcome to the NA.

AN HON MEMBER: Maqwathini!

Mr Z N MBHELE: Somlomo, ngiyabonga. The DA would again like to send our most sincere condolences to the families, friends and colleagues of those who have fallen in the line of duty, most recently the five officers killed in Engcobo.

The killing of a police officer is always tragic and heinous. Not only is it a loss to the families, friends

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 15

and colleagues who know the victim, as applies to all murders, but the offence is compounded because it chips away the capacity of law enforcement to protect our communities and undermines the confidence of the public in the ability of the police to keep our homes and streets safe.

With every cop killing, we cannot help but ask how, are we as ordinary citizens to feel safe and protected when our protectors are themselves are not safe from violent crime? But the killing of police officers is not some mysterious and spontaneous phenomenon.

It is part and parcel of the unacceptably high levels of violent crime that ravage our country, which the police have been unable to contain, never mind reduce, since the upward trend began around 2011.

Information revealed through replies to parliamentary questions has previously shown that most police officers are killed as victims of crime when they are off-duty.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 16

Therefore, as a starting point, a more effective police service that enforces strong deterrence and cracks down on organised crime through better crime intelligence work, swift and quality investigations and increased visibility and rapid response would greatly reduce the death count of cops.

However, for better or worse, the cop killings that get the most public attention and media spotlight are those that happen while police officers are on-duty.

The majority of these incidents happen when officers are responding to complaints or crimes in progress. While these are inherently high-risk situations, they need not simply be a case of throwing our cops into the lion's den and saying, "Good luck to you. Hope you make it out OK."

Through smart policing and implementing risk mitigation measures, these dangers can be brought down but a study by the Institute of Security Studies, ISS, previously diagnosed that plans for promoting police safety were not being implemented.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 17

The ISS said that:

Required training was non-existent or inadequate and there was poor managerial supervision and accountability at station and unit level. As a result police officials did not follow proper procedures when responding to complaints, searching suspects or making arrests, did not use their equipment effectively and were not safety conscious.

This is what makes cops more vulnerable to attack during which they could be injured or killed in the line of duty. So two problems that the DA has repeatedly highlighted as shortcomings in police management are pointed to as contributing factors to police killings: under-training at station level and secondly, management that is soft on enforcing accountability.

Turning to last week's tragedy where five police officers were killed in Engcobo, we see other aspects of poor management that created a vulnerable situation.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 18

It is reported that the criminal syndicate at the heart of this gruesome episode, operating as a cult church, had been the subject of numerous complaints from residents of the town but the police had not been responsive.

This is reflective of a more general picture across many communities where reports of suspected criminal activity to police stations sometimes if not often go unanswered, with slow or no reaction.

In a functional situation, those complaints would have been gathered by a station-level crime information officer who would have referred them to a cluster-level crime intelligence analyst to process and package the information into an intelligence product. This would have prompted surveillance of the church site, the church leaders and movements in and out of the premises.

This intelligence gathering work would then have informed policing operations to neutralise the problem before it escalated; but guess what? As a result of the understaffing and under resourcing on the ground, many police stations do not have crime information officers;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 19

and due to incompetent management, there have been longstanding vacancies in crime intelligence analysis. This is all information that has been revealed to the Police Portfolio Committee in recent months.

So what we find is that mismanagement and incompetence in the police service contributed to the deaths of officers Mbini, Ntshoku, Pongco, Sandlana and Mathetha. As in other tragedies like the Marikana Massacre and the Life Esidimeni saga, the point must be driven home: Mismanagement kills; Incompetence kills; Maladministration kills and Corruption kills.

Therefore, I must repeat a point I made during the state of the nation address, SONA debate last week: the National Development Plan diagnoses the root problem in the failure to effectively fight and reduce crime as being the serial crisis of top leadership in the police. Fixing this problem to ensure fit-for-purpose, qualified and competent police leadership must be the first step because almost everything else to improve police performance depends on it.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 20

It is therefore, Speaker, for this reason that the DA is not enthused about the appointment of Minister Cele as Police Minister. He assumed this position with the baggage of his role in the Roux Shabangu lease scandal that saw him dismissed from his previous position as National Police Commissioner.

This tainted history will hang over his tenure in the police portfolio which requires ethically uncompromised leadership and the Minister with a record of unblemished integrity that is beyond reproach.

An effective police service needs political leadership that will set the highest standards and be an example of the highest standards so that he or she can credibly enforce performance accountability to those same standards.

While the Minister is yet to prove himself and may yet surprise detractors, he must not underestimate the enormity of the task ahead of him. Big talk and bombastic swagger will not substitute for what must be the No 1

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 21

agenda item of any Police Minister: to fix the fundamentals in the SAPS.

If that is not done, we will not have an effective, efficient and professional police service. If that is not done, police officers will continue to get killed.

[Applause.]

Mr M M DLAMINI: Chairperson ...

IsiZulu:

... sifuna ukuthi, okokuqala siyi-EFF, sifuna ukuthi kule mindeni elahlekelwe amaphoyisa abesemsebenzini abulewe yizigebengu sithi kuleyo mindeni, balale ngoxolo, sikhalisana kanye nabo.

English:

The gruesome killing of our police officers in Ngcobo has shocked us a nation. This shows the low level of our crime intelligence services who for almost 10 years have been used to fight political battles. Two years ago the community of Ngcobo retrieved young children from this place. The Eastern Cape government was involved in the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 22

evacuation of these children but there is no indication that this matter was reported to the police services. Under these circumstances we cannot simply condemn this barbaric murder of our police officers and not condemn government as a whole for failing our people. Under the watch of our government, women police officers in the SA Police Service, SAPS, abuse is rife and life-threatening. The police officer who died in the armed robbery in Roodepoort over the weekend is an indicator of how unsafe our police officers are. Minister Cele, you have just taken the new role of being the Minister of Police. Please protect our brothers. Please protect our sisters. Set them free from political battles. Let them not be used as contract killers to defend tenders of the ANC politicians.

Make sure that they are not used as 'boys' especially those that are in VIP protection. They must not be used as 'boys' to collect girlfriends and buy alcohol at night for Ministers, MECs and everyone. Let us make sure that our police officers are protected, Minister Cele. The things that are happening in KwaZulu-Natal, KZN, where police officers are killed is not right. So, as the DA

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 23

said, you have a cloud hanging over you. So, what you need to do now is to make sure that the work that you are going to do prove, and South Africans, as things stand, have got hope that there is going to be changes especially in the police services. Our brothers and sisters are not safe Minister. So you must stay away from Twitter, Instagram, be on the ground, go to Glebes, go everywhere where our police officers are not safe and make sure that they are protected and defended. Their brothers, sisters, fathers, mothers, when they leave their homes, their families expect them to come back in the evening. So Minister that is your job, you must protect our officers. Thank you. [Applause.]

Mr E M BUTHELEZI: Hon Speaker, the killing of police officers in South Africa is a serious and continuing problem. This is not just a horrific loss of life but also a shame on the nation in terms of the current lawlessness as well as a serious security threat. The basic fundamental duty of the state is to protect its citizens and this includes our police officers. This year has all but just begun and already 12 police officers have been slain in the line of duty, whilst experts are

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 24

stating that over the last 20 years of our democracy more than 160 police officers are killed annually.

The increasing incidents of police killings signal a serious challenge to the rule of law that is currently being faced by the state. During the state of nation address, the President spoke about a new dawn that is upon us, a time to rebuild and the time for new hope. But just a few days after that, we have seen something totally different from that. The killing of police officers in Ngcobo and in other parts of the country is something that we cannot consider as a new dawn, but rather a signalling of a sunset into what appears to be darker times ahead for South Africa. What happened in Ngcobo does not qualify to be the hope that was so eloquently spoken about but rather the signalling of the end of hope for our people. As the IFP, we believe that the safety of our people begins at the coal face of peace and security with those who have opted for the very noble service, of becoming police officers. These men and women in blue are the first line of defence in protecting us from criminal activities. The tragedy at Ngcobo exposed

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 25

us to some of the shortfalls of the structures of the state, and in particular, our intelligence services.

We believe that this tragedy could have been detected and prevented if our intelligence services were only more effectively focused on peace and security in South Africa, rather than politics. If we are serious about restoring hope and the integrity of the state, then that should start here in this very room. And this should begin with the ANC refraining from its attitude of blanket dismissal of criticism and more openness to ideas that come from the opposition. The IFP extends its heartfelt condolences to all families and friends of those who have lost their lives in the line of duty and proudly salutes the gallant and brave policemen and women of South Africa. We also wish to welcome the hon Minister Cele and we believe that you will be equal to the task and that you will try by all means not to be wide-mouthed like a basket as the previous Minister was. Thank you.

Mr A M SHAIK-EMAM: Hon Speaker, allow me on behalf of the NFP also to congratulate some of the new Ministers and Deputy Ministers that may not have been in the House

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 26

yesterday, on their appointments. [Applause.] The NFP would like to extend its condolences to the bereaved families and friends of our police officers including a soldier were brutally gunned down in Ngcobo by these barbaric criminals. The NFP have repeatedly said when one police officer dies, an entire community dies with him or her.

Now, these men and women in blue, hon Minister, risk their lives on a daily basis to protect the lives of our citizens. Unless we address the challenges faced by our officers we will certainly lose more of them. The restrictions placed on our officers in protecting themselves against these criminals are one of the contributing factors to the untimely and horrendous murder of our officers. What disappoints me today is that we are mourning the deaths of our fellow officers - our brothers that were brutally murdered but we still come here and still want to stand here, score points, find faults and blame each other. And we have repeatedly noticed in this House that some of us must take responsibility for the deaths of these police officers because when a police shoots a criminal, the entire left

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 27

is shouting, screaming, insulting and abusing the police officers. But when a criminal shoots police officers, we come here to grandstand to score points. Now this is not acceptable, not on an occasion like this where people are mourning the deaths of loved ones. Let me also add, the issue of guns, arms and ammunition is a serious challenge in South Africa.

But against my colleagues on this side will do everything to promote every single thing to promote so that they ensure that people have enough guns, arms and ammunition, and that is what is being used to mercilessly kill our people today. But you come here and find faults on the others. That is exactly what you do. What we are saying is, if it is necessary to call for legislative amendments to give police greater power so that they can deal with these criminals with the contempt they deserve, so be it and that is what we must do. We need to protect our police officers. Not to do what they are doing, tying our officers' hands behind their backs and say, go and let these criminals deal with you. That is exactly what they want you to do. So we are saying as the NFP, let us protect our police officers. Give them that power so that

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 28

they can go there and serve the interests of our people and deal with these criminals. Deal with them properly. We support this. Thank you very much. [Applause.]

Mr M L W FILTANE: Hon Speaker, on 24 March 2017, the then Minister of Police, Nkosinathi Nhleko, replying to a question from our MP of the NCOP, hon Lennox Gaehler, said that from 2011 to 2016, 368 police officers died on duty. Something critical should have been done to protect our officers, going forward. That was not done.

The United Democratic Movement conveys its deepest condolences to each of the families and colleagues of the murdered law enforcement officers.

Speaker, the success and effectiveness of all initiatives intended to curb the war declared by heartless criminals on our men and women in blue depends on all of us. It depends on the leadership of the police and the entire SAPS family, working in collaboration with community structures.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 29

Equally, this fight would also require that we root out criminality and brutality among the police, so that relations between the police officers and communities are mended.

Mr N L S KWANKWA: Speaker, on a point of order: ...

IsiXhosa:

Siyabaqonda ukuba baxhelelwe eXhukwana kwela cala kodwa bayangxola ngoku asimva kakuhle utata ukuba uthini na. Basuke bonwaba kakhulu. Ndicela ubacele ukuba bahle kancinci. [Kwahlekwa.]

Mr M L W FILTANE: We must separate police officers from the criminals.

On Monday, 26 February, the President of the Republic elevated the hon Cele to the helm of the SAPS, as an executive authority. The increased killing of police officers demands that the leadership of the SAPS must be trusted, respected and be above board. We expect you to rise above.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 30

What role did Parliament play after the report on the CEO of the Commission for the Promotion and Protection of Cultural, Religious, and Linguistic Rights, CRL, instead of being defensive?

The report was instructive in its content and context. What role did the ANC's deployee to Ngcobo play after the 2016 report? Nothing!

The ANC-led government is in indeed complicit through omission. The ANC actually had a legal duty to protect the citizens of this country. They ... [inaudible] ... earned salaries and people have been murdered.

Parliament, led by the ANC, should have been receptive of the CRL's concerns and taken appropriate steps, instead of defending and telling us that she had no business to instruct Parliament. That is a member of the public. But this Parliament failed South Africans citizens once more.

The Department of Police should have asked the Department of Public Works to erect protective infrastructure at that Ngcobo Police Station, in order to create a safer

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 31

working environment. Once more, the ANC government has failed and now innocent lives have been lost.

Freedom of worship, as enunciated in our Constitution, does not necessarily preclude regulation from the sector. No sector in South Africa is above the law. Please, understand the Constitution, interpret it correctly and act accordingly. Deputy President, we expect you to move. Make sure that this Parliament works for the people of South Africa. [Time expired.] Thank you.

Mr P J GROENEWALD: Speaker, I want to say to hon Shaik Emam that the police cannot even protect themselves and, therefore, the people of South Africa have to arm themselves with firearms and ammunition to protect themselves. [Interjections.] To come and stand here and to partly blame it on the people who want firearms to protect themselves ... It is a sad day if a MP says that.

Normally, if a country has a good and professional police service, criminals fear the police and the police do not fear any criminal. However, in South Africa - and this incident is proof of that - the criminals fear no one,

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 32

not even the police. The police fear the criminals. Why? There are a lot of criminals in the police itself. You have heard the other members that spoke from this podium. It is not that they are not known; there are many members with criminal records, but nothing happens to them.

I want to appeal to the hon new Minister ... By the way, Minister, I actually hope that we will have less controversial statements such as those from your predecessor. Maybe you must explain to us what a permanent crime scene is. Please, explain to us. I appeal to you to get rid of the criminals within the Police Service, then criminals will again start to fear the police and the communities will start to trust the police and the police will fear no one.

Afrikaans:

Die vraag is: Hoekom het ons met hierdie insident te doen? Die antwoord is, daar was nie behoorlike intelligensiedienste nie, want die intelligensiestrukture in Suid-Afrika is deur die politici en die regerende politici misbruik vir partypolitieke doeleindes, in plaas daarvan om misdaad behoorlik te bestry.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 33

Hierdie was georganiseerde misdaad. Dis 'n groep mense wat 'n polisiestatie gaan aanval het, maar die intelligensiedienste het dit nie opgetel nie.

Agb Minister, het u vir die gemeenskapspolisieëringsforum vir die noties gevra? Ek is oortuig daarvan dat die gemeenskap al in daardie vergaderings sou kla oor die misdadigers wat by die betrokke kerk is. As die gemeenskap nie gekla het nie, dan het die gemeenskap ook die polisie in die steek gelaat.

Ek glo dat daar klagtes was. In die media sê hulle dat daar klagtes was, maar die polisie het ook die gemeenskap in die steek gelaat.

Die Vryheidsfront Plus salueer daardie goeie, hardwerkende, professionele polisielede wat selfs bereid is om hulle lewens op te offer. Ek dank u.

Mrs D CARTER: Speaker, the Congress of the People expresses its sincere condolences to the families of all police officers who have passed away in the line of duty and particularly, to the families of those South African

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 34

Police Service members who lost their lives in the recent Ngcobo tragedy.

We understand that a further three officers who were investigating the attack tragically lost their lives in a motor vehicle accident and that a further officer is in a critical condition, as a result of the accident.

Cope understands that in March last year, the same police station and its members came under attack when some 15 armed robbers drilled their way into Ngcobo's Standard Bank.

The Institute of Security Studies points to the growing risk of attack by criminals against vulnerable, rural police stations; and to the fact that members of the police and police stations are being viewed by criminals as a source of weapons to use in other acts of criminality.

In this regard, a 2015 report indicated that some 6 600 firearms had been lost or stolen from the police over a five-year period.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 35

Attacks against the police as well as the ability of the police to protect themselves is a complex matter. In part, it relates to the desperate state that we find ourselves in, as a nation – be it morally and socioeconomically, or in our governance and leadership, or lack thereof.

What is clear is that it will take more than a stomach-in and a chest-out approach or a call for swagger and bravado to resolve the issues we face.

Once again, on behalf of Cope, I express our heartfelt condolences to the families of those SAPS members who lost their lives in the Ngcobo attack and in the subsequent accident. Thank you.

Rev K R J MESHOE: Speaker, the ACDP would like to firstly take this opportunity to congratulate hon Bheki Cele on his appointment as Minister of Police. We wish him well in this critical role and also wish to remind him that, because of his reputation as a tough crime fighter, much will be expected of him to bring down the unacceptably high levels of crime in our country.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 36

We were deeply saddened by the death of those police officers who were killed by criminals at Ngcobo in the Eastern Cape last Wednesday night.

On behalf of the African Christian Democratic Party, I wish to convey our sincere condolences to the spouses and family members of those who died so senselessly, while serving their communities.

It is heartening to note that arrests have been made. However, we find it unfortunate that CCTV cameras around the police station were missing. The ACDP calls for the immediate installation of cameras at all police stations, which should be checked regularly by officers on a rotating basis, to avoid corruption.

I strongly believe that the increased killing of police officers is a declaration of war against the state and we expect the government to win the war. We do not want to see our people imprisoned in their homes because they fear criminals.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 37

Reports about police officers living in fear of their lives because of criminals are concerning. It is criminals who should be living in fear of law enforcement agents, and not the other way around. Government should not allow our country to become a mafia state.

Speaker, since the dawn of our democracy, the ACDP has called for the denial of parole for those convicted of certain categories of crime. We now want to add to that list those convicted of killing police officers.

The ACDP also believes that the murder of men and women who have been trained and appointed to protect both the state and its citizens should be classified as a crime against the state, which should carry with it an automatic life sentence without the option of parole.

Government must be hard and merciless when dealing with criminals. Criminals must fear arrest and punishment; otherwise government would be failing to exercise their most fundamental responsibility, which is to protect its citizens. Criminals must know that their crimes will not be tolerated in our democratic South Africa.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 38

Lastly, hon Bheki Cele, you are known as the General and I want to say that much is expected of you. Please, do not disappoint. Thank you.

Mr S M JAFTA: Hon Speaker, the SA Police Service, SAPS, is a creation of statute. It finds expression in the scheme of the Constitution, which broadly outlines the careful consideration that police services has to prevent, combat and investigate crime, maintain public order, protect and secure the inhabitants of the Republic and their property and uphold and enforce the law.

According to a survey conducted by the Institute of Security Studies in 2015-16, 8% of the SA Police Service members are murdered annually. The report indicates that 298 civil claims have been lodged against the police.

Hon Speaker, the new Minister has been thrown a spanner in the works. He must insulate the police against criminals while at the same time uphold the law to guard against civil claims.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 39

It is an intricate balancing act that should be carefully studied and considered. The recent events at Engcobo in the Eastern Cape have again reminded us that without properly stamping the authority of the police services, the criminals will always have the upper hand.

I had an occasion, hon Speaker, to speak to one station commander. He held no punches and stated that our police stations have to be properly equipped. You cannot have criminals running amok, terrorising the police on their own backyard without any detection.

Hon Speaker, instead of purchasing luxury cars for the police services, we need to prioritise our police fraternity, including equipping the profession with resources to fulfil its constitutional obligations.

Hon Speaker, the zeal and flowery language in any sphere of government won't get us anywhere. Criminals do not fear foul languages. They are shaken by an effective criminal and policing system, bold leadership and deterrent inducing measures such as arrests, prosecution and punishment.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 40

It is imperative at this point that we don't suspend the rule of law to catch criminals but uphold the law in our effort to bring criminals to book. I thank you.

[Applause.]

Mr M A PLOUAMMA: Hon Speaker, hon members, hon Minister, I just want to give you some few advices before I deal with this grave matter. Hon Minister, don't revive your relationship with Roux Shabangu. Hon Minister, stay away from bribes and extortion. Hon Minister, you have a good temperament and then we want to give you the benefit of the doubt. But we don't want this Police Ministry to spend most of the time dealing with scandals.

Hon members, it seems to be a police officer is to fast-track your death certificate. Criminals have declared war against us. What happened at Engcobo is a tragedy - a cold-blooded act. This ambush by criminals to our police station shows that these animals have no respect to our law enforcement officers.

We must starve these criminals of a space to exist. It's better to burry criminals than our police officers.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 41

Hon members, we urge all citizens and communities to work hand in hand with our police officers. They must report these things while it is still early. We must be proactive. We must restore law and order. All communities in South Africa must stop celebrating gangsters or accommodating them.

These police killings are poised to continue as long as the structural causes of insecurity such as institutional weakness, corrupt and deficiency in policing and political establishment susceptible to bribes.

Finally, hon Speaker and members, on behalf of Agang and myself, I would like to send condolences to the families of those killed and hope that those who are responsible will be punished severely. I thank you.

Mr L R MBINDA: Hon Speaker and House at large, let me start by saying, we welcome the unequivocal Africanist position on restoration of land to its rightful owners adopted by Parliament yesterday at the insistence of black political parties. To PAC, the restoration of land should be immediate and without qualification.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 42

The SPEAKER: Hon Mbinda, you are in the wrong debate. You are talking about the wrong subject.

Mr L R MBINDA: I know. I am just thanking you for what happened yesterday. Fellow South Africans, 2018, marks 40 years since the brutal killing of one of Africa's greatest son, whom, to us remains our founding president, Robert Mangaliso Sobukwe.

The situation in Engcobo obviously to us as the PAC would have been prevented had the closing of the church had been carried out.

The PAC as one of the three anchors of our defence force alongside uMkhonto weSizwe and remnants of SA National Defence Force, SANDF, confirms its commitment to the defence of the state, including the National Police Force.

The PAC condemns without equivocation and without qualification, therefore, the recent brazen assault on the Azanian state perpetrated by outlaws at Engcobo in the Eastern Cape Province. The PAC extends its heartfelt

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 43

condolences to the families of the martyred patriots that include six members of SAPS and a veteran of SANDF. May their souls rest in peace? Thank you.

Mr N T GODI: Hon Speaker, comrades and hon members, on behalf of the APC and indeed, on my behalf, I join this House in passing our heartfelt condolences and solidarity with the immediate families, the traumatised community of eNgcobo and the entire SAPS community on this tragic and barbaric incident that saw the slaughter of our police and a member of the SANDF.

Nothing and absolutely nothing can explain away this monstrosity. Criminality must be defeated. It will be defeated not just by a dedicated police service but by a united citizenry. The swift breakthrough by the police on this matter must be applauded. The unity of the community and the country is a positive plank to build on for an active citizenry continuously.

This crime against the people has brought into sharp focus this blind spot that the misuse of religion and the church has not been limited to doom, petrol, snakes and

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 44

grasses but even criminality like money laundering, drug trafficking etc. That the suspects were found in a church, shot at and fought with the police, it raises serious and disturbing questions about the active and passive role of that church. Churches must raise their voices against the tarnishing and misuse of religion, especially if it's used against the state.

We wish the Minister and the SAPS management well in their patriotic duty of protecting lives and property. With a stabilised leadership core under General Sithole, we are positive that substantive and visible progress will be made in the fight against crime. We support and wish strength to our police services. I thank you.

Mr J J MAAKE: Hon Chair, on 10 September 2015, we had a debate in this very House on police killings. It is now 2018, and we are still having the same debate. The question then is, are things getting better or are they becoming worse? If they are getting better I think we wouldn't be having the same debate. This debate is one of those that we should never be having in this House today or at any time in the future. The killing of the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 45

protectors of our own police officers, five of them, is actually a national disaster and must be treated as such.

The ANC government has committed itself to fighting crime in whatever form it manifests itself in our society, including the killing of our police officers. Fighting crime is one of the main priorities of the ANC as it is clearly stated in almost all of its conference resolutions, and the safety and security of our communities has always been top in the priorities of the ANC. It is a pity that it is not for the first time that we stand on this podium and talk about the same issue. Let's we forget our police officers who were killed in Jeppestown by criminals - police officers that are shot almost every month either in uniform or off-duty. It is now a norm or some kind of culture for criminals to use police stations as places where they can go and collect or restock weapons, and do that by murdering our police officers.

We are also saddened by the passing away of the three other police officers who died in a car accident in the same area of Ngcobo. The police officers were from the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 46

Eastern Cape and were on their way to North West. The core functions of the SA Police Service in terms of section 205(3) of the Constitution are: To prevent; combat and investigate crime; maintain public order; protect and secure the inhabitants of the Republic and their property; and to uphold and enforce the law. However, instead, the people of Ngcobo and the whole of South Africa are reeling from the shock of the murder of their protectors.

In our budget review reports to Parliament, the Portfolio Committee on Police had clear recommendations in this regard. Those recommendations were adopted by this House. The committee recommended that ground coverage of crime intelligence should be increased in relation to capacitating this environment, especially at cluster level; that the department should consider informants as a force multiplier and endeavour to attract and retain strategic informants; the SA Police Service, SAPS, adhere to competency requirements for police officers carrying firearms including background checks, training requirements, accreditation and removal of firearms due to negligence or abuse, and disciplinary action; and that

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 47

SAPS capacitate, train and support police officers through on-going accredited training in firearms use, as well as alternative tactics and strategies to use lethal force.

As Parliament and the Portfolio Committee on Police we are guided by our interest to promote effectiveness, efficiency and professional policing in South Africa. We also call on our communities to strengthen structures such as street committees, Community Policing Forums and organs of civil society that will collaborate with the SA Police Service in their effort to stamp out these heinous acts against police officers. We have also called for stiffer sentences to be imposed on the scams that kill police officers.

We therefore urged our new Minister to prioritise the safety of our police officers and police stations. All police stations need to resort to new technology; the need to have the closed-circuit television, CCTV, cameras; all police officers must have body cameras; and police stations need to have enough vehicles to do their job.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 48

The killing of police officers in eNgcobo and everywhere else is and will never be acceptable. The attack on the police is an attack on the state itself. It would not be wrong for me - and I don't think it would be against the Constitution of this country - if I were to say that criminals are a scam of society and therefore need to be brutalised to a point where they won't be able to rear their heads in any corner of this country. Our country's history under colonialism and apartheid was a violent history that created a fertile ground for violent crime and a disregard for human life by some good-for-nothing criminal elements in our society.

Crime in South Africa is violent and the police must defend themselves with everything in their power if attacked, even lethal force, as long as it is within the confines of the law. When our people and the police no more are or feel safe, the Constitution allows for brute force to be used in defence of our people and their protectors, and again I will say as long as it is within the confines of the law.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 49

The ANC however welcomes the speedy reaction demonstrated by our men and women in blue in apprehending some of the alleged perpetrators of these senseless killings of police officers and the recovery of the stolen firearms. The law must take its course and harsh sentences must be meted out to those convicted. We must also thank the community in eNgcobo for their prompt response in providing leads for the police on the whereabouts of the perpetrators. Where the community and the police work together, it becomes easier to stamp out criminal activities within our communities. Crime prevention can no longer be regarded as a police issue only. A co-ordinated effort by the justice as well as crime prevention and security cluster departments, can go a long way to halt these killings.

Once more, hon Chairperson, if we have a situation in this country where tsotsis, ruffians will raid a police station in order to capture weapons and where tsotsis will hold police up and take their weapons in daylight, it is clear that something is terribly wrong, and it means that our strategies and tactics in dealing with this type of criminality need to be relooked at. Our men

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 50

and women in blue protect us, they create for us a sense of security and comfort by putting their lives on the line for us. They protect our assets whilst they have none themselves. They secure our safety and security. Is it not ironic that they do this for us whilst they themselves are not safe, whilst they have no comfort and they do this without complaining?

Does it mean that we just use them as some instruments or objects for our own good? Are we saying that theirs is to do and die, theirs is not to ask the reason why? There are sessions by the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic communities that Parliament was responsible for the killing of the police officers at Ngcobo. As a report was submitted to Parliament - that is what they are saying - as far as is factual, the Portfolio Committee on Co-operative Governance and Traditional Affairs dealt with the report on 30 January this year. The report is awaiting presentation to the National Assembly for adoption. I wouldn't know what they are talking about. Thank you, hon Chairperson. [Applause.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 51

The MINISTER OF POLICE: Chairperson, hon members, I would not really go to the individual members, nor begin to debate issues raised there. For now, I will stick with what we are all about.

We did go to the memorial service, yesterday, and we saw six families. These are families in pain. The community is in pain. Even members of the SA Police Service are in pain and highly traumatised. So, as for coming here and talking about the theory of what should have happened, I will keep that for another time, because there are many things that were said here that are wrong.

For now, I will invite the members, especially those represented by the hon Mbhele of the DA, to visit these people, sometimes, and to feel this pain with them.

[Interjections.] Sometimes, when you go and attend a funeral, you feel part of the pain when these things happen. Surely, you would then come back here and behave in a more human way, unlike this animalistic way in which you are behaving? [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 52

Among the people who died there, the oldest was 48. Another was 29. They are very young to have died. They were not just ordinary people who were about to have that happen to them, to go anyway.

I thank the members, especially those who have seen the human tragedy in this matter, rather than seeing the police scorecard and scoreboard. Please don't do that. Stay on the understanding that, no matter what you think, they are still human beings.

I would like to address the hon member Groenewald, specifically. It is no use calling the nation to arm themselves. That is something we will have to work very hard on. I agree. The police and all other structures will have to work hard to do their jobs.

However, one major problem occurs when you allow the country and the nation to be armed. You will end up with the American situation, every day. [Interjections.] I am very sure that nobody likes to see the American situation, where children die in their classrooms because guns and firearms are allowed to be carried like toys. It

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 53

is one thing that we will have to work very hard on - making sure that South Africa is disarmed. Give the space and support the institutions that are supposed to do that work rather than calling for the arming of the nation. It could be a dangerous situation to do. I agree, however, that people must be protected and people must be safe.

[Interjections.]

Dr P J GROENEWALD: Hon Chair, I would like to ask the hon Minister if he would be willing to have a discussion with me on this matter. Would he be prepared to do that?

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, I am sure the Minister understands your sentiments and he will deal with it. Minister, will you proceed?

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, would the Minister be prepared to take a question: Does he own a firearm? [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member. I'm not ... You see, you are asking if the hon Minister

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 54

is prepared to take a question and then you ask the question, anyway. As the Chief Whip of the Opposition, you should know better.

The CHIEF WHIP OF THE OPPOSITION: Would he be prepared to answer a question?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, are you prepared to answer a question?

The MINISTER OF POLICE: I'll only answer the question from his stolen wife.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon Minister. Are you ... Hon Minister ... [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: If I were you, I would be very careful talking about cupcakes and stolen wives. Thank you. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, are you prepared to take a question?

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 55

The MINISTER OF POLICE: I am not prepared to take a question from this member. I will only take a question from his stolen wife.

The HOUSE CHAIRPERSON (Mr C T Frolick): The Minister is not prepared to take a question. [Interjections.] Hon Minister ...

The CHIEF WHIP OF THE OPPOSITION: Hon Chairperson ...
[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, let us stick to the issue at hand. Thank you.

The CHIEF WHIP OF THE OPPOSITION: Hon Chairperson, I would ask that the Minister withdraw that. It is a personal comment that has no place in this House. If he wants to start talking about cupcakes, I am more than happy to discuss that. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, you see, you ask the Minister to withdraw that, but you do exactly the same thing. Continue, hon Minister.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 56

The MINISTER OF POLICE: I will continue. What the hon member Groenewald didn't say is that he and I are already engaged in discussion anyway. There are several things that we talk about. This will also be done with an open hand and open heart, not only with him but with anyone else who thinks that engagement will help in dealing with this situation in South Africa.

We cannot play around with crime. It's too serious to be used for scoring points. That is highly unacceptable. Any other member is also invited to sit down and talk about these issues. However, I will have no time for those who come merely to score political points, or whatever. I have time to do the work.

Time will tell how far we get in dealing with the work. The bottom line is that South Africans must be safe and feel safe. That is what we are going to work on and work hard on to make it happen.

It doesn't matter who you are. Safety in South Africa should not be a commodity of the rich. Safety in South Africa should be an issue for all South Africans. They

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 57

should all feel safe in South Africa, especially those that are vulnerable and those who feel they have no money to pay for extra safety. Our wish is that, one day, there will be no extra money paid for extra safety and that all South Africans feel safe. However, for now, we will have to work hard for those who are the vulnerable, especially women, children, and those who are brutalised by their partners and the tsotsis, criminals and thugs who are roaming the streets of South Africa.

Finally, we do take the point that there are many areas the SA Police will have to improve on. That, by the way, includes the structures like criminal intelligence, CI, and other special forces, ordinary policing, the structures of policing, putting in technology and IT to improve the lives and safety of SA Police Service members, long before they protect us.

One more thing is this - an invitation to the communities to be part of the safety of themselves and the police. That's why the response at Ngcobo was quick. The response was quick because communities were involved.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 58

Lastly, I would like to thank my predecessor, former Minister Mbalula, for the good work that he has done with the people of Ngcobo in ensuring the quick response. I also salute the special forces for the good work that they have done there. It took them 30 minutes, in a shoot-out, to sort matters out, once and for all. Things are sorted, there.

I hope ... I will ... [Inaudible.] ... if I make that invitation that they should not hesitate if they need to sort things out in the way that they will understand how things are sorted out. That is how things were sorted there. [Interjections.] Next time, we'll have to look at these churches, I agree. Perhaps we will have to look at these kinds of churches and work with them very closely.

Aside from that, we salute the men and women in blue and their leadership. We also thank the commissioner for the way he responded in the operations there. It was precise; it was professional. Thank you very much. [Applause.]

Debate concluded.

WEDNESDAY, 28 FEBRUARY 2018

Page: 59

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON HEALTH
- SA HUMAN RIGHTS COMMISSION'S REPORT INVESTIGATION INTO
ONCOLOGY SERVICES IN KWAZULU-NATAL PROVINCE**

Mr A F MAHLALELA: Thank you hon Chairperson. The report that we are presenting today is as a result of the investigation that was conducted by the SA Human Rights Commission, SAHRC, into the provision of oncology services in KwaZulu-Natal. The investigation was as a result of a complaint that was lodged by a member of the provincial legislature in KwaZulu-Natal which related to the critical shortages of staff and the lack of functional health equipment for the screening, diagnosing and treatment of cancer in the KwaZulu-Natal province, with reference to the following:

Firstly, the insufficient radiotherapy treatment devices in the province;

Secondly, the radiotherapy machines known as Varian Rapid Arc Linear Accelerator Machines, VRALA, at Addington and Inkosi Albert Luthuli Central hospitals were not working;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 60

Thirdly, delays in the treatment of oncology patients attributed to the shortage of functional health technology, including VRALA machines as well as computed tomography, CT, scanners; and

Fourthly, the department was failing to provide oncology patients with adequate health care services.

The commission conducted an investigation to determine whether the measures taken in respect of providing health care services to cancer patients are reasonable within the meaning of section 27 of the Constitution.

The second determination was whether the alleged shortages of oncologists, the lack of timely treatment and the delays in the provision of treatment constitute a violation of the right to have access to health care services in terms of section 27 of the Constitution.

Having conducted the investigation, the commission came to the following conclusions and/or findings:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 61

The provincial Department of Health in KwaZulu-Natal had violated the rights of patients with cancer at Addington and Inkosi Albert Luthuli Central hospitals to have access to health care services as a result of the failure to comply with the applicable norms and policies by failing to:

Firstly, evaluate and identify the need for functional equipment such as CT scanners;

Secondly, recruit and retain suitable qualified staff, including oncologists, radiotherapists, medical officers and oncology nursing staff; and

Thirdly, the provincial Department of Health failing to provide access to adequate oncology services, which also violated interconnected and interdependent rights to human rights and dignity in the lives of affected patients.

Having made the said findings, the commission therefore made the following recommendations, which the committee has accepted:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 62

Firstly, that the provincial Department of Health in KwaZulu-Natal should immediately take the following steps – repair and monitor the health technology machines, including CT scanners;

Secondly, adopt an interim referral management plan to facilitate the referral of patients to private service providers for screening, diagnosis and treatment of cancer;

Thirdly, adopt the management plan to deal with the backlogs, because there were a lot of backlogs in terms of patients;

Fourthly, the provincial department, in collaboration with the national Department of Health, should develop a strategy to meet the current medical staffing challenges in KwaZulu-Natal;

Fifthly, the provincial department is required to prioritise capacity-building at the administrative level and the retention of professional health care workers,

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 63

including specialists, registrars, medical officers and nurses; and

Finally, the provincial department, in collaboration with the national Department of Health, is required to prioritise the procurement of essential health technology machines, screening and diagnostic machines, as well as the treatment of cancer.

Therefore, it is in this context that we as the portfolio committee are tabling this report before this House for consideration and adoption. We further urge the provincial department in KwaZulu-Natal, together with the national department, to urgently implement the recommendations of the commission as well as the House resolution, which will be adopted today.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: House
Chairperson, I move that the report be adopted.

Declaration(s) of vote:

Ms S P KOPANE: Hon House Chair, in 2016 my colleague, Dr Keeka, a member of the provincial legislature and the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 64

DA's KwaZulu-Natal spokesperson on Health, lodged a formal complaint with the SAHRC based on his oversight findings that the KwaZulu-Natal Health Department was violating the rights of cancer patients to proper health care services and, particularly, access to oncology services was not being timeously provided by the KwaZulu-Natal Department of Health. This complaint includes, but is not limited to, severe shortages of oncologists and other staff, and a lack of functional health technology machines for screening, diagnosing and treating of cancer at KwaZulu-Natal hospitals.

The lack of access to oncology services for cancer patients in the province has potentially resulted in the deaths of hundreds of vulnerable patients at the hands of an uncaring Department of Health. The SAHRC report found that:

The department advised that the average waiting period for a patient to be seen by an oncologist is five months whereas those waiting to receive cancer radiotherapy usually wait a further eight months.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 65

This is a death sentence, with the waiting times having since increased.

Furthermore, the SAHRC report found that the Department of Health, both nationally and provincially, failed to take reasonable measures to progressively realise the right to have access to health care services in the KwaZulu-Natal province. This is a massive indictment on the Minister of Health as well as KwaZulu-Natal MEC Dhlomo.

According to the SAHRC report, the failure to provide access to adequate oncology services in KwaZulu-Natal also violates the right to human dignity and life of the affected patients.

The ANC government doesn't respect the Constitution and it most certainly doesn't care about those cancer patients. Given the crisis of what is happening in KwaZulu-Natal, as well as in the most inhumane treatment of the most vulnerable patients in the Life Esidimeni case, it is clear that the ANC government does not care about the vulnerable people in South Africa.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 66

It is almost eight months since the report was released but there has been no justice for those who lost their lives as a result of gross negligence by health officials and the MEC of Health. This government has shown that it will never hold those who are responsible for the crisis to account.

As we speak today, patients with cancer in KwaZulu-Natal continue to face an uncertain treatment future. Some will even die before they get to see an oncologist, let alone receive treatment.

The DA has made a public call for the removal of MEC Dhlomo but that never happened. We also called for the KwaZulu-Natal Health Department to be placed under administration but this request was refused. When I tried to conduct an oversight visit to the most affected hospital in KwaZulu-Natal I was physically barred from entering. The DA has been working around the clock to try and aid those suffering patients with little to no support. [Interjections.] While members are screaming in this House, patients die under your care and under your hands.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 67

However, it is up to this Parliament to do the job that people sent you here to do – hold KwaZulu-Natal's failed MEC, the premier, the provincial Health Department and the national Health Department to account for their utter failure, not only on behalf of those who lost their lives but also on behalf of all those condemned to an untimely death.

The DA will ensure that those who are responsible for the KwaZulu-Natal crisis will be brought to book. As the DA we will not rest until the SAHRC's recommendations, which are imperatives, are fully implemented.

Every member of this House must support this call or be complicit in overseeing the death and suffering of so many people under the KwaZulu-Natal Department of Health.

Mr T RAWULA: Chair, the report on the state of oncology services in KwaZulu-Natal is one of the most traumatic things we have ever read.

The general state of decay of public health in that province, considerable neglect by the leadership, both

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 68

provincially and nationally, of the sacrosanct task of providing quality healthcare for our people, and the widespread incompetence by both public servants and political leaders are of tragic importance. We need to have a long and difficult conversation among ourselves. As leaders in this House, we need to ask how we got here, how we allowed the public health system to disintegrate in this manner right in front of our eyes, and what we should do, as a matter of urgency, to ensure good quality healthcare is not only a preserve of the elites who can afford private healthcare.

How can we possibly justify that the poorest of our people wait for nine months before seeing highly overworked and tired oncologists who, individually, see up to 120 patients per day? My colleague serving on this committee will propose as a matter of urgency that the committee call the Minister to explain the progress made with regard to the commitments they have made to assist the provincial department in KwaZulu-Natal to appoint key personnel and specialists, to procure critical equipment, to ease supply chain impediments, and to allow chief

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 69

executive officers of hospitals to take full charge of procuring equipment.

The problem is surely not limited to KwaZulu-Natal. The problem of public healthcare is structural in this country. South Africa is not training and producing sufficient medical practitioners across the board. The few who come out of the training institutions are quickly whisked off to the private sector because of the unbearable working conditions in the public sector. This leads to overworked public servants. In this report, it is stated there is no full-time oncology specialist at Inkosi Albert Luthuli Central Hospital and that the head of the clinical unit at Grey's Hospital also supervises and oversees services at Inkosi Albert Luthuli Central Hospital and attends to patients there every Thursday. How long will that individual bear the personal costs of his service to the people? We need to train enough medical practitioners. We need to ensure they are employed and stay in the Public Service. They will not stay if we do not pay them, if we overwork them, and if conditions of work are not improved in public hospitals.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 70

We welcome this report and insist on Parliament taking full control of this matter to save the people of KwaZulu-Natal from unnecessary deaths. We must call the department to come and account to the committee regularly. In nine provinces and 53 regions across the country, the EFF has today taken the march to all provincial hospitals to raise awareness for the plight of our people who are dying in hospital and who had to be wheel-barrowed to those hospitals because ambulances are insufficient. Our people are dying. We have raised that. We have submitted memoranda across the nine provinces, and we hope this will highlight their plight and that it would be enough to ensure our people are saved. Thank you very much.

Mr N SINGH: Chairperson, I did not participate in the deliberations in this committee, but I am very aware of the challenges that our patients face in KwaZulu-Natal, particularly with regard to oncology services. The report I have read makes some alarming findings, and it is really an indictment on all of us as government at all levels that we are not treating people who are suffering from cancer with the due care they deserve.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 71

The basic thread in this report is the lack of management, absolute lack of management - both political and administrative - of health in KwaZulu-Natal. With 365 new cases of cancer being diagnosed every day in the province of KwaZulu-Natal, it is a shame on this department that there are reported shortages of both staff and functional health technology machines for the screening, diagnosing and treating of cancer patients in the province. Only yesterday I stood before this House decrying the position that many of our foreign-qualified medical doctors find themselves in, namely that they are unable to practise medicine in South Africa and write their board exams because a 2009 regulation is now being put into effect. That really is something they can go to court about.

Add to this the various so-called cost curtailments by this department and the current climate of low-skilled staff retention, and you have an almost perfect storm in terms of failed healthcare delivery to the people of South Africa in general and, in this instance, to the people of KwaZulu-Natal in particular. In our rural areas, cancer patients have little or no chance of

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 72

accessing and receiving correct oncological treatment protocols.

I am the chairperson of the Khanya Hospice organisation in KwaZulu-Natal, and we service a very wide rural and urban area. The challenge we have as hospices is that we now have to provide palliative care to all these patients who have cancer, and we don't get any support from government. So, all hospices in South Africa are doing a great job offering palliative care to these patients who are not receiving proper medical care.

It is about time that the national Department of Health takes over healthcare provision in KwaZulu-Natal. The arm's-length approach that we follow because of our constitutional imperatives certainly is not working. The crisis in this discipline of medicine is alarming, and it is similar to the mental health crisis in Gauteng. Our Constitution guarantees people a fundamental right to health and adequate healthcare services in Chapter 2 of the Constitution. This certainly is not being put into practice.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 73

Honestly, if the Minister was here ... He really needs to look into taking over the department of health in KwaZulu-Natal. Thank you. [Time expired.]

Mr A M SHAIK-EMAM: House Chair, the NFP welcomes the report of the Portfolio Committee on Health tabled here today on the SA Human Rights Commission's investigation into oncology services in KwaZulu-Natal. The findings of the commission are very alarming, with the KwaZulu-Natal department of health instituting cost-cutting measures whilst the provincial department was facing serious challenges in providing quality healthcare in KwaZulu-Natal.

I must agree there are very serious challenges in administration in terms of management, but equally there is a serious challenge in how we do our oversight work because time and time again, you find that even though we have all these oversight mechanisms at all levels of government, we then find out through either a complaint or through the media that there is a challenge. The question that arises is the following: What are we doing in terms of our oversight? If it is not working, we need

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 74

to look at it and see how we can improve on it so that we can have timeous interventions.

It is all good and well to come in and complain about this and complain about that, but if we don't do something about our oversight visits rather than the amount of time we spend on these educational tours throughout the world - rather, we should concentrate more on serving the interests of our people locally. That is what lacks very clearly in terms of our oversight.

I have had various complaints about not only oncology or cancer patients in KwaZulu-Natal, and I know recently there was a patient who went there and was turned away, went back and was turned away. Then they thought it was in the fourth stage, and the patient has since died.

Somebody has gone through to Groote Schuur here. There was another problem. There they were told that we can't concentrate on you. We have to rather concentrate on the younger people; you are a little bit too old. We cannot do that. I don't know why there is an issue of whether you are old or young. These are human beings. These are our own people. We should be dealing with them.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 75

The NFP says the portfolio committee on health in KwaZulu-Natal, together with the department in KwaZulu-Natal, must play a greater role in dealing with these issues that exist. The national Department of Health has a serious problem, like all national departments, with the limited mandate of the national department and the limited mandate of the national Ministers in dealing with crises at a provincial level. That is why we also believe there must be legislative amendments to give more powers to national departments and Ministers. Provinces do what they want to do. The national departments have to pay the price for it.

So, the NFP says that we need intervention, and we need amendments so that we can give this power and national departments can also take responsibility. The NFP supports the report tabled here today. [Time expired.]

Declarations (contd.)

Ms D CARTER: Chairperson, in a written question to the Minister as well as an oral reply to a question in this House, the Minister previously declined to commence a process towards placing KwaZulu-Natal Department of

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 76

Health under administration. Now, this Chair was despite an investigation and damning reports by the SA Human Rights Commission in June last year that found that Addington and Inkosi Albert Luthuli Hospitals, the KwaZulu-Natal Department of Health and the MEC guilty of violating the rights of cancer sufferers in the province when it failed to provide relevant services and treatment in the province's two major hospitals, and as a consequence of violating the interdependent rights to human dignity and life of the affected patients.

Now, the basic human right of the oncology patients in KwaZulu-Natal have been violated by the very state who has the express responsibility to respect, promote and fulfil these rights.

Now, Chairperson, what has in the interim become apparent, is that oncology failings are merely symptomatic of a wider collapse of the health care services in KwaZulu-Natal. Oncology, nephrology, pharmacology, maternity, urology, mortuary services and emergency medical rescue services have all faced various stages of disfunctionality and collapse.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 77

Now, we note that in December last year, the premier of KwaZulu-Natal accepted the resignation of head of the department, HOD, of the department, the person excising administrative responsibility on the pretext that it would assist in resolving this matter.

Now, Chairperson, what about the person who exercises executive authority, the person who is entrusted with oversight over the department that is the MEC? Where is accountability, the acceptance of political executive responsibility and the need for consequence management? Why has Dr Dhlomo not being fired? There is clear ambiguous evidence in this report of a gross abject failure of the KwaZulu-Natal Department of Health to fulfil its obligations and this goes beyond oncology patients.

Whilst Cope is supportive of the recommendations of the portfolio committee, in so far as they attend to the administrative matters, there is clear and ambiguous evidence in this report of the gross and abject failure of the KwaZulu-Natal Department of Health to fulfil its executive obligation. We firmly of a view that the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 78

national executive must intervene in terms of section 100 (1)b in KwaZulu-Natal and place the department under administration and assuming the responsibility for this obligation. Thank you.

Dr P MAESELA: Chair, tell no lies, claim no easy victories and expose corruption where ever you find it.

Dr Imran Keeka lodged a complaint with the SA Human Rights Commission alleging shortages of staff and lack of funding in the health technology machines for screening, diagnosing and treating of cancer in KwaZulu-Natal province. This, it is alleged had a negative effect on the provision of oncology services in KwaZulu-Natal.

The commission investigated the complaint to determine whether the alleged shortages of health technology machines and delays in the provision of health care services constituted a violation of the rights to have access to care services in terms of section 27 of the Constitution. The commission addressed a letter to the Department of Health in which it set out the allegations brought to its attention through the communication of the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 79

complaint and afforded the department an opportunity to respond to the allegations.

A team from the Department of Health visited the facilities in KwaZulu-Natal to verify the complaints and solve the problems if it encountered any. This was on the sixth and the seventh of June 2017 and was led by the director-general, DG, of the national Department of Health.

The team visited five hospitals in KwaZulu-Natal. The findings of the visit were presented in a form of a report to the Minister and in the main what was found to be common problems with the facilities visited amongst others were: infrastructure, staffing, lack of essential medication, equipment supplies and poor supply chain management.

The second visit took place on 13 June 2017, which was led by the head corporate services for the national Department of Health and comprised of cluster managers and provincial financial management support and sector

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 80

wide procurement and also by the SA Institute of Chartered Accountants, Saica, representatives.

The key points that formed part of the discussions during the visit included the findings of the Auditor-General of South Africa which showed material weaknesses that led to audit qualifications of the KwaZulu-Natal Department of Health which was attributable to amongst others the following: irregular expenditure, asset management, irregular asset management committed overtime, delegation of authority for both supply chain management, SCM and human resources.

The third visit took place on 1 August 2017, which was the follow up of the meeting which took place on 13 June 2017. This team was led by the chief financial officer of the national Department of Health and supported by cluster managers and provincial financial managers' support. The purpose of this visit was to track progress made in addressing the issues that were raised during the visit of 13 June 2017, wherein it was noted that some progress was made in relation to the visit of the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 81

delegation of the authority and human resources that were approved on 21 July 2017 and 19 July 2017 respectively.

During the visit of Minister Motsoaledi on 18 August 2017, he made a commitment to appoint a team that would work closely with the provincial Treasury and ensure essential equipment and consumables needed in KwaZulu-Natal are identified, procured and maintained accordingly.

The SA Human Research Council, SAHRC, report cites Dr Imran Keeka as a complainant and Addington Hospital and Inkosi Albert Luthuli Hospital, the Department of Health KwaZulu-Natal and the MEC of the Department of Health in KwaZulu-Natal as first, second, third and fourth respondents respectively.

The Minister of Health placed on record, he was not informed of the investigation and hence neither the Minister nor the officials of the national Department of Health were interviewed during the investigation. The Minister and his officials learnt of the investigation from a newspaper report. An official copy of the report

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 82

was officially received for the first time after it was requested from the SA Human Research Council on 4 September 2017. Had the investigation become known to the Minister, and the report has been released, the Minister would have shared the key activities already in progress dating back to 2011 within a context of roles and responsibilities as per the National Health Act of 2003.

Findings appear to be common experienced by the country were shared with respective provinces including KwaZulu-Natal. The DG found it necessary to reinforce delegations with heads of the department, HODs, due to their noncompliance.

During this time, doctors undertook a march and handed over a list of demands which the national Department of Health... Thank you, Chair. [Applause.] [Time expired.]

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON SMALL
BUSINESS DEVELOPMENT - OVERSIGHT VISIT TO FREE STATE
PROVINCE FROM 14-18 AUGUST 2017**

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 83

Mr S D BEKWA: Chairperson, on behalf of Chairperson, comrade N R Bhengu, I am introducing a report of the Portfolio Committee on Small Business Development oversight visit to the Free State from the 14th to the 18th of August 2017.

The diversification of the economy remains fundamental for the ANC-led government. The Department of Small Business Development is mandated to lead an integrated approach to promote and develop small businesses and co-operatives through focused economic stimulation, entrepreneurial development and to contribute towards sustainable economic growth.

In the National Development Plan, outcome 4 requires the government to find a balance between a stable economic environment and investment; inclusive growth and challenging the structural inequality as to ensure more equitable distribution of wealth.

Challenges raised through oversight visit in the Free State required the department to develop marketing and a

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 84

branding strategy so as to intensify awareness about services offered by the department.

Secondly, Small Enterprise Finance Agency, SEFA, and Small Enterprise Development Agency, SEDA, should work together to ensure proper skills development and an adequate financial assistance to small businesses and co-operatives.

The oversight visits inform us that the integration of funded programmes and cross reference and data bases of what exist is critical for the success of any programmes to avoid duplications. Stakeholders raised grievances in SEFA business in that they find it difficult to afford the repayment of loans. In addressing these concerns, we welcome the work of the department with conjunction with SEFA to develop a rescue strategy for the struggling Small, Medium and Micro Enterprises, SMME's, by the 31st of June 2018.

The concept of business rescue which find its expression in the Companies Act. Another issue which arose in the oversight was that of a market access. The ANC-led

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 85

government has viewed a market access as a common cause to what a sustainability of small business and co-operatives. In response, the department is currently developing a detailed realistic market strategy system which will be tabled before the 31st of March 2018.

The ANC welcomes the finding brought forward by the oversight visit of the portfolio committee and calls upon the department, SEFA and SEDA to seriously work on this. The intervention will assist in stimulating entrepreneurial skills in committees and open opportunities.

The recommendation on administration bureaucracy which will reduce a red tape and help in reducing poverty, dependency and reducing inequality through active inclusive growth. Therefore, the ANC is in full support of the report. Thank you, House Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Take a seat. I will now recognise the hon Chief whip of the majority party.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 86

Ms Z S DLAMINI-DUBAZANA: On behalf of the Chief Whip of the Majority Party. I move that the report be adopted. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): The motion is for the report to be adopted. Are there any objections? There are no objections but there is a request for declarations.

Declaration of vote

Mr H C C KRUGER: Chairperson, Minister Zulu, for whom are you fighting? Clearly not for those who are sitting at home, dreaming for an opportunity to better their families' lives. The oversight visit was one of the most depressing our committee has ever undertaken. Bearing the five days we spent during the Free State visit, the committee with a number of small business and co-operatives that are struggling to keep afloat in difficult times.

Many of the challenges were laid at the door of the government, national, provincial and local, which can be

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 87

summed up as a combination of unwillingness and incompetence.

Afrikaans:

Wat egter kommerwekkend is, is die beskuldigings van grootskaalse bedrog wat plaasvind. Die meeste van die beskuldigings wys die vinger na die werknemers in die departement.

English:

The Department of Small Business Development's mandate is to create a conducive environment for doing business. This involves the protection of the right to trade. We also met successful business owners and members of co-operatives. This was mainly due to their own effort. A spirit of entrepreneurship made them carry on even in the face of all the difficulties. This proves that South Africans are natural entrepreneurs; and where the government that cares can create jobs and wealth.

Just a few visits to share with the House, One of our first visits were to the Gariep leather design in the Gariep Municipality. The co-operatives had received a

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 88

grant of R250 000 from the National Development Agency to purchase equipment for making shoes. The committee found that due to the local municipality not connecting a three phase electrical supply, the co-operative had no function since inception, resulting in the members being compromised and uncertain about their survival. A good example where the ANC-led government neglect to protect the people's right to trade.

We then visited a waste processing primary co-operative, set up in 2014 by a group of seven young people to provide clean water to the local community. The Small Enterprise Development Agency, SEDA, had provided some support to write the business plan but due to the lack of finance the co-operative is still at day zero. Four years of wasted effort.

Afrikaans:

Dit is regtig 'n skande!

English:

The most rewarding visit was to the women's multi purpose primary co-operative. The co-operative with financial

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 89

assistance from Small Enterprise Finance Agency, SEFA, was able to employ 75 operating machines making clothes for South African Social Security Agency, SASSA, and other government clients.

The main lesson from the visit was the strong role that the business leadership played in creating success. We then visited three construction co-operatives each of who were formed on the promise of work from the Free State Housing Department. They had bought a cement mixer, a bakkie and other equipment, which we found to be ideal because the promised contracts shined in their absence. This is blatant violation of the right to trade.

This oversight visit opened our eyes to the difficulties small business face in this country. We are mindful aware that government is failing to fulfil this mandate.

It is time the Minister make sure that the department understand this mandate. To become the champions of small business, especially to those without the voice, those that get bullied by big business and municipalities. Where the DA governs the right to trade is always

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 90

protected and we take care of all SMME's, co-operatives and even ...

Afrikaans:

... daardie tannies wat vrugte verkoop om 'n beter lewe vir hul nasate te verseker.

English:

A last thought. Never was it more vital that this Parliament and the new President reintroduce the DA's Private Members Bill on red tape reduction. It will guarantee South Africans the right to trade.

Ms N HLONYANA: Deputy Speaker, on the oversight to the Free State province by this committee, the ineffectiveness of this department and the failure of the government to provide any sustainable support to small business is clear. In the Free State, like in every province of this country, you find small business relying on support from the Expanded Public Works Programme, EPWP, municipalities, provincial governments and various national departments. Small businesses are not operational because of lack of funding and property.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 91

Because factional politics within the ANC government municipalities are refusing to procure goods and service from small businesses that do not fill their pockets. The reality is that the majority of small businesses in the province are white elephants. The growth of small business, particularly black-owned small businesses, is going nowhere.

If we want to develop small business within the current economy context, clean and effective government is important. But more importantly, the only way small black-owned businesses which are sustainable contribute to job creation and economic development will be possible if you change the patterns of ownership and access to resources and information within the country's economy. The first step towards that was realised just yesterday. Only broad microeconomic change will fundamentally give rise to small business. It is why we believe that this department serves no purpose and we will be holding the President to his word that the number of his departments will be cut, particularly, this one. This department cannot continue to exist and be used as an employment agency. It is why we reject this Report. Thank you.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 92

Mr M HLENGWA: Hon Deputy Speaker, the IFP was not part of this visit. Hon Nkomo is a member of this committee.

However, having read this report, the IFP welcomes it and congratulate the portfolio committee for what was a thorough exercise in meeting stakeholders and ensuring that it get a better insight into what is actually going on in small business in KwaZulu-Natal and the development of co-operatives and ensuring that the entities of the department come closer to this small businesses.

Sometimes the entities are so far removed from those that are supposed to be serving and the gap itself causes confusion and stunt the growth of small businesses.

The report does highlight - and the IFP agrees - the importance of ensuring that small businesses as incubation are not incubated just to stay afloat, but to grow so that they don't remain small businesses. That becomes very very important. In fact, the IFP has for a very long time since its inception advocated for self-help and self-reliance. We believe that small businesses and co-operatives are well served by highlighting those particular two twin pillars of survival. We believe that people must be in positions to maintain and sustain their

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 93

own livelihoods without being depended on government. I think the realities of the social grants is an indication that if do not fast-track the development of small businesses, we will become a welfare state. We must do everything possible to pull our people out of the clutches of dependency and make sure that they are independent.

IsiZulu:

Mhlonishwa Sekela Somlomo ngiyafisa nje ukuthi ke sithembeke kubantu bakithi. Ngiyacanga nje noNgqongqoshe uzongivumela kulokhu ukuthi lapha eThekwini nje kuleli sonto eledlule kuneveni yamaphoyisa akwaMetro ahambe eqoqa izimpahla zabantu abadayisayo. Abajahi izigebengu kodwa kuxoshwa abantu emgwaqeni abadayisayo. Ngicabanga ukuthi leyo nto iyodwa iyakhombisa ukuthi kunabantu abangakaqondi ukuthi inhlupheko yabantu bakithi ingakanani. Abantu abangakaqondi ukuthi ukususa abantu ekudayiseni sithatha indlala siyoyifaka phakathi emakhaya nokuthi yinto okudinga ukuthi ke siyibukisise leyo yokuthi amaphoyisa akangagcini eseyisiphazamiso kwintuthuko yabantu nakwimpilo yabantu. Ngakho ke le simo esenzeka emadolobheni amakhulu njengoba sibonile

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 94

eThekwini ufile abantu kuyibona abadayisayo izimpahla zabo abazidayisayo zithathwa zilayishwa emavenini sebesala dengwana. Sithi kubona, ngabe sithi abeye ebugegwini ngoba izigebengu azijahwa.

English:

It is really our conviction that some of the bylaws must be reviewed so that they are not hinderants to the growth and sustainability of small businesses and to ensure that our people are protected. All in all, the IFP supports this report and thanks the portfolio committee for a job well done.

IsiZulu:

Mnu S C MNCWABE: Sekela Somlomo, ngibingelele kumalungu eNdlu, ngiyaqinisekisa Sekela Somlomo ukuthi nathi siyinhlangano ye-NFP sasiyingxenye yalolu hambo lokuya e-Free State ukuyokwenza lolu chungechunge lokuhlola ukuthi uMnyango usebenza ngendlela efanele.

Okokuqala nje, kufuneka sikugcizelele Mhlonishwa Mageba ukuthi sabona ukuthi kusekhona igeba phakathi koMnyango kanye nabantu bakithi ezansi. Kusafanele uMnyango

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 95

usebenze kakhulu ukwehla uye kubantu ukuyoziveza. Abantu bazi ukuthi basizakala lana.

Okwesibili, nawo ama-entities angaphansi koMnyango wakho uSEDA, [Small Enterprise Development Agency] noSEFA, [Small Enterprise Finance Agency] awukafinyeleli ngendlela efanele kubantu labo ekufanele basizakale. Okwasikhathaza nje okunye esakuzwa ukuthi kwezinye izikhathi abantu kufuneka baze bagibele kabili ukufinyelela emahhovisi kaSEDA noma SEFA. Loko kukhomba ukuthi igeba liselikhulu kakhulu elisafuna ukuthi livalwe. Amahhovisi alezinhlaka lezi zoMnyango wakho mawatholakale ezindaweni zabantu bakwazi ukusizakala masinyane.

Okunye esakubona ukuthi nokufundisa abantu bakithi ngawo uMnyango qobo ukuthi uzoba siza kanjani akwenzeki kahle. Kukhona kwezinye izindawo lapho sifike abantu bethi yebo, sisizakele kodwa sisizwe uMnyango Wezohwebo Nezimboni [DTI]. Loko kukhomba ukuthi ke abakafundiseki kahle ngoMnyango. Ukuthi Cha, nanguMnyango wosomabhizinisi abancane nemifela-ndawonye.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 96

Okunye engifuna ukuthi ngikuveze Mageba ukuthi lolu hlaka laka-SEFA oluyilona oluboleka osomabhizinisi imali uma seliyiqoqa le mali lusebenza ngendlela eyisihluku ngendlela emangalisayo. Uma usomabhizinisi engakakhokhelwa mhlawumbe uMnyango kahulumeni uthola ukuthi nezimpahla zakhe seziyadliwa - ibhizinisi lakhe liyawa. Kodwa kufuneka sigcizelele ukuthi mhlawumbe neminye iMinyango yenze njengoba uMongameli akhuluma ngenkulumo yakhe ayibhekise esizweni ukuthi osomabhizinisi abakhokhelwe zingakapheli izinsuku ezingamashumi amathathu ngoba lokho kwenza ukuthi amabhizinisi abo ahambe kahle.

Mhlawumbe angigcizelele okokugcina ukuthi abantu bakithi badinga ukuthi uma sebesebenzile Mageba lemifela-ndawonye nalabosomabhizinisi abancane babe nemakethe lapho bezodayisa khona. Ngesilungu abafundile bathi:

English:

Access to markets.

IsiZulu:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 97

Yileyo nto okufanele uMnyango wakho ugxile kakhulu uma abantu bakithi sebesizakele ngemali nangokuqeqeshwa baluthola ulwazi, sebenayo imikhiqizo yabo - bayithengisa kuphi? Yileyo nto esicabanga ukuthi kufuneka ugxile kuyona Mageba ukuze abantu izimpilo zabo zishintshe ngoba lo Mnyango wakho wenzelwe ukuthi ngonyaka wezi-30 imisebenzi eminingi ibe isikhiqizwe nguwo lo Mnyango. Yilezo zinto okufanele uzibheke kodwa ngaphandle kwaloko siyaweseka lo mbiko ngoba nathi sasikhona.

Nkul X MABASA: Xandla xa Xipikara, matiko hinkwawo lawa ya humelelaka eka mabindzu ya tiveka hi ku simeka mabindzu lamatsongo ya nhlengelo. Mabindzu lamatsongo ya nhlengelo hi swona swi tswalaka na ku aka mitirho yo tala ematikweni lawa ya ha hluvukaka. I ntiyiso leswaku mabindzu yo tala ya fa hi ku pfumala nseketelo. Lamantshwa ya fa ku nga si hela hambu malembe mambirhi. Ku endlela leswaku mabindzu lamatsongo ya nhlengelo ya nga fi, i swa nkoka leswaku ya mabindzu lamatsongo ma hakeriwa hi xihatla 30 wa masiku endzhaku ko va va endlele mfumo kumbe mabindzu lamakulu vukorhokeri, tanihi ku vula ka Tatana Mncwabe. Loko swi nga ri tano, mabindzu

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 98

lamatsongo ya ta fa. Marito lawa ya kongomisiwa eka mfumo na van'wamabindzu lamakulu.

Eka swiphiqo leswi nga kona hi leswaku...

English:

... the products of Gariep Leather Design Primary Co-operative Ltd which range from leather belts, bags and shoes are sold in the streets without infrastructural support. Small businesses have to compete with big shopping malls and foreign owned spaza shops most of which are not registered and do not pay tax. What further makes co-operatives and small, medium and micro-enterprises, SMMEs, to fail is inadequate infrastructure, for an example, toilets and the provision of water.

It is painful to see a mother selling bananas and other fruits in the streets, railway stations and taxi ranks without any accompanying supportive infrastructure. When nature calls, where should they go? When they want to wash the fruits that they are selling, where must they wash them? When it rains, where must they shelter

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 99

themselves? Some of them are seated there with little babies on their arms.

Xitsonga:

Leswi faneleke ku endleka hi leswaku loko ku pulaniwa madoroba, ya fanele ku katsa tindhawu ta mabindzu lamatsongo eka tipulana ta wona. Hikokwalaho ka yini loko ku akiwa madoroba ma akiwa ku seketela mabindzu lamakulu ntsena kambe mabindzu lamatsongo na mabindzu ya nhlengelo ma rivariwa?

English:

It is as if they don't exist. When you build a house in a family, yes, you include bedroom, kitchen, dining room and also rooms for children so that they could grow up in a good environment. Unfortunately, poor small businesses are orphans of the family and they are forgotten.

Xitsonga:

Hikwalaho loko vamasipala va endla mimpimanyeto, swi na nkoka leswaku va pimanyetela na mabindzu lamatsongo. Nseketelo lowu wu nyikiwaka mabindzu lamatsongo wu

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 100

endliwa hi Small Enterprise Development Agency, Seda, na Small Enterprise Finance Agency, Sefa.

English:

We appreciate, Comrade Minister, what these two agencies are doing. However, Sefa and Seda must have the stamina to walk the journey with small businesses and co-operatives. They must not be too lazy. Yes, they start with them, but in no time they vanish and leave them to walk the journey alone. Basic skills like bookkeeping and marketing are skills that should also arm small businesses and co-operatives.

We should also note that in townships and rural areas, small businesses - those shops ...

Xitsonga:

... vhengele leriya ra ka Khumalo ra fa, ri dlayiwa hi timolo ni mabindzu ya vanhu lavo huma ematikweni ya le handle.

English:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 101

Those people that come from the outside countries to make businesses in South Africa, have heavy support. So, if we don't support our small businesses, we must not expect that they will be capable to compete with those that come from outside.

Nevertheless, I want to complement you, Minister, on the national local economic development conference resolutions and transversal agreements held on 09 to 10 November 2017. Actually, I want to say that as municipalities are critical spheres of government in driving this mandate and ensuring that radical economic transformation happens, the Department of Small Business Development initiated the national local economic development conference. In pursuit of the objectives of the Intergovernmental Relations Framework Act, the Department of Small Business Development, DSBD, invited the Department of Co-operative Governance and Traditional Affairs to co-host the inaugural of the 2017 national local economic development conference which took place from 09 to 10 November 2017. I am correcting myself where I mentioned 28 February, which is today. I think I am thinking of 28 February because this is the day where, as

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 102

the ANC we are going to wallop all these small parties when we contest for the ward in Soweto. Tomorrow you will hear the announcement saying that the ANC has won in Protea. I want to say ... [Interjections.]

Xitsonga:

Ndza khensa eka lava va nga na miehleketo yo seketela mabindzu lamatsongo, kambe lava va nga ma seketeriki va lavaka leswaku ma fa ... [Nkarhi wu herile.]

English:

... oh, you are finished. [Time expired.]

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

CONSIDERATION OF REPORT OF JOINT STANDING COMMITTEE ON
FINANCIAL MANAGEMENT OF PARLIAMENT ON PARLIAMENT OF
REPUBLIC OF SOUTH AFRICA'S 2016-17 ANNUAL REPORT

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 103

CONSIDERATION OF REPORT OF JOINT STANDING COMMITTEE ON
FINANCIAL MANAGEMENT OF PARLIAMENT ON PARLIAMENT OF
REPUBLIC OF SOUTH AFRICA'S 2017-18 MID-YEAR PERFORMANCE

Mr V G SMITH: Deputy Speaker, Ministers, Deputy
Ministers, hon members, good afternoon.

As a means towards the strategic priorities for the period 2014-19, the Fifth Parliament adopted the following strategic outcome-oriented goals: one, to enhance Parliament's oversight and accountability over the work of the executive; two, to co-operate and collaborate with other spheres of government on matters of common interest; three, to enhance public involvement in the processes of Parliament; four, to enhance the ability of Parliament to exercise its legislative powers; and finally, five, to build a capable and productive parliamentary service that delivers enhanced support to Members of Parliament.

Let us start by saying that it is our view that the funding model of Parliament needs to be reviewed in light

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 104

of Parliament being an equal and autonomous arm of the state.

It is with this as the context and focus of our oversight that the committee noted several discrepancies in the manner in which the institution reported on performance information for its 2016-17 Annual Performance Plan, and for its 2016-17 Annual Report.

The committee requests a full report explaining the discrepancies and an undertaking that every effort will be made to ensure that future reports are aligned.

The committee noted that the accumulative irregular expenditure for the period under review totalled R2,4 million. The committee insists that issues related to supply-chain management processes are strengthened so that there are no regressions in the audit outcomes for the 2017-18 financial year.

Added to this, the committee further noted that the total fruitless and wasteful expenditure at the end of 2016-17

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 105

amounted to R1,1 million, or 29% more than that reported at the end of the previous financial year.

The committee strongly advises that fruitless and wasteful expenditure incurred due to indiscretions relating to the management of Parliaments finances not be condoned and that, instead, the monies in question be recovered or written off where recovery is not possible.

In the event of any irregular, fruitless and wasteful expenditure being condoned, the committee insists that the executive authority provides the reasons as required by the Act.

Other areas of concern that the committee noted include, the need for the urgent creation of a Treasury advice office to advise the executive authority with regard to the implementation of the Act.

Two, policies and legislation that prohibit Members of Parliament from doing business with the state should be implemented.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 106

Three, internal control processes should be strengthened to ensure that the matters of concern identified by the Auditor-General, particularly those relating to supply-chain management processes, must be addressed so as to prevent irregular expenditure.

Although Parliament is viewed as a going concern, the committee is of the view that measures should be explored to contain the net liability and deficit that poses future risks to the institution.

Furthermore, the discussion that National Treasury relating to the possible transfer of post-retirement medical provisions for former Members of Parliament and provincial legislatures, should be concluded as a matter of urgency.

The committee is of the view that Parliament should indentify and fill all critical posts as a matter of urgency and that al investigations and disciplinary proceedings underway be finalised expeditiously.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 107

The committee urges that this report be adopted by this House. Thank you.

There was no debate.

Ms Z S Dlamini-Dubazana moved: That the Reports be adopted.

Declarations of vote:

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, let me begin by congratulating the hon Glynnis Breytenbach of being acquitted of all charges against her in court today. [Applause.] Let all those in this House who led a witch-hunt against her – led by cheerleader-in-chief, Deputy Minister John Jeffrey – hang their heads in shame today. [Interjections.]

What this House needs more than anything are more people like Glynnis Breytenbach, who are tough and able to speak truth to power. [Applause.]

Let me also thank the chairperson of our committee, the hon Vincent Smith, who has very competently outlined the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 108

concerns of the committee and has covered many of the concerns very well. I think he has captured what we want to say.

I want to focus on three things, if I may. The first is the point made by hon Smith as well as by the Chief Whip in a previous intervention around how Parliament's budget is vired - how we procure the funds to do the work that we do. There does need to be a separation. On visits to other parliaments around the world we have come to learn that what you need to do is ensure that the autonomy of this House is protected and that it does not have to secure funding by going cap in hand every year to the very members of the executive it should be holding accountable.

We could well end up in a situation further down the line - when this Parliament becomes unpopular with the executive - where the executive simply strangles the work of Parliament and our ability to do our jobs by reducing our funds.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 109

We need to protect our independence as a House robustly, and ensure that we have that financial autonomy.

The second thing we need to do is address this imbalance in power that currently exists between the executive and the House. Here I speak particularly around the capacitation of Members of Parliament to enable them to do their jobs. Ministerial and executive office bearers have a huge array of researchers, legal advisors, state law advisors, and political advisors who exist to advise them and help them navigate their way around their job.

If one looks at where the failings have been over the course of the last year, one will see that it has been in the Core Business unit - the very unit that should be providing support to Members of Parliament to enable us to engage with the executive on an equal footing and hold it to account. We can't do that if there is this unequal balance of forces and a disproportionate balance of forces exists. So we need to make sure that we capacitate every member of this House, no matter what party they belong to, so that every member is able to interrogate reports properly, able to access quality responsive

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 110

research capabilities, and able to structure their responses and interrogate reports that are put before them in far more detail. I think that we often just accept reports that are Tabled by committees that emanate from the executive without actually drilling down into them and exposing and finding where the flaws lie.

So it's very important that we start to address that and we can start doing that by ensuring that we beef up the Core Business function here at Parliament.

In my last point, I want to indicate that we have to draw a line under the tenure of Mr Mgidlana as the Secretary to Parliament. We've been in a situation where the Secretary to Parliament has been on special leave since 9 June last year. We are now told that his disciplinary hearing is only going to commence in April.

Now, we know that the internal report from which the disciplinary process flows has found him wanting in terms of his use of blue lights, his abuse of the travel policy, and his abuse of the bursary policy. That's why the disciplinary process now has to follow.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 111

But I think it is scandalous that, in this intervening period, Mr Mgidlana has been paid close to R2,1 million to sit at home while other people do the work. I think that if we're going to start ensuring that we have an effective Parliament, then we have to draw a line under Mr Mgidlana's tenure, and appoint a new Secretary to Parliament who can ensure that this institution is able to perform the functions that the Constitution enjoins it to do. Thank you.

Declarations of Vote:

Ms N V MENTE: Hon Speaker, let me start by thanking the Chairperson of the committee who read the recommendations of the committee as hard core as they are. Anyone who has to payback the money must do so and we will not condone or back down with sympathy on anything. Ever since we arrived here in Parliament, we have repeatedly called for the vigilance because we could see from afar that the now suspended Secretary to Parliament, Mr Gengezi Mgidlana was corrupt, was law unto himself and disrespected workers in this Parliament.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 112

We want to give out a warning, Deputy Speaker and the Speaker, that no golden handshake for Mgidlana. He must come and account and payback all the money. Even the one he is receiving now for sitting at home on suspension. Workers of Parliament went on strike for longest period while Mr Mgidlana awarded himself and his cronies, bursaries; went out on unwarranted overseas trips; and contravening every policy that exists in this Parliament.

This is a recent history of Parliament Financial Management and we must remain vigilant not to let the same unscrupulous actions to happen again. On 27 October 2017, we wrote to the Acting Secretary to Parliament demanding to know and ask her to provide us with the list of service providers who have done business with the Parliament for the last five years. Guess what? Nothing came forth.

To date the Acting Secretary to Parliament has neither acknowledge our letter or responded to it. Do you know the reason why? There is no institutional memory.

Mgidlana left with every trail of evidence and documents. This speaks to the vague accountability and mechanisms of

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 113

Parliament. As a results, the Parliament Financial Management remains in a shadow. We are also in a shadow as a committee as to what does Parliament do in response to the Auditor-General's finding?

Parliament continues to outsource cleaning services that we require on a daily basis. We subject cleaners to most exploitative and undignified practises with no medical aid, no benefits and yet we call ourselves legislatures.

Kitchen staff in the Marks Building is appointed through labour brokers while the other kitchen staff in other buildings is permanently employed by the same very Parliament. We do not know how we differentiate that. We now have the so-called white shirts or bouncers which are very unnecessary and an unnecessary expenditure.

[Laughter.] You must just send to the streets to fight crime because we do not need them here in Parliament. You can shout and heckle for now. You allow these people to come and handle women here inside but when 09 August comes the very same parliamentarians here call themselves women activists.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 114

Parliament needs to do more work to spend in its budget and it must be transparent, efficient and prioritise making this Parliament a Parliament of all South Africans. Empower the Members of Parliament so that they are effective in what they are doing. Parliament must be accessible to the public. We do not need bouncers taking our people away. Thank you. [Applause.]

Mr N SINGH: Hon Deputy Speaker, may I also thank the hon Chairperson of this committee for the stewardship that he offers us in ensuring that we get down to the business of the day and we do it as best as we can. I want to start off by supporting the recommendations that are contained in both these reports. In particular, I want to speak to the question of the separation of powers where we need to protect the independence of this institution. We have said this before and I think all members agree that we cannot have the Executive who we hold accountable to dictate how much money we get or do not get to do the job that we are brought here for. So, the Executive can always constrain the budget that is given to Parliament so that we do not perform our work efficiently.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 115

To this end, hon Deputy Speaker, the point raised by hon Steehuisen about the research capacity is an extremely important one, particularly for small parties like us. You will note that for every single debate, you will find the member of the IFP, I will not talk about the other parties, and also the NFP come up here and debate. We do not serve on all the committees yet we have to research on our own because we have very limited research capacity in our offices because the budget that is given to us is worked from the size of your party. So, I think that is something we need to address. That we need to have a pool of researchers in Parliament that are independent to be made available so that Members of Parliament can utilise their services for whatever purpose.

To this end, I would also like to speak about the Parliamentary Budget Office which is supposed to provide us with the service to interrogate our budgets and make sure that we cause amendments to budgets during the Budget Debates that we will be entering into soon enough. Here, the Parliamentary Budget Office is under capacitated and they do not have enough money and staff. So, if we are to hold the executive accountable in terms

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 116

of the budget they produce before us, it must not be just to rubber stamp the budget but to interrogate each of the line items that are contained in that budget.

This is another area where as Parliament we can look at how we can support ourselves. I agree that the issue of the honourable, arg! not the honourable, the former Secretary to Parliament needs to be addressed very urgently. We cannot have a lapse of time here where there is no certainty.

On the issue of the targets that we have included in our reports, you will find that the departments as well set targets. They bring their strategic plans to us but at the end of the year we find out that those targets have not been met yet the money has been spent. How do you reconcile that? We support the report, before the Deputy Speaker says, my time is up.

The Deputy Speaker: I am saying, Sir. [Laughter.]

Mr A M SHAIK EMAM: Hon Deputy Speaker, one of the strategic priorities of the committee is enhancing public

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 117

involvement and strengthening co-operative governance. I must concur with hon Steehuisen in what he just spoke about earlier. [Interjections.] Hon Narend Singh spoke about the research capacity and the limited access that we have and especially when it comes to the smaller parties.

We are very disadvantaged but over and above the smaller parties being disadvantaged, we need to build on that so that we will also be well equipped with enough knowledge when we want to interrogate these reports and more often than not, we have to be responsible in interrogating reports. Some of us know very little about that specific matter. It is a very good point and I want to commend hon Steehuisen for that.

Another matter of concern for me, Deputy Speaker, is that, and I have said this before but there is very little importance given to it, Parliament provides funding for constituency offices. What is the purpose of this constituency office? It is to be a go-between Parliament and the people. Parliament does very little or nothing to ensure that those offices exist. There must be

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 118

interaction between the Members of the Parliament and the community and that we must take to the people all that we do here and communicate so that we get a mandate from the people. We do not even know whether those offices with staff and furniture are there. All we know is that we take out the taxpayer's money and every three months we dished out and it goes out. That is all.

With due respect to the Auditor-General's office, it is so easy to manipulate the system and it is done all over. You have seen the reports on the auditing in South Africa which leaves a lot to be desired especially with the collusion that is actually taking place. We have also found that there has been a lot of irregular, wasteful and fruitless expenditure and we believe that where there is wasteful and fruitless expenditure there has to be consequent management. It cannot be business as usual where people come and abuse the resources and nothing happens at all. They must be dealt with accordingly.

We are so good at spending money but we do not get value for money and yet again you see that you achieved 20 of the 40 targets but you did a fantastic job in spending

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 119

all the money. Clearly that is not acceptable. We need to change the way we do business so that we can get optimal satisfaction of what we do and we reach our goals and we are able to achieve what is best in the interest of our people and we are failing on that. We support the report. Thank you very much. [Time expired.]

Declaration(s) of Vote: (cont...)

Mrs E M COLEMAN: Hon Deputy Speaker, members of the executive and deputies that are here, congratulations to those that were newly appointed. Hon members, "lotjhani" [good day]. As the ANC we would like to declare from the onset that we support this report.

The Financial Management of Parliament and Provincial Legislatures Act 9 of 2009, require Parliament to manage its finances prudently. We are happy that notwithstanding concerns as raised and those that I am going to raise in the report, our Parliament is moving in the right direction. Before our people think that everything about this Parliament is doom and gloom, I would like to comment to at least bring some optimism to our people and this House.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 120

This Parliament has achieved unqualified audit outcome with no material findings for three consecutive years.

[Applause.] We also would like to appreciate their commitment to sustain this pattern for the coming years.

Having said that, we however would like to point to areas that we feel might add impetus in the running of this institution. We would like Parliament to standardise procedures to allow support staff - in addition to what members have said around support to members - to allow support staff to better service members. This will allow improved performance on the side of committees and staff. Open lines of communication for better management of information inter and intramanagement and staff.

We would also love to register that we would like Parliament to really work hard in improving conditions of employment for our staff. They need to capacitate staff properly in accordance with their areas of work - that's human resource development. Continuous capacitating is required

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 121

Performance assessment and outcomes must be consistent and show congruence in regard to staff performance. This will help in maintaining stability within our institution, especially among the staff. Continuous feedback between supervisors and subordinates will ensure quality assurance on the work of committees.

We believe that should the above be followed and adhered to, the institution's performance will be realised. This include other issues related to nontabling of monthly and quarterly financial and performance reports of which if not attended to, might end up being elevated to future material finding by the Auditor-General.

We would also like to agree with the committee's concern around issues of nonfilling of highly skilled production level vacancies. This involves researchers, content advisors and committee secretaries. All these are linked to the production of minutes and reports to which underperformance has been recorded. The concern is extended to other areas where high vacancy rate is registered. We would like to see this being strengthened, and to be further strengthened there has to be internal

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 122

systems and control that relates to the outcomes of the Auditor-General so that we avoid regression on future audit outcomes.

Notwithstanding all these, the ANC has confidence in the leadership of this institution and we have no doubt that all these issues as raised by all members, will be attended to speedily. We support the Report. [Applause.]

Motion agreed to.

Report on Parliament of Republic of South Africa's 2016/17 Annual Report accordingly adopted.

Report on Parliament of Republic of South Africa's 2017/18 Mid-Year Performance accordingly adopted.

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON AUDITOR-
GENERAL SOUTH AFRICA 2018-2021 DRAFT STRATEGIC
PLAN AND BUDGET**

WEDNESDAY, 28 FEBRUARY 2018

Page: 123

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON AUDITOR-
GENERAL ON INTEGRATED ANNUAL REPORT FOR 2016-17 FINANCIAL
YEAR**

Mr V G SMITH: Deputy Speaker, Ministers and Deputy Ministers present, hon members, once again good afternoon. On behalf of the Standing Committee of the Auditor-General, we present the Auditor-General 2016-17 Annual Report, the Auditor-General Strategic Plan for 2018-2021 as well as the Auditor-General Budget for 2018-19.

Section 10(1) and (2) of the Public Audit Act requires the AG to submit the annual report, financial statements and the audit report on these statements to the National Assembly, amongst other documents. Colleagues, in processing the AG's annual report, the committee bring to the attention of this House five key observations and recommendations.

Firstly, in light of the serious governance and financial management challenges amongst state-owned entities, the committee is pleased to note that the Auditor-General has

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 124

started preparations to extend its scope of audits to state-owned entities. These preparations include the review of its audit methodology to include other expertise such as lawyers, engineers, etc, and allow for the AG's employees to attend the quarterly audit committees of some of these entities.

Secondly, the committee observed with a degree of concern the challenge of nonpayment of audit fees by certain auditees, resulting in an outstanding balance due to the Auditor-General for the financial year by distressed auditees to the value of R321 million as at the end of 2016-17.

The committee recommends that the AG and National Treasury consider encouraging auditees to ring fence amounts budgeted for audit fees and that in the event of malicious nonpayment, legal action should be pursued in an attempt to collect fees due to the Auditor-General.

The committee also noted the increase in auditees challenging the Auditor-General's findings.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 125

In addition to legal challenges from auditees, the Auditor-General has also been accused of having ulterior motives and Auditor-General employees have been threatened and attempts made to influence the outcome of audits through bribery. These practices by auditees must be condemned and they must be exposed.

The committee welcomes the Auditor-General's decision to reduce KPMG's two-year contract to one-year contract, ending March 2018, pending the outcome of the Independent Regulatory Board for Auditors and the SA Institute of Chartered Accountants' investigations into allegations of misconduct by this firm.

According to section 38(2) of the Act, the Auditor-General must submit its budget and business plan to the oversight mechanism at least six months before the end of the financial year. In processing the strategic plan and the 2018-19 budget, committee wishes to comment as follows.

One, the committee notes that the Auditor-General's progress in terms of employing persons with disabilities

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 126

far exceeds those of most national departments. Two, the committee also notes that although the AG has reduced its personnel by 54 employees, it aims to improve productivity and efficiency. Third, the committee raised concerns about the impact that the reduction in personnel will have on the AG's capacity to conduct audits of state-owned entities.

The AG should ensure that it has the necessary resources to conduct such audits should they be expected to do so in the future. Four, the committee welcomes the AG's confirmation that it will not be spending any significant money on capital expenditure projects other than maintaining the expenditure for IT infrastructure and IT licence. Lastly, the committee supports the Auditor-General's 2018-2021 Strategic Plan and the 2018-19 budget.

Whilst the committee is charged with the oversight of the AG, it is Parliament's constitutional obligation to protect the Auditor-General in as far as maintaining its independence, impartiality, dignity and effectiveness is

WEDNESDAY, 28 FEBRUARY 2018

Page: 127

concerned. [Time expired.] Thank you very much.

[Applause.]

Ms Z S DLAMINI-DUBAZANA: Deputy Speaker, I move that the report be adopted.

Declarations of Vote:

Mr A R MCLOUGHLIN: Deputy Speaker, Chapter 9 of the Constitution of South Africa provides for the establishment of the various state institutions supporting the constitutional democracy. These include the Public Protector, the Human Rights Commission, the Electoral Commission, the Independent Communications Authority to regulate broadcasting and Auditor-General.

The office of the Auditor-General was established and is regulated by the provisions of the Public Audit Act.

Section 10 of the Public Audit Act requires the Auditor-General to submit an annual report of the standing committee. The report sets out the standards to be applied to audits performed, the various categories and services performed by the Auditor-General and which

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 128

institution and entities have been the recipients of those services during the year under review.

In addition, the report must contain the Auditor-General's own financial statements and an audit report from the private firm of auditors chosen by the audit committee to conduct the audit of the Auditor-General. This is to ensure fairness and transparency and to make sure that the Auditor-General is not cooking his own books.

Now, while the Auditor-General's office is regarded as self-funding and is audited is a going concern because it receives no direct funding from the National Treasury, it should nonetheless be borne in mind that the Auditor-General's income is derived from the charges that levies against its auditees.

In view of the fact that the auditees are government departments, municipalities and state-owned entities and companies, all of which derive some or at least their funding from the national fiscus, the fees paid to the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 129

Auditor-General ultimately have their source in the pockets of every taxpayer in the country.

This is one of the many reasons why the Auditor-General's office is subject to the oversight of both an audit committee and the parliamentary standing committee. The annual report for the 2016-17 year reveals inter alia that the Auditor-General increased its revenue by approximately 5% as compared with the previous year, and thus had a turnover of just short of R3 billion.

Unfortunately, during the same period the bottom line changed from a surplus of R104 million to a deficit of R14 million in 2017. This change was due to an increase in overhead cost for the year, of more than R107 million. However, the budget of the budget for the current year projects that there will once again be a surplus of R68 million.

The financial statements also disclose that as at 1 April 2017, the Auditor-General has a general reserve of R795 million. While this might sound very impressive, it should be noted that this is not a liquid reserve and

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 130

that R671 million of that reserve represents amounts still to be paid to the Auditor-General by auditees, which could potentially be written off as bad debts.

It is an ongoing concern of the Auditor-General's office that it is not able to collect all the monies due to it in respect of services rendered. Many of the unpaid fee accounts are due by municipalities which are totally incapable of meeting their financial obligations to Eskom, the relevant water trading entity and/or the Auditor-General. They should have been placed under administration but for political reasons are kept operational.

The other item on today's Order Paper is the Auditor-General's Strategic Plan and budget for the period from 2018 to 2021. This document reveals that during the next three years, the Auditor-General's office intends focusing on the reduction in the wastage of public funds by concentrating on the eradication of corruption, poor governance, lack of consequences and the poor performance of state-owned enterprises.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 131

This intention should be greatly enhanced by the recently tabled proposed amendments to the Public Audit Act which are primarily aimed at providing the Auditor-General with some real remedial powers. At present, should the Auditor-General become aware of suspicious or irregular accounting practices, he is obliged to report this to the management of the auditees concerned. In most instances, that is where the matter ends, only to be raised again when the next audit is conducted.

In order to combat this practice, the proposed amendments to the Act will now allow the Auditor-General to initiate action of his own volition against defending accounting offices and other responsible parties and recover amounts that have been identified as wasteful and of fruitless expenditure.

It should however be self-evident that no matter how much power the Auditor-General is given, if the Auditor-General is to maintain his credibility, those powers must be exercised with caution, impartiality, fairness, transparency and absolute consistency, regardless of who the audit team might be.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 132

The DA believes that the Auditor-General is doing a sterling job in the fight against corruption and accordingly supports the annual report and the strategic plan and budget as tabled. Thank you. [Applause.]

Ms N V MENTE: Deputy Speaker, if anything 2017 has taught us is that we cannot trust auditors. Deloitte & Touché South Africa audited Steinhoff, KPMG audited SA Airways and SA Revenue Services, SizweNtsalubaGobodo audited Transnet, Denel and Passenger Rail Agency of South Africa, Prasa. We all know what happened there.

We now know for a fact that all these audits are not worth the paper they are written on and shouldn't even be called audits. The bigger problem is that corruption in the private sector is pervasive. They are regulators unto themselves. It is the workers and the poor who are exploited. Auditors enable these crimes instead of being the watchdogs.

The use of external auditors has not prevented corruption, irregular, fruitless or wasteful expenditure. These external auditors collude with SOEs and other

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 133

multinationals to cover up their corrupt and illegal practices. What is worrying about this problem is that our own legislation mandates the Auditor-General to rely on these very same auditors.

Twenty seven percent of the Auditor-General's budget was spent on external contracts alone. We need to move towards a broader programme of insourcing and building internal capacity at the Auditor-General's office. On the 54 people that the chairperson indicated earlier, there shouldn't be a case of people being sent home. Parliament must allocate enough budget for the Auditor-General in order for the office to perform its effective auditing job.

Strengthening internal capacity must be prioritised as the strategic focus of the Auditor-General from 2018 going forward. Government must make the necessary resources available for this as we finalise the Public Audit Amendment Bill. And, watch out: Those that collaborate with service providers, the net is closing in.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 134

Departments who challenge AGs findings are the ones that have shenanigans to hide, like the Department of Water and Sanitation which is taking the Auditor-General in and out of court simply because they don't want to confirm the findings. Yet, today their books confirm that they are on a minus.

The threats that people are sending to the Auditor-General's staff are simply because they want to loot the state. The Auditor-General is the only source of information that we rely on in order to tell us how our financials look like in Parliament, how do to spend our money effective and if there is value for money or not. However, we will get to the end of it. Thank you.

Mr N SINGH: Hon Deputy Speaker, I am earning my money today. I just want to say that as the IFP, we support both the recommendations in both reports. I want to pick up from where the hon Mente and the chair of the committee left off. That's the issue of further capacitating the Office of the Auditor-General, AG financially and with human resources. The need for this, as the hon Mente said, arises from the fact that the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 135

Auditor-General's office cannot audit all state-owned entities and government institutions because of the lack of capacity; they outsource.

However, in our committee we insisted that, moving forward, the Office of the Auditor-General must take responsibility for auditing all state-owned enterprises, and they can give some of the government departments to the contractors that they employ. I think that is going to be very important because the impartiality of those reports can really be tested when it is done by the Office of the Auditor-General.

Maybe what we need to consider - which is something we haven't spoken about in the committee - is probably a retainer to the Office of the Auditor-General where a particular amount is allocated annually from our fiscus so that they don't have to rely on fees that they receive and sometimes don't receive, especially from municipalities. Maybe a retainer of a couple of hundred millions or whatever it is, to say this is the money we are starting them off with because they play a very

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 136

important role in ensuring that we have oversight over the executive and those departments.

Hon Deputy Speaker, the Public Audit Act, Act 25 of 2004, is about to be revised and we'll speak about that on later occasion when the matter comes before the House. However, I think it is going to bring new responsibilities to the Office of the Auditor-General. Although we pass this 2018-21 Draft Strategic Plan and budget today, I think we must remember that it is something which can be amended even next year, once the Public Audit Act comes into play.

We need to move away from plain regularity audits of departments. Checking whether a department has issued an invoice for an item and whether a receipt was issued, is not the type of audit we should be doing. The types of audits we should be doing are value-for-money audits. What happens at the moment - sorry hon Chairperson - is that they look at the purchase of a bottle of water. If the department has bought hundred bottles of water and there is an invoice there, a payment there, and there

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 137

were three tenders, they say, well and good. However, that bottle of water sometimes costs R100.

Therefore, these are the things that we must capacitate the Office of the Auditor-General to move into performance audits and value-for-money audits. All in all, we support this very important Chapter 9 institution and we want to thank the Auditor-General and everybody else who is in that office. Thank you.

Prof N M KHUBISA: Chairperson and hon members, let me first start off by commending the Auditor-General for the work that he does and of course, the NFP is satisfied that the Office of the Auditor-General will, in light of the strategic plan, deliver accordingly. I also want to concur with the hon members who have spoken before me that, given the public outcry of collusion between auditing companies, business and officials of the state, the NFP calls on the AG to go an extra mile in doing his oversight work.

In light of the staff that is being reduced, as the NFP, we say perhaps the Office of the Auditor-General needs

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 138

more staff in order to execute its mandate. At the same time, we want to commend the AG for employing more staff with disabilities. Well, it is quite clear that the AG cannot do it all. We understand that before the Office of the Auditor-General releases its report, for instance with the municipalities, it would sit down with the municipality, go through with them from time to time, and that is a long process. Over and above that, we say that it can't do it all.

However, we find that at some point there is perhaps manipulation. This is because these audit statements, at the end of the day, should say that the financial health of the institution is good; management policies are adhered to; and administration is good. If you begin to manipulate and abuse that, it means you are fooling yourself. But over and above that, when the administration is good; the financial status is good; and everything else is good, it begins to say to us that, all that should be speaking to the delivery of basic services. Now, the question is: If we begin to manipulate all of that, how does it speak to the services on the ground? Therefore, these are all matters that we need to

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 139

ponder upon as we interrogate the Report of the Auditor-General.

We are aware of the Auditor-General's overspend during 2016-17 financial year and we hope the Auditor-General will set the example for other departments because we believe that the AG must be unimpeachable when it comes to the delivery of reports. We also urge all the outstanding auditees to pay the balances to the Auditor-General. We fully understand that at the moment Treasury is working with Eskom and Salga to ensure that municipalities which have not paid do so accordingly. We hope that matter will be attended to with speed.

I also condemn the threats and abuse from auditees who threaten the Auditor-General, and we call for swift action. We must shame those auditees that are abusing the AG. We support the Report. Thank you very much, Chairperson. [Time expired.]

Ms D CARTER: Chairperson, I think that we'll find that there is a lot of repetition today but then it also reiterates what is the importance and what should be

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 140

done. In respect of the integrated Annual Report of the Auditor-General, the Cope shares the concerns of the committee regarding the increasing number of auditees challenging the findings of the Auditor-General. Cope is of the view that there is a clear link between the rise in these challenges and the accusations that some auditees have of late made about the Auditor-General having ulterior motives; of its auditors have been threatened; and of attempts made to influence the outcome of audits through bribery.

The Cope views these attacks upon the Auditor-General as an attack against our constitutional democracy. The AG is a Chapter 9 institution; an institution established by our Constitution to strengthen our constitutional democracy. What is perturbing is that these brazen attacks are being perpetrated by organs of the state, employees and elected office bearers.

Chairperson, it is instructive that: the Auditor-General, as the Chapter 9 institution, must exercise its powers and perform its functions without fear, favour or prejudice; other organs of state are obliged to assist

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 141

and protect the AG; and must ensure its independence, impartiality, dignity and effectiveness. The Cope reiterates that these attacks upon the Auditor-General are an attack on our constitutional order. They point to the extent of the brazen looting, corruption and capture of organs of state, be they at national, provincial or local level and committed with a sense of absolute impunity. Those who threaten and attempt to bribe officials of the AG must be brought to book, charged and prosecuted. We call upon the committee to monitor the despicable tendency.

We note the challenge being faced by the AG regarding outstanding audit fees. Whilst there are some auditees that have the capacity to pay, the growing number of municipalities unable to pay their audit fees is indicative of the worsening state of our local government sphere. In respect of the 2018-21 Strategic Plan and budget for the 2018-19 financial year, the Cope supports the recommendations. Thank you.

Ms Z S DLAMINI-DUBAZANA: Hon House Chair and hon members, good afternoon. Firstly, let me thank the chair of the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 142

committee for providing the House with both reports so succinctly. We really thank your stewardship.

The constitutional mandate of the Auditor-General SA is to strengthen democracy. He executes this through the auditing and reporting of all the national, provincial, local and other sectors. Since the establishment of the Public Audit Act, Act 25 of 2004, we have seen our Auditor-General - the previous and the current one, Mr Kimi Makwetu - giving us so much of the initiatives. There are several initiatives which have been given to ensure that there is acceptance and implementation of all its recommendations.

The 2016-17 Integrated Annual Report has raised areas where audits and additional efforts yielded unsatisfactory results characterised by waste of public money and lack of consequences for bad behaviour which sometimes lead to protest against government's broken promises. The Report also states that the quality of financial statements in both the Public Finance Management Act, PFMA and Municipal Finance Management Act, MFMA remains a challenge. Fifty-eight of the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 143

auditees were with adverse or disclaimer opinions. Those opinions seem to have a pattern of continuity as there has not been improvement for the past five years.

The root cause of those undesirable outcomes was persistent weaknesses in the financial management controls. If somebody says that it sounds like the ANC, then I am sure that somebody doesn't understand finance because controls within the department could be alluded to any official employed. The material noncompliance with legislation in both the PFMA and MFMA audits remain high. The main contributor to the material noncompliance legislation relates to the supply chain management. Unauthorised, irregular, fruitless and wasteful expenditure continue to increase in both the PFMA and MFMA audits.

At the Fifth National Policy Conference of the ANC the commission on legislation and governance made recommendations on the urgent need to review the Public Audit Act, Act 25 of 2004, to ensure that there are consequences for financial misconduct. This includes lack

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 144

of follow-ups on fraud indicators such as failure to investigate irregular and fruitless expenditure.

On performance audits, the Report indicates that there is instability due to vacancies in key positions, lack of competence, and inadequate consequences for poor performance and transgressions. The ANC acknowledges the effort carried by the Standing Committee on Auditor-General, the committee secretariat and the Parliament legal team to process the amendments of the Public Audit Act, Act 25 of 2004.

With regard to the 2018-21 Draft Strategic Plan and budget, there are key issues and some general issues. The key issues are statutory, where the Auditor-General SA has to appoint the external auditors. I am not going to dwell much on that issue because some of my colleagues have actually highlighted the issue of external audit firms. However, as we speak right now, the Auditor-General has appointed a new firm of external auditors. Therefore, they have achieved that.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 145

Also, what the committee has recommended was that the Auditor-General needs to now and then communicate with the Treasury regarding the model which can be used to fund the municipalities which are unable to generate their own revenues due to geographical or historical problems. These are the municipalities like eBhulwa, where I come from. That municipality cannot generate its own revenues but, at the end of the day, it has to be audited. They have to pay the auditor and they are unable to do that.

The other things the committee looked at and noted was that since we have engaged with the Auditor-General, we have seen that there is a surplus. We agreed that the surplus can be retained by the Auditor-General because of the Act. However, we have requested the Auditor-General to ensure that a definitive plan is given to the committee. The plan is still outstanding as we haven't received it but we hope it is going to be submitted to the committee. Other than that, I would like to take this opportunity, on behalf of the ANC, to thank all the members of the committee for their positive participation. I thank you.

WEDNESDAY, 28 FEBRUARY 2018

Page: 146

The CHIEF WHIP OF THE MAJORITY PARTY: Moved that the Reports be adopted.

Report on Auditor-General SA 2018-21 Draft Strategic Plan and budget accordingly adopted.

Report on Integrated Annual Report of Auditor-General for 2016-17 financial year accordingly adopted.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON WATER AND SANITATION ON FIRST QUARTERLY PROGRESS REPORT FOR DEPARTMENT OF WATER AND SANITATION FOR 27-18 FINANCIAL YEARS

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON WATER AND SANITATION ON FOURTH QUARTERLY PROGRESS REPORT FOR DEPARTMENT OF WATER AND SANITATION FOR 2016-17 FINANCIAL YEARS

Mr M JOHNSON: House Chairperson, South Africa remains a water-scarce country, however the iniquities in the distribution of our natural resource remain a concern.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 147

The draught that we are going through since 2015 is something we are supposed to have anticipated.

Clearly, climate change is upon us through extreme weather conditions, it's either we have floods or draught. This we are about an annual budget of R15,5 billion whose soul aim is about bettering the lives of ordinary people in our quarter four of 2016-17.

Overspending on budget eradication programme is not acceptable as planning and budgeting is a nonnegotiable in a department as important as this one. Sanitation remains a dignity for our people. Vacancies have to be filled in improving service delivery.

Water trading entity overdraft of R2,9 billion must never be repeated as it remains an illegal act committed. An act that demonstrates lack of management and planning collection of debt will go a long way towards provision of more water to the needy, especially the poor in our country.

We are informed of in the same quarter number one of 2017-18 of the suspension of Deputy Directors-General in

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 148

this department, a concern as work has to be done by a team of professionals. The debt by municipalities can only be a reflection of a lack of management by our municipalities.

Responding to the draught in the haphazard manner in which Cape Town in the Western Cape government have been is not acceptable. Once again, it has become a well-known secrete that by 1990 water research commission had already predicted that by 2017 Cape Town shall be going through some serious draughts that we are experiencing today. As to how Cape Town and Western Cape have been responding to the so-called water crisis by forcing people of Khayelitsha and Heideveld to buy water and be restricted and or penalised whilst the rich profit on sale of our natural resource.

As if this is not enough, the scramble for installation of dissimilation plants continues unabated, all in the name of preying ... [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 149

The HOUSE CHAIRPERSON (MS M G Boroto): Can you take your seat hon member; on what point of order are you rising, hon member?

Ms A STEYN: Can the hon Chairperson take a question of the committee.

The HOUSE CHAIRPERSON (MS M G Boroto): Are you ready to take a question, hon Chairperson?

Mr M JOHNSON: After I am done.

The HOUSE CHAIRPERSON (MS M G Boroto): Okay, continue.

Mr M JOHNSON: As to how Cape Town in the Western Cape have been responding to the so-called water crisis by forcing the people of Khayelitsha and Manenberg to buy water and be restricted or panelised whilst the rich profiteer on the sale of our water resource.

As if that is not enough, the scramble for installation of dissimilation plants continues unabated, all in the name of preying on the plight of the poor. To punish the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 150

poor by rich and business is an act of criminality and it is a punishable crime.

Once again, doing more with less must be the order of the day. There are many solutions out there, including the re-use of waste water, the drilling of water veins, usage of acid mine drainage water instead of bringing Umngeni Water Board to Cape Town to resolve the local Cape Town situation whilst there exist a local Overberg water.

Water licenses set aside for Human Development Index, HDI, must be publicised for the benefit of black farmers. The ANC supports this Report. Thank you.

There was no debate.

Ms Z S DLAMINI-DUBAZANA: Chairperson, I move that the Report be adopted.

Declarations of vote:

Mr L J BASSON: Chairperson, the Fourth Quarter Report for the 2016-17 financial years and the First Quarter Report for 2017-18 financial years for the Department of Water

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 151

and Sanitation reveals that this department is no longer a going concern.

The report shows that the Department of Water and Sanitation and the water trading entity has financial difficult; owing the Reserve Bank, contractors and the water boards almost R5 billion that needs to be funded at the 2017-18 financial year.

Chairperson, today two water boards in the annual year report for the 2016-17 financial years informed the portfolio committee that the department owe them R500 million. These amounts don't reflect on the fourth water report of this department. The water trading entity is tactically bankrupt and does not have the ability to collect money owed to them.

The department could not explain the poor performance, and the committee requested them, 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 whilst

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 152

overspent R100 million on their budget; irregular expenditure of R4,1 billion.

In the past this department built-up a very bad reputation; underspending of more than R3 billion in the past three years; to director-general in three years; Lesotho highland project delayed for six years, Clan William's Dam stopped by the Minister - there is still no certainty as to when the Clan William's Dam project will start again.

This will cost ratepayers R1 billion more. Minister Nomvula Mokonyane destroyed this department - putting 57 million people on the risk, with water infrastructure collapsing. Her poor to no leadership and political interference in the administration in this department should be investigated.

Let us get to the Western Cape draught in the media statement over the weekend the department spokesperson, Sputnik Ratau said that the department is now doing everything it can to assist the Western Cape during its worst draught. This was the fired Minister of Water and

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 153

Sanitation Nomvula Mokonyane who did little to nothing to assist the Western Cape. The people of the Western Cape and other parts of South Africa should not be subjected to this any longer. The National Water Act empowers the Minister to act on behalf of the nation and also mandates the Minister to protect and preserve the country's precious water resources something the fired Minister failed at.

So, it is the responsibility of the national government to supply to local government water in bulk. The portfolio committee and Scopa have called for a full-scale parliamentary enquiry and criminal charges against people who created instability and financial mismanagement.

Minister Mokonyane has failed in her duty as the custodian of water resources in this country. I would like to plead with the department and the new Minister, Minister you are taking over a bankrupt and a department that is not sufficiently run - you have got a lot of work to do.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 154

I would like to thank the chairperson of the portfolio committee and all other members for standing together to take action to protect the future delivery of water and sanitation in this country.

IsiZulu:

Nk M S KHAWULA: Siyi-EFF siyawuchitha lo mbiko wekomidi lezamanzi ngalezi zizathu ezilandelayo. Uma uhulumeni engasukumeli phezulu ukulungisa indaba yenkohlakalo eqhubekayo kulo Mnyango leli zwe lizozithola libhekene nenkulu inhlekelele. Uma futhi zingekho izinyathelo zomthetho ezithathelwa uNgqongqoshe wangaphambili uNomvula Mokonyane ngeqhaza lakhe kulenhlekelele yezimali ekulo Mnyango. Kusho ukuthi akekho umuntu oyobuye aboshwe kuleli zwe ngoba phela umthetho kumele usike amacala wonke. Emuva kokumosha kwakhe lo Mnyango ngenkohlakalo uNomvula Mokonyane usethunyelwe eMnyangweni Wezokuxhumana ukuthi ayomosha khona. Konke loko ... hhawu kanti unje.

English:

Ms Z S DLAMINI-DUBAZANA: Chairperson, I rise on Rule 85 that if the speaker can actually respect the Minister and say hon Minister. [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 155

IsiZulu:

USIHLALO WENDLU (Nk M G BOROTO): Mam' uKhawula siyabonga. Sicela ukuthi sizwe uthi uNgqongqoshe. Mina ngikuzwile uthi uNgqongqoshe Nomvula. Ngicela uqhubeke njalo.

Nk M S KHAWULA: Ngiyabonga ngoba ungizwile. Bengiqonde ukuchaza ukuthi usephinde wathathwa wayobekwa laphaya eMnyango Wezokuxhumana useyomoshana nalapho futhi. Konke lokhu kwenzeka ngesikhathi esibi lapho khona izwe lethu libhekene nenkinga yesomiso eqopha umlando kuleli zwe lethu.

Kulonyaka owedlule silahlekelwe amanzi amaningi kakhulu ngenxa yokuvuza kwamapayipi. Lokhu bekungeke kwenzeke ukuba besinoMnyango Wezamanzi noma uNgqongqoshe owazi ukubhekelela abantu. Maduze nje izwe lonke lizobe lingenamanzi ngenxa yenkohlakalo eqhubekayo kulo Mnyango. Siyi-EFF siphakamisa ukuthi ikhomishane ezobheka ukusebenza kwalo Mnyango ikakhulukazi ngesikhathi sikaNomvula Mokonyane ivulwe ngokukhulu ukushesha.

[Ubuwelewele.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 156

Ngqongqoshe Nkwinti ngiyakudabukela, usenkingeni kulo Mnyango ofika kuwona manje. Bathathe isigegebengu basitshinga le ukuthi siyomosha khona. Ayikho imali, kwakhiwa izindawo zamanzi embiwa phansi [boreholes]. Lezi zindawo zamanzi embiwa phansi [boreholes] zonke azinamanzi. Ama-borehole ayi-108 uthola ukuthi ayi-75 wonke awanamanzi. Into ebuhlungu ngumuntu wesifazane lo owenze loku. Abantu bakithi abanamanzi futhi KwaZulu-Natali, Limpopo, eGiyane naseTzaneen awekho amanzi. Ngiyakudabukela Ngqongqoshe, ukuba kuya ngami nje ngabe uyababuza ukuthi bakuzondani ukuthi bayokufaka laphaya. Lesi sigegebengu ngokomthetho bekufanele ngabe siyaboshwa. [Ubuwelewele.] Kungani bengambophi. Lilonke nje ...

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile Khawula hlala phansi kancane. Yebo lungu elihloniphekile.

Mnu B A DLAMINI: Sihlalo siyacela ukuthi asibheke Umthetho 85: Lona othi: Uma ngabe kukhona umuntu oyilungu lePhalamende osolwa ngobugebengu noma yini akuze inkulumo-mpikiswano ezohlala lapha phezu kwetafula. Angasolwa nje kungabekwanga lutho phezu kwetafula. Ngiyabonga.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 157

IsiXhosa:

Nksz N V MENTE: Usisi Nomvula akalilo ilungu lale Ndlu, umenyiwe masincendwe singaxhatshazwa nguwe wena German cut.

English:

The HOUSE CHAIRPERSON (Ms M G BOROTO): No, hon member that is not correct.

IsiZulu:

Lungu elihloniphekile Mam' uKhawula wonke amalungu anikezwe umsebenzi kule Ndlu siwabiza ngelungu elihloniphekile.

English:

Mr T RAWULA: Speaker, Speaker ...

The HOUSE CHAIRPERSON (MS M G BOROTO): I am still ruling, hon member. Please don't come in, I will recognise you if you need to be recognised later.

Mr T RAWULA: Yes, I need to be recognised.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 158

The HOUSE CHAIRPERSON (Ms M G BOROTO): Yes, but you can't just speak when I am still ruling.

IsiZulu:

Nk M S KHAWULA: Imizuzu yami emihlanu ngabe esazobuyiswa.

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile Mam'uKhawula isikhathi sakho simile. Nawe ungasibuka. Wonke umuntu uyahlonishwa kule Ndlu Mam'uKhawula siyacela njengoba nathi sikuhlonipha. Qhubeka.

Nk M S KHAWULA: Ngiyabonga.

Mr T RAWULA: Speaker, with all due respect, Mam'uKhawula did not mention any name. She just said that she is worried, why is hon Nkwiti given that portfolio. She did not mention any name. [Interjections.]

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

Mr T RAWULA: The German cut must behave, please.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 159

IsiZulu:

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile Rawula thatha isihlalo senginqumile. Ngidlulile lapho. Qhubeka Mama - sihloniphane.

Nk M S KHAWULA: Bengithi lana Nqongqoshe Nkwinti usenkingeni [Uhleko.] uzobhekana nezikhulu [officials.] zakhe lo mkelemunqa ndini. Angisabizi umuntu ngegama. [Uhleko.] Onenkinga kulezikhulu umbuze ukuthi: ...

English:

... How many boreholes have you done?

IsiZulu:

Yazi bathini: Abanayo impendulo. Lezi zigebengu uma bekuya ngami bekuzofanele zonke lezikhulu zibuyele emuva. Kunento abayenzayo kulowa Mnyango. Ufika manje uthole kunaloDDG, kuyasa kunomunye, bayashintshana - kuthiwe lo usaphenywa. Akubuywa nizotshelwa. Izimali zihambile izigebengu. UNomvula Mokonyane imali bayiqedile bayidla neMabala Noise. Yibona beza la ... [Ubuwelewele.] Awuhlale phansi wena, uyangiphaphela. Hhayi! Lalelani ilungelo lami lokwenza inkulumo-mpikiswano.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 160

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile Mam'uKhawula ngizovala umshini wakho wokukhuluma [mic].

Nk M S KHAWULA: Akekho umuntu onelungelo lokungitshela ukuthi mangenze inkulumo-mpikiswano kanjani.

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile Mam'uKhawula awukwazi ukuthi ubize ilungu elihloniphekile ngesigebengu. Ngicela uhoxhise kulokho Mam'uKhawula. Ngiyacela.

English:

Mr T RAWULA: Order, Speaker!

The HOUSE CHAIRPERSON (Ms M G BOROTO): No, no, hon members, please take your seats. I am addressing the speaker on the podium. [Interjections.]

Hon MEMBER: Can we address you, Speaker.

The HOUSE CHAIRPERSON (Ms M G BOROTO): Please take your seat, Ma'am. Mam'uKhawula, please stand.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 161

IsiZulu:

Usanemizuzwana eyisikhombisa.

Nk Ms KHAWULA: Hawu! Hawu, ngiyabonga.

USIHLALO WENDLU (Nk M G BOROTO): Ngicela uhoxhise kulamagama wokuthi uNgqongqoshe uMama Mokonyane yisigebengu. Ngiyabonga.

Nk Ms KHAWULA: Nawe uyamazi kanti futhi ukuthi uyisisigebengu.

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile ngicela uhoxhise.

Nk Ms KHAWULA: Ukuthini.

USIHLALO WENDLU (Nk M G BOROTO): Ukuthi uNgqongqoshe uMama Mokonyane yisigebengu.

Nk M S KHAWULA: Kusho ukuthini ...

English:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 162

Mr T RAWULA: Speaker, no you are harassing our member. Speaker, you are harassing the member. You are putting words in her mouth. She did not mention the name. It is you, who mentioned Nomvula Mokonyane. Please don't withdraw, Mam'uKhawula. Proceed!

IsiZulu:

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile Mam'uKhawula ngicela uhoxhise.

Nk M S KHAWULA: Kulungile ngiyaxolisa.

English:

The HOUSE CHAIRPERSON (Ms M G BOROTO): Thank you very much. Continue.

IsiZulu:

Nk M S KHAWULA: Ngiyabonga. Uyabona uma hambe manje. Kukhona indawo okuthiwa yiZululand eMakhathini ...

[Ubuwelewele.]

USIHLALO WENDLU (Nk M G BOROTO): Ngiyaxolisa Mam'uKhawula isikhathi sakho sesiphelile.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 163

Nk M S KHAWULA: Hhayi, kanti udlala ngami. Ungenza isilima manje.

USIHLALO WENDLU (Nk M G BOROTO): Lungu elihloniphekile ngicela uhlale phansi isikhathi sakho siphelile.

English:

Ms M S KHAWULA: We are sick and tired of izigebengu [criminals].

IsiZulu:

USIHLALO WENDLU (Nk M G BOROTO): Ngicela uhlale phansi. Hlala phansi, Mama. Siyahloniphana kule Ndlu. Imithetho ibekiwe.

Prince R N CEBEKHULU: House Chairperson, clean and accessible water and sanitation in South Africa remains an essential component of the South Africa in which we all want to live. Coupled to this, is the quality, delivery and sustainability of our water, services and infrastructure. What has become very apparent is that this department is failing in its duties as required by law.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 164

The problem is multiplied by the fact that there are large scale vacancies in almost every area of departmental and management and services. This led to unspent funds, budget for salaries and wages being returned to the Treasury at the expense of service delivery of the department and ultimately the people South Africa.

Since 2008, there have been seven directors-general in the department. They have come and go so to say. Currently, we have an acting director-general. Lack of clearly defined job description remain a concern with even deputy-directors and staff at an acting position level being unable to properly even define their work, role and task as expected of them.

Programme 3, which is in respect of water and infrastructure development, has spent 138% of its allocated infrastructure budget. The question is not the expenditure. As we are all aware the country is in dire need of additional water infrastructure, but the worry is that: why is that not properly forecast in the budget? In the first quarter of 2017/18 the department was allocated

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 165

R15,1 billion, yet by the end of 30 June 2017 had only spent R2,2 billion which equates to a mere 15% spent on budget. Such underspending is tantamount to criminality, especially when many areas in the country are being ravaged by drought and water scarcity - areas like those where the people of Giyane reside. Despite the R2,7 billion being spent on the project, still have no access to water and there are many such areas. This department under its new Ministry must roll up its sleeves and get to work in ensuring the provision of good quality, access to water and sanitation for all who live in South Africa. Chairperson,...

IsiZulu:

... umhlonishwa uSihlalo ukhulumile ngenselelo yesomiso. Isomiso sishaye izwe lonke. Siyasiqonda sonke isomiso. uMnyango kufuneka ngabe uphumile uyagijima izinkalo zonke ukubheka lapho kusekhona leyo mvulana ekhona ukuze amanzi akwazi ukuqoqeka aye emadanyini. Lezi zindawo ezivulekile noko ziyadinga ukuthi uNqgongqoshe akubukele phambili njengoba kunalomklamo waseMzimkhulu. Ngiyathokoza kakhulu.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 166

Mr M JOHNSON: Where credit is due it must be accorded; we still drink and continue to drink from the tap, it is a fact. More people continue to drink from the tap by the day with the rollout of infrastructure either in the municipalities or through water boards or through national department.

However, where criticism has to be levelled we are the first ones to do such, both here and also in our committees or are there to attest to such. In the mist of the drought some have water whilst others do not have water, especially the poor. They continue to buy water from the rich and those that are rich they continue to sprinkle their big yards without any such penalties meted against them. This raises a question that talks about the ownership of water in our country and the National Water Act says, "the state owns water and the Minister is a custodian." The reality is the other way round. Out of 5000 dams we have in this country, the Department of Water and Sanitation can only account for no more than 400; the rest is in the private farms owned in the main by white commercial farmers. This is a fact.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 167

Sixty five percent of our water resource continues to go to the farmers through the irrigation boards, hence the gesture of goodwill came from some Grabouw farmers in the midst of the drought that we continue to have in Cape Town. We are the first to declare that the programme of War on Leaks has and continues to be a problem. This is a programme that was launched in 2015; it is not in any Annual Performance Plan, APP, let alone being budgeted for having to take from this and that. We are the first ones to declare that such is wrong. It must be corrected. Minister, it is a problem that must be attended to quite urgently. It takes a billion and 400 million per annum from no where.

We continue to support this report, the report whose aim and sole objective is about bettering the lives of ordinary people so as to be able to live a better life. I thank you.

THE CHIEF WHIP OF THE MAJORITY PARTY: House Chair, I move that the report be adopted.

Motion agreed to (Economic Freedom Fighters dissenting).

WEDNESDAY, 28 FEBRUARY 2018

Page: 168

Report on First Quarterly Progress Report for Department of Water and Sanitation for 2017-18 financial year accordingly adopted.

Report on Fourth Quarterly Progress Report for Department of Water and Sanitation for 2016-17 financial year accordingly adopted.

SANDY MOKWENA PASSES ON

(Draft Resolution)

Mr Z S MAKHUBELA: Chair, I move without notice:

That the House -

(1) notes with great anguish the passing of the luminary actor Sandy Mokwena on Wednesday, 24 January 2018, at the age of 68;

(2) understands that the veteran actor who was the longest standing cast member on e.tv's popular soapie *Scandal*, died from natural causes;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 169

- (3) recalls that Mokwena cut his acting teeth in the hit musical *Iphi Intombi* during the 1970s and 1980s, starring as Cappie alongside the late great South African actress and musician, Margaret Singana;
- (4) further recalls that his first movie role was a small role in the 1992 movie *Taxi to Soweto* and later appeared in *Yizo Yizo*, *Generations* and *Soul City*;
- (5) further understands that Mokwena is leaving a trail of memories for those who bore witness to his stellar stage, movie and TV career;
- (6) believes that he has left an indelible legacy that will continue to inspire the new generation; and
- (7) conveys its condolences to his family, friends and the cast and crew of *Scandal*.

Agreed to.

WEDNESDAY, 28 FEBRUARY 2018

Page: 170

The HOUSE CHAIRPERSON (Ms M G Boroto): A reminder to everyone is that the motion without notice is only one minute and thirty seconds.

MINISTER RAISES VALUE ADDED TAX

(Draft Resolution)

Mr R A LEES: Madam Chair, I move without notice:

That the House -

- (1) notes that the former Minister of Finance, Malusi Gigaba, introduced an increase in VAT in his Budget Speech earlier this year, which saw VAT rising from 14% to 15%;
- (2) further notes that he claims that this was needed to fund free higher education and stop the national deficit from growing;
- (3) also notes that the DA has identified a six pack of challenges in the national Budget which is hindering our economy including a broken Budget

WEDNESDAY, 28 FEBRUARY 2018

Page: 171

process, weak economic growth, ballooning national debt, dysfunctional institutions, zombie state-owned enterprises and long-term fiscal risks;

(4) acknowledges that this increase could have been avoided by the national government by:

a) freezing salaries of state officials, public representatives and civil servants in the upcoming financial year;

b) reducing the bloated size of the Cabinet to 15 Ministries; and

c) freezing bonuses payment to state officials that could have saved the country R112 billion; and

(5) encourages this House to reject the proposed increase in VAT and request the Standing Committee on Finance to invest in the DA's

proposal to reduce expenditure ... [Time expired.] [Applause.]

Motion objected

INSOURCING OF SECURITY GUARDS IN ETHEKWINI MUNICIPALITY

(Draft Resolution)

IsiZulu:

Nk M S KHAWULA: Ngisukuma egameni le-EFF ukuphakamisa ukuthi:

- (1) ake kusukunyelwe nansi inking eqhubeka laphaya eThekwini esiyinsakuvukela umchilo wesidwaba. IMeya yalaphaya uZandile Gumede akakhombisi ukuthi ungumuntu wesimame;
- (2) amaphoyisa laphaya kamasipala aseneminyaka esukela eminyakeni eyishumi ukuya eminyakeni engamashumi nanhlanu angamatoho, awaqashiwe ngokugcwele;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 173

- (3) bakhala nangokuthi zonke izimeya mazifika emkhandlwini ziye zibathembise ukuthi zizoyilungisa inkinga yazo;
- (4) siyi-EFF sifuna ukwazi ukuthi kanti i-ANC yini eyenza ingawahloniphi amalungelo abasebenzi. Lo Hulumeni we-ANC uxhaphaza abantu;
- (5) sithi-ke woza 2019 sowaqeda wonke lamatoho nalamathenda acebisa izikhulu zikamasipala;
- (6) nabantu bakithi siyabacela ukuthi bayeke ukudlala ngamavoti abo belokhu bevotelana ne-ANC; futhi [Ubuwelewele.]
- (7) ngiyacele ngo-2019 mabeze bezovotela i-EFF.

IsiZulu: 18:50:14

Nk M S KHAWULA: Niyaphapha nina!

USIHLALO WENDLU (Nk M G Boroto): Mama uKhawula, usamile mama, ngicela sihlolisise ukuthi manje sisebenza ngama-

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 174

motions without notice besingekafiki kwizitatimende.

Angazi nokuthi ngizowubeka kanjani umbuzo.

Nk M S KHAWULA: Iyona kanye le, i-motion without notice.

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

IsiZulu:

... siyabonga mama-ke.

INTERNATIONAL MONETARY FUND RECOGNISES SA RESERVE BANK

GOVERNOR

(Draft Resolution)

Ms Z S DLAMINI-DUBAZANA: Chair, I move without notice:

That the House -

- (1) congratulates the Governor of the SA Reserve Bank, Mr Lesetja Kganyago, on his appointment as the chairman of the International Monetary and

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 175

Financial Committee on Thursday, 18 January
2018;

- (2) notes that the International Monetary and Financial Committee, IMFC, is the primary advisory body of the IMF Board of Governors and deliberates on the principal policy issues facing the IMF and has 24 members;
- (3) further notes that Mr Kganyago is the first IMFC chair from the sub-Saharan Africa region;
- (4) understands that he already serves as South Africa's Alternative Governor on the IMF Board of Governors and brings a wealth of experience to the position;
- (5) recalls that he served as the Deputy Governor of the SA Reserve Bank from May 2011, and was responsible for a wide range of areas, including research, financial stability and regulatory reform, bank supervision and risk management and compliance;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 176

- (6) acknowledges that the IMFC provides strategic direction to and makes decisions on crucial matters involving the international monetary and financial system;
- (7) believes that Mr Kganyago will leverage this appointment to ensure that the voices of developing countries are always taken into account in financial decision-making;
- (8) further believes that his appointment is a resounding affirmation of global confidence in South Africa's financial institutions; and
- (9) congratulates Mr Kganyago.

Agreed to.

**CONDOLENCES EXTENDED ON THE PASSING OF SOUTH AFRICAN
VETERAN TELEVISION AND FILM ACTOR, DAVID PHETOE**

(Draft Resolution)

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 177

Mr N SINGH: I move without notice:

That the House -

- (1) notes the sad passing of South African veteran television and film actor, David Phetoe;
- (2) notes that Mr Phetoe, 85, was most popular for his portrayal of Paul Moroka, the lead character on the renowned soapie, *Generations*, when it was launched in 1994;
- (3) further notes that he died in hospital on Thursday, 1 February 2018, after battling prostate cancer which also recently and sadly took the music legend, Hugh Masekela;
- (4) acknowledges that he has contributed enormously to the country's entertainment industry and he has featured in many popular sitcoms like *'Sgudi*, *'Snaysi* and *Going Up* with the late Joe Mafela, *Velaphi* and *Imvelaphi*, to mention but a few;

WEDNESDAY, 28 FEBRUARY 2018

Page: 178

(5) further acknowledges that as a veteran actor, he was instrumental in paving the way and setting the bar high for upcoming actors, and for this reason he will forever be remembered and dearly missed and may he rest in eternal peace.

(6) extends its deepest condolences to the Phetoe family.

Agreed to.

EXPOSURE OF CULTS PRACTISING EXTREME RELIGIONS COMMENDED

(Draft Resolution)

Mr S C MNCWABE: I move without notice:

That the House -

(1) notes with dismay the emergence of criminal elements who kill whilst practising their extreme religions;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 179

(2) calls on the police to arrest these criminals;
and

(3) further calls on the community to expose these
religious cults.

Agreed to.

CONDOLENCES CONVEYED TO THE FAMILY AND FRIENDS OF MOGAU

TSHEHLA

(Draft Resolution)

Mr Z S MAKHUBELE: I move without notice:

That the House -

(1) notes the passing away of Polokwane City soccer
defender Mogau Tshehla in a car accident on
Monday, 12 February 2018;

(2) remembers that the 26-year-old right-back joined
City from Witbank Spurs in January 2017, and that

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 180

he was slowly beginning to cement his place in Bernard Molekwa's team;

(3) further remembers that Tshehla played eight games in all competitions for Polokwane City since joining them last season;

(4) understands that he was a brother to Mamelodi Sundowns star player, Percy Tau;

(5) further notes that Polokwane City's match against Bloemfontein Celtic this past weekend was postponed to give players enough time to mourn the loss of their key player; and

(6) conveys its heartfelt condolences to the family and friends of Tshehla, as well as his club, Polokwane City.

Agreed to.

ANASO JOBODWANA AND TEAM SOUTH AFRICA CONGRATULATED FOR REPRESENTING THE COUNTRY IN THE 2018 COMMONWEALTH GAMES

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 181

(Draft Resolution)

Mr M L W FILTANE: I move without notice:

That the House -

- (1) notes that Anaso Jobodwana received his call-up papers for the Commonwealth Games taking place in Gold Coast, Australia, from 4 to 15 April 2018;
- (2) further notes that the SA Sport Confederation and Olympic Committee announced the last members of Team South Africa on Monday, 26 February 2018;
- (3) acknowledges that Team South Africa is currently in full steam preparing to compete and fly the South African flag at the international sporting platform;
- (4) believes that, with consistent support from all citizens of the country, Team South Africa can do

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 182

better and put the name of the country amongst those who excel in the sporting field;

(5) congratulates Anaso Jobodwana and the entire Team South Africa selected to represent the country in the 2018 Commonwealth Games;

(6) calls on all South Africans to support and watch our athletes as they represent the country in Australia; and

(7) wishes Team South Africa the very best in their final preparations for the 2018 Commonwealth Games in Australia. [Laughter.]

The HOUSE CHAIRPERSON (Ms M G Boroto): What happened to the voice of hon Filtane?

Agreed to.

DA CONDEMNS POOR LIVING CONDITIONS AT FORT HARE

UNIVERSITY ALICE CAMPUS STUDENTS' RESIDENCES

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 183

(Draft Resolution)

Ms H BUCWA: I move without notice:

That the House -

- (1) notes that on Monday, 26 February 2018, students in the Alice Campus of Fort Hare University were boycotting classes for more than three weeks as a result of poor living conditions at their residences;
- (2) further notes that ablution facilities at the campus residences were dirty and unsanitary, and the toilets are separate from the residences meaning students have to leave the safety of their residences at night to use them;
- (3) acknowledges that it is unacceptable and unfair to expect students to compromise their safety for something that should be readily available to them;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 184

- (4) further acknowledges that along with members of DA Student Organisation, Daso, a memorandum was submitted to the office of the Dean at Fort Hare demanding that they address the students' living conditions. We can no longer have a situation where students are robbed of their dignity and denied their right to a safe environment;
- (5) recognises that students cannot be expected to perform well in their studies when their living conditions are not up to standard and that the DA will fight to deliver adequate and dignified accommodation for students at all South African universities; and
- (6) condemns these unacceptable living conditions and urges the respective committees to institute an investigation.

Agreed to.

**EFF OPPOSES THE CLOSING DOWN OF AIDS CARE TRAINING AND
SUPPORT COMMUNITY CLINIC IN MGANDUZWENI, MPUMALANGA**

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 185

(Draft Resolution)

Ms N K F HLONYANA: I move without notice:

That the House -

- (1) notes the decision to close the AIDS Care Training and Support, ACTS, community clinic in Mganduzweni, Ward 9 at Mbombela Municipality, Mpumalanga, as of 1 April 2018;
- (2) further notes that these clinics provides critical services to communities and surrounding areas, particularly services to people living with HIV and Aids;
- (3) acknowledges that through its home-based care, children's programme, cervical cancer unit, mother to child unit, counselling and testing facility, support groups and pharmacy, ACTS community clinic provide valuable service to the people of Mganduzweni and its surrounding areas;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 186

(4) further acknowledges that the community opposes the closing down of the ACTS clinic and is calling for it to remain open, as it is one of the few institutions which has a positive impact in the fight against HIV and Aids in the area; and

(5) resolves that the Portfolio Committee on Health engages with all relevant authorities to prevent such a decision with potential catastrophic implications; and

(6) further resolves that the people of Mganduzweni deserves a 24-hour clinic with all functioning services including nurses and doctors.

Agreed to.

**CONDOLENCES EXPRESSED TO THE MOZAMBICAN GOVERNMENT AND
FAMILIES OF PEOPLE WHO DIED FOLLOWING A COLLAPSE OF A
GARBAGE DUMP IN MOZAMBIQUE**

(Draft Resolution)

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 187

Ms Z S DLAMINI-DUBAZANA: I move without notice:

That the House -

- (1) notes with sadness the death of 17 people following the collapse of a garbage dump in Mozambique on Monday, 19 February 2018;
- (2) understands that heavy rains triggered the partial collapse of a huge mound of garbage in Mozambique's capital on Monday, killing as many as 17 people who were buried by debris;
- (3) further understands that the search by authorities is underway for more bodies that could be buried at the Hulene garbage dump on the outskirts of Maputo;
- (4) believes that the garbage in the poor, densely populated area where the disaster happened rose to the height of a three-story building;

WEDNESDAY, 28 FEBRUARY 2018

Page: 188

(5) acknowledges that half a dozen homes were destroyed and some residents in the area fled for fear of another collapse;

(6) remembers that people often comb through the garbage, searching for food and items to sell; and

(7) conveys its condolences to the Mozambican government and families of the deceased.

Agreed to.

**DA COMMISERATES WITH VICTIMS OF THE ACCIDENT AND
FAMILIES OF THE DECEASED INVOLVING SHSHOLOZA MEYL
TRAIN AND A TRUCK AT KROONSTAD**

(Draft Resolution)

Ms D CARTER: I move without notice:

That the House -

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 189

- (1) notes the loss of lives in the recent tragic and horrific accident involving a Passenger Rail of SA, Prasa, Shosholoza Meyl train and a truck at Kroonstad;
- (2) commiserates with the victims of the accident and the families of the deceased and those affected;
- (3) commends the selfless and brave actions of two young South Africans, Mokoni Chaka and Evert du Preez, both aged 12, who risked their own lives to rescue and save the lives of numerous victims of the accident; and
- (4) acknowledges their selfless bravery and inseparable friendship is evidence of the spirit of ubuntu - our sense of values and principles that represents our national morality of humanness and sense of community.

Agreed to.

**ACDP CALLS ON LAW ENFORCEMENT AGENCIES TO ENSURE THAT THE
GUPTA BROTHERS FACE THE FULL MIGHT OF THE LAW**

(Draft Resolution)

Mr S N SWART: I move without notice:

That the House -

(1) notes with shock that members of the Gupta family who have been implicated in state capture allegations and features prominently in the Public Protector's report, the Estina Dairy debacle and the Eskom inquiry are reported to have left the country;

(2) further notes that the law enforcement agencies had more than enough evidence against them which was not acted upon; and

(3) calls on the Hawks, Interpol and other law enforcement agencies to ensure that the Gupta brothers are brought back to South Africa to face the full might of the law and to recover ill-

WEDNESDAY, 28 FEBRUARY 2018

Page: 191

gotten gains from the capture of state-owned enterprises.

Agreed to.

CONDOLENCES EXPRESSED TO THE FAMILY OF MFUNDO WISDOM

MTHENJANA

(Draft Resolution)

Mr Z S MAKHUBELE: I move without notice:

That the House -

- (1) notes with sadness the death of uMhlathuze Council Speaker, Mfundo Wisdom Mthenjana, who died in Richards Bay hospital on Monday, 19 February 2018, after a short illness;
- (2) remembers that Mthenjana was inaugurated as speaker in May 2015, initially in a caretaker capacity and then elected as the speaker in August 2016 after the local government elections;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 192

(3) further remembers that he had previously served as Ward 22 councillor from 2011 to 2016 at eSikhawini, where he was born;

(4) recalls that at the time of his passing he was the chairperson of the ANC in uMhlathuze subregion, consisting of 34 branches;

(5) acknowledges that he also served as an SA Communist Party, SACP, branch deputy secretary from 2009 to 2012;

(6) believes that Mthenjana's leadership style, humour and firmness on his decisions will be sorely missed;

(7) further believes that his passing will leave a void in the council as his role as the speaker was crucial in uniting different political parties in the chambers; and

(8) conveys its heartfelt condolences to his family and the ANC's Musa Dladla region.

Agreed to.

SOUTH AFRICA IN COMMEMORATION OF ARMED FORCES DAY

(Draft Resolution)

Ms Z S DLAMINI-DUBAZANA: I move without notice:

That the House -

- (1) notes that 21 February was declared in 2012 as Armed Forces Day;
- (2) further notes that the day is annually commemorated primarily in remembrance of the 1917 sinking of the SS Mendi during World War I;
- (3) recalls that the SS Mendi was transporting 823 members of the 5th Battalion, the SA Native Labour Corps to France, when it was struck by the SS Darro;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 194

- (4) further recalls that over 600 black soldiers chose to die with dignity and honour in a war that was not theirs;
- (5) recognises that this day allows us to remember all men and women who have paid the ultimate price in defence of freedom, peace and justice;
- (6) further recognises the honourable and courageous role men and women continue to play by putting their lives on the line to secure our peace and in defence of our Constitution; and
- (7) applauds the major role that the Defence is playing in actively protecting our territorial integrity as well as peace and development initiatives on the African continent.

Agreed to.

**ARSON ATTACKS, VANDALISM AND CABLE THEFT AT RAIL
TRANSPORT TO BE ADDRESSED AS A MATTER OF URGENCY**

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 195

(Draft Resolution)

Mr Z N MBHELE: I move without notice:

That the House -

- (1) notes that the country's public transport system, in particular, rail infrastructure, is facing an ongoing onslaught of arson attacks, vandalism and cable theft which needs to be addressed as a matter of urgency by the SA Police Service, the SAPS;
- (2) further notes that those criminal elements responsible for this undermining and sabotage of commuter and freight services mostly get away with it and very few, if any, arrests are made by the SAPS;
- (3) acknowledges that the police have a key role to play in deterring and responding to the criminality that adversely affects the rail

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 196

environment and that ultimately the buck stops with them;

- (4) calls on the SAPS to establish an adequately resourced, specialised Railway Police Unit based at train stations and key points, improve the performance of its firearms, liquor and second hand goods, Flash, components to tackle the illicit trade in scrap metal obtained from cable theft and ensures that its Crime Intelligence Division cracks down on these syndicates; and
- (5) welcomes the recent agreement between the City of Cape Town, Prasa and the Western Cape government to establish a dedicated enforcement unit to focus on the safety and security of Metrorail commuters and infrastructure in Cape Town.

Agreed to.

PROF MILLAR WINS AFRICAN UNION KWAME NKRUMAH AWARD

(Draft Resolution)

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 197

Mr Z S MAKHUBELE (ANC): I move without notice:

That the House -

- (1) congratulates South African scientist, Prof Robert Millar, on winning the prestigious African Union Kwame Nkrumah Award on Sunday 28 January 2018;
- (2) notes that the awards which have been running since 2008 are awarded in memory of Pan-Africanist and first President of Ghana, Dr Kwame Nkrumah;
- (3) recalls that Prof Millar, who is the National Research Foundation, NRF, A-rated researcher, won in the Life and Earth Sciences category and received US \$100 000 in prize money;
- (4) hopes that Prof Millar's winning of this award will encourage the government to invest more resources in science and technology, which is essential for Africa's development of people;

(5) also hopes that it will encourage our youth to develop more interest in science and innovation; and

(6) wishes Prof Millar more accolades in his future endeavours.

Agreed to.

FIGHT AGAINST CANCER

(Member's Statement)

Ms C N NCUBE-NDABA (ANC): House Chair, one of the key policy aspects of the ANC is to intensify efforts to improve the health of ordinary South Africans. As the ANC, we therefore, commend the Gauteng Department of Health for investing in the latest technology to assist cancer patients.

The department has invested R36 million on a new oncology facility that will ensure that cancer patients in Ga-Rankuwa, Tshwane and surrounding areas have easier access

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 199

to state-of-the-art oncology treatment. The launch of this technology marks the beginning of the end to suffering for many cancer patients who were referred to the Steve Biko Academic Hospital in Tshwane. This will reduce the pressure placed on the Steve Biko Academic Hospital, which in 2010 saw over 12 000 patients in the oncology unit, and by 2016, the number doubled to 24 000 patients.

As the ANC we view this latest technology as creating a more efficient environment for doctors ... [Time expired.]

IsiZulu

... nibothula.

English

... I thank you.

AMENDING SECTION 25 OF THE CONSTITUTION

(Member's Statement)

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 200

Ms A STEYN (DA): House Chair, yesterday, this House voted in favour of a motion to put processes in place to amend section 25 of the Constitution. This is really concerning when Parliament wants to erode property rights, when what is needed for growth is the strengthening of rights by providing title deeds to people who never owned properties.

The DA acknowledges that brutal land dispossession is part of our history and that the injustices of the past must be dealt with.

A programme of expropriation of land without compensation will however result in noninvestment, which will lead to job losses. This will have a massive impact on our Agribusinesses and the economy as a whole.

Although agriculture only makes about 2,5% of the gross domestic product, GDP, it increases to 7% when upstream and downstream businesses are taken into account.

Minister Nkwinti, I will look at your speech from yesterday to see if you sent the message to those farmers

WEDNESDAY, 28 FEBRUARY 2018

Page: 201

who are currently fighting for the title deeds under programmes where your department promised them but failed to deliver them.

MARCH TO DEMAND BASIC SERVICES IN PHILIPPI

(Member's Statement)

Mr T RAWULA (EFF): House Chair, the Western Cape has 400 informal settlements, mainly located in the overpopulated Cape Flats. One such settlement is called Egoli and is situated in Philippi, Cape Town.

Over 3000 people live and have been living under subhuman living conditions without proper access to any government services since 1996. The demands for the basic services have been ignored both by the ANC and the DA government while the people continue to suffer. When they protest peacefully, they are met with rubber bullets and teargas by the metro police.

On 21 March 2018, Human Rights Day, these residents will once again, led by the EFF, attempt to highlight the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 202

plight by marching to the nearest municipal office to hand over a memorandum of their demands. These demands include: receipt of decent and access to water from the municipality as well as the demand to use vacant land which lies directly opposite their settlement. These demands must be taken seriously and properly addressed by those responsible. Our people cannot continue to be ignored while they suffer ...

IsiXhosa

... abantu bahlale apha bazenze ngathi bamele iingxaki zabantu kodwa balungele ukubacinezela.

RACIAL ATTACK ON SA ATHLETIC CHAMPION, THABANG MOSIAKA

(Member's Statement)

Ms Y N PHOSA (ANC): House Chair, the ANC condemns in the strongest terms what is believed to have been a racially motivated attack on the South African athletics champion, Thabang Mosiako, near North West University's Potchefstroom campus by a group of about 10 white males recently. Thabang was admitted to Potchefstroom Hospital

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 203

after he sustained head injuries and a fractured right arm.

The athlete is studying human resource development at Boston City campus in Potchefstroom. The 22-year-old Thabang was with friends Rantso Mokopane and Sandy Londt, who also reportedly suffered minor injuries. It is alleged that a scuffle ensued when Mosiako and his two friends allegedly intervened to save a cafe cashier who was at the time being verbally abused by the alleged perpetrators.

The ANC urges the university authorities and the police to speedily investigate this barbaric act and apprehend those who are responsible for this barbaric act of racism.

We trust that the law will take its course and that the perpetrators of this shameful act will ultimately find themselves where they rightfully belong - which is behind bars. I thank you.

ONE MILLION CONTRIBUTION TO ASSIST MHLATHUZE COMMUNITY

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 204

(Member's Statement)

IsiZulu:

Inkosi R N CEBEKHULU (IFP): Ngiyathokaza Sihlalo, laphaya eRichards Bay kunenkampani iSouth 32 Hillside Smelter. Le nkampani ngokubambisana neNhlangothi Yesiphambano Esibomvu yakwaZulu-Natali benze umnikelo. Babeneqhaza elikhulu kakhulu benza umnikelo wokulekelela umphakathi wasemakhaya kodwa ongaphansi koMkhandlu uMhlathuze nyakenye ngowe-2017 ukuba basondeze izinsizakalo ukuba abantu bakwazi ukugcina manzi ahlanzekileyo nxa ngabe efikizwa izinqola. Inhloso enkulu ukuthi makwenziwe umehluko ezimpilweni zabantu ngokuthi basondezelwe amanzi umphakathi duze kwabo njengoba sazi ukuthi isomiso sihlasele kabi ezweni lakithi. Bekuwusizo lolo oluzokwenza izimpilo zabantu bezosondela eduze kwamanzi bekwazi ukuwacasha kalula eduzane.

Isomiso saziwa ukuthi sibe nolaka olungakanani esizweni. Le nkampani inikele ngemali eyisigidi esisodwa samarandi ukuba kuthengwe amathangi ayi-135 ukuba ayosiza umphakathi emawadini. Okudabukisayo phezu kwesimo esibuhlungu esinjalo Umkhandlu uMhlathuze kuze kube

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 205

yimanje ngalawo amathangi awufuni ukuwadedela ukuthi aye emphakathini ukuze amaloli wamanzi akwazi ukufakela abantu amanzi. Kuyinselelo enkulu ke lokhu uma ngabe abantu bakhethiwe ukuthi bamele abantu ezakhiweni zombuso bephenduke bebe zikhusungo ezingathinteki banqwahe nezinto ezuwusizo lomphakathi.

Le mali ibikhishelwe ukuba izosiza umphakathi kodwa namhlanje umphakathi awusizakali. Namanje usakhala amaloli ayafika athele amanzi emathangini ambalwa. Abantu bahamba amabanga amade ukuyothola amanzi emathangini. Sengiqedile Sihlalo.

LOCALS STRIP SCHOOL IN MDANTSHANE

(Member's Statement)

Mr M L W FILTANE (UDM): House Chair, the UDM continues to be alarmed by the neglect of government buildings by our government. This is happening at a time when so many people are in dire need of both trading space as well as other public social services.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 206

Last week, *The Daily Dispatch* paper in the Eastern Cape reported that a big school which had been abandoned by the Department of Education in Mdantsane is being stripped by locals. We need answers. There seems to be nobody attending to this and it is happening all the time.

Fifty people were spotted by the paper and actual photographs were taken but both the Education and Public Works Departments are doing nothing about it. That is a school which might have caused about R8 million to build - looking at the size of it. It is being stripped to the bone. We need answers. Thank you.

ISUZU MOTORS INVESTMENT A BOOST FOR SA

(Member's Statement)

Ms T P MANTASHE (ANC): House Chair, the ANC welcomes the purchase of the Struandale plant in Port Elizabeth by Isuzu Motors. The Japanese manufacturer purchased the Struandale plant, which belonged to General Motors, who left the country at the end of last year. The ANC views

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 207

this as a positive move in helping to boost the economy of the Eastern Cape, as well as boosting investor confidence in the country. Isuzu Motors, consolidated into one business known as Isuzu Motors South Africa, became effective from January 2018 and will build Isuzu pickups and trucks.

The investment will save jobs as well as create jobs on a larger scale. A thousand jobs in the facility will be saved, as well as 3 000 jobs in the direct supply chain and many thousands more in the supply companies will continue to be guaranteed in the future.

This demonstrates the confidence the Japanese company has in South Africa, as well as South Africa's position as an important base for their future growth on the African continent.

The ANC believes that the automobile sector is key to ensuring greater economic growth and promotion of job creation. We are confident that due to South Africa's investor friendly conditions, more investors will choose to invest in our country. I thank you

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 208

PROPERTY VALUE INCREASES IN CITY OF JOBURG

(Member's Statement)

Rev K R J MESHOE (ACDP): House Chair, the City of Johannesburg has sent out letters notifying residence and business owners of the new value of their properties expected to come into effect on 1 July 2018. According to reports, it is estimated that although values have dropped in some areas, over 44% of properties in Johannesburg had value increases of between 60% and 500%.

The ACDP finds this totally unacceptable and outrageous. These exorbitant increases will result in some property owners losing their homes and businesses. Furthermore, businesses will be forced to shut down and that will result in job losses, which will increase unemployment and more suffering for our people.

The increases will not only result in massive monthly rate bills but will also influence the cost of other services, such as water, refuse removal and electricity.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 209

It has been reported that Ruggero Grech-Cumbo, who manages Kew Industrial Area, said his rates for a small panel beating business in 2nd Street has gone up from R3850 to R22 000 per month. [Interjections.]

The ACDP condemns such unaffordable exorbitant rates increases. We view this as nothing but a rates war against the citizens of Johannesburg and call upon South Africans to take a strong stand against this appalling decision. Thank you. [Applause.]

THE REINTRODUCTION OF THE MUSINA-JOHANNESBURG TRAIN

(Member's Statement)

Ms S T XEGO (ANC): House Chair, the ANC will work tirelessly towards opening new passenger railway lines to connect our people settled in new human settlements, rural areas and townships. We are therefore delighted by the reopening of the Main Line Passenger Services between Johannesburg and Musina, effective from Wednesday, 28 February 2018.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 210

Apart from ferrying passengers travelling between Gauteng and Limpopo, the ANC is of the view that this service will stimulate regional integration, as this train will be attractive to thousands of cross-border traders crossing the border at between Musina and Zimbabwe. This service will therefore increase interregional travel and people-to-people contact and contribute to interregional and inter-city tourism growth at a fraction of the price.

The ANC also commends Prasa's commitment to start the reintroduction of all Main Line Passenger Services that were no longer active due to mainly financial impediments. The ANC is committed in improving our public transport to bring about safety and comfort to millions of commuters. I thank you

**NORTH WEST DEPARTMENT OF HUMAN SETTLEMENTS FAILING TO
DELIVER HOUSING FOR THE POOR**

(Member's Statement)

Mr M S MALATSI (DA): House Chair, the DA is disturbed by revelations by the North West Department of Human

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 211

Settlements during a portfolio committee meeting yesterday that it is unable to meet its housing delivery targets "due to a shortage of beneficiaries"; this is despite the fact that it faces a backlog of over 230 000.

It is an insult to the dignity of poor families who have been waiting for years to be allocated houses, only to be told by an ANC government that it can't find residents who deserve those houses.

To compound the matter, the National Treasury has had to take away R300 million meant for the North West Department of Human Settlements for its consistent failure to spend monies allocated for housing delivery.

These two developments reaffirm the DA's believe that the ANC lacks the political will to restore the dignity of poor people through the provision of adequate and access to housing.

We therefore urge the new Minister of Human Settlements, Nomaindiya Mfeketo, to get to the bottom of this issue to prove to South Africans that she and her department are

WEDNESDAY, 28 FEBRUARY 2018

Page: 212

serious about delivering houses to South Africans. I
thank you. [Applause.]

**EXPERIENCED UNQUALIFIED EDUCATORS FIRED BY THE DEPARTMENT
OF BASIC EDUCATION IN THE DUMBE MUNICIPALITY**

(Member's Statement)

Ms N V MENTE (EFF): Chair, the issue we bring before this Parliament today is the misguided and short-sighted decision by the Department of Basic Education to get rid of practising educators in the Dumbe Municipality in KwaZulu-Natal.

The reason for them being released was that they were not qualified for the positions. While we do believe that all people in such positions should be educated, the approach of the department was foolish. These educators have years of experience under their belts, which is invaluable especially in rural municipalities like the Dumbe Municipality; and in a country where there is a shortage of teachers. They should be valued and developed; not dismissed.

What the department should have done was to prioritise them for training so that they may receive their qualifications as quickly as possible; so that their combination of experience and qualifications could be used to educate the youth of Dumbe Municipality.

Why can't they be the beneficiaries of the Funda Lushaka Bursary Scheme? The Minister and the portfolio committee must look into this matter with urgency as this decision by the department will only have a negative effect for all involved, from the educators to the learners and also to the community of the Dumbe Municipality. Thank you.

POLICE KILLER SENTENCED TO 37 YEARS IN PRISON

(Member's Statement)

Ms M P MMOLA (ANC): Chair, the ANC is deeply concerned about the increasing number of the police killings, and as such has vowed to provide greater support for the South African Police Service through introducing legislative measures to protect law-enforcement officials in the execution of their duties.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 214

Thus, we welcome the 22-year imprisonment sentence of Hlakaniphani Miya who shot and killed police Constable, Sithembiso Yende, in 2014 in Ladysmith. This is after the Pietermaritzburg High Court, on Monday 19 February 2018, sentenced the 33-year-old Miya to 22 years for murder, ten years for possession of an unlicensed firearm and five years for the kidnapping of Constable Yende's neighbours.

We are of the view that this severe sentence will act as the deterrent to would-be police killers and will make them think twice before even attempting to kill a police officer.

We commend the Hawks members and all other stakeholders who worked behind the scenes to secure the conviction. We also call upon communities to work with the law enforcement agencies and report those who target police officers. I thank you. [Applause.]

RECENT CABINET RESHUFFLE BY PRESIDENT RAMAPHOSA TAKING

THE COUNTRY BACKWARDS

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 215

(Member's Statement)

Mr M A PLOUAMMA (AGANG): Hon Chairperson, the new dawn is now clearly a false dawn. Our future is still held hostage by the retainment of Minister Gigaba, Minister Bathabile Dlamini and Minister Nomvula Mkonyane.

The reshuffle we witnessed around 22:00 on Monday was not geared upon accountability or service delivery; it was based on balancing ANC's factions and political survival. We have now seen how our President has been weakened; his will is broken and he's a man going nowhere slowly.

We must gear ourselves up from replacing the ANC in 2019, that is the only way to correct this wrong path which our country is taking under the ANC. The ANC itself is a cancer that is eating the future of this country. The best chemotherapy to give the ANC is to vote them out in 2019.

I was hoping that Minister Naledi Pandor becomes Deputy President. Now, we are stuck with Mr David Mabuza who has

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 216

failed to deliver in Mpumalanga as a Premier; this shows how desperate is the ruling party. I thank you.

**MASSIVE RAIL JOINT VENTURE PROJECT BETWEEN SOUTH AFRICA
AND ZIMBABWE**

(Member's Statement)

Mr G S RADEBE (ANC): Chair, the ANC welcomes the joint venture between South Africa and Zimbabwe which has set in motion Zimbabwe's railway recapitalization project that will see the delivery of the six-month lease agreement which includes seven locomotives, 151 wagons, five passenger coaches, one kitchen car and one power car.

This venture is aimed at addressing Zimbabwe's immediate railway capacity shortfalls. Full delivery on this venture will include 24 mainline locomotives and several hundred other units of rolling stock.

The project is known in Zimbabwe as "the road to rail intervention" and is intended to raise the country's rail

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 217

capacity to 8 million tons a year and upgrade the signalling per way and communications infrastructure.

The ANC believes this will assist Zimbabwe's efforts to fully industrialize its economy, strengthen regional integration and development of regional supply chains. This is a good African partnership demonstrating African solutions to African problems. I thank you.

**LIMPOPO'S HOME AND COMMUNITY-BASED CARE WORKERS FACING
UNEMPLOYMENT**

(Member's Statement)

Ms E R WILSON (DA): Chair, 15 000 to 20 000 home and community-based care workers in Limpopo could lose their jobs as a result of the decision by the provincial Health Department to cancel its contracts with over 410 non-profit-making organizations.

The department has decided to put home and community-based care out to tender and to employ only four

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 218

organizations to provide the service to the millions of poor people in Limpopo.

The tender states that the successful NPO must have in place electronic financial management systems information and human resource management systems. This immediately locks out 99% of current NGOs who serve the poorest rural communities.

Furthermore, the department has said that successful bidders must contract only community health workers provided by the department, who must have matric. Workers who have been doing the job for years will be disallowed despite being certified.

The High Court ruled in favour of the Limpopo NGO coalition for an interdict to stop the tender process pending investigation. The department in turn has appealed the ruling and have already shortlisted.

With just six weeks before the end of the financial year, thousands of community-based workers are facing an uncertain future. They treat and assist thousands of ill

and bed-ridden poor South Africans by ensuring that they are cleaned, fed, given medication and properly cared for. Are we facing another Esidimeni tragedy?

GAUTENG GOVERNMENT CONDUCTS A RECORD 2,2 MILLION HIV TESTS

(Member's Statement)

Mr W B MAPHANGA (ANC): House Chair, the appreciates the Gauteng Government's effort to improve the health of the people of Gauteng, following its commitment 2,2 million people for HIV including pregnant women, during the third quarter of the current financial year.

The Provincial government has surpassed its target of 1,1 million HIV tests during this period, which spans from October to December 2017.

We are pleased with the performance of the Gauteng Government in this regard, and believe that our policies as the ANC are being implemented through systematically implementing the 90-90-90 strategy, which includes the

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 220

addition of two million more people to our antiretroviral treatment programme.

The ANC therefore calls upon all provinces to intensify efforts to decrease the devastating impact of the HIV/AIDS epidemic. We appeal to all South Africans, political parties, NGOs, Civil society and religious formations to join the ANC Government to minimise ... [Time expired.]

ISUZU MOTORS INVESTMENT A BOOST FOR SA

**MASSIVE RAIL JOINT VENTURE PROJECT BETWEEN SOUTH AFRICA
AND ZIMBABWE**

(Minister's Response)

The MINISTER OF TRADE AND INDUSTRY: Chairperson, I want to start off by thanking the hon Mantashe for her statement. I went to the launch of the Isuzu plant in Struandale. I travelled out of here the afternoon after we had elected the new President of the republic and the event took place on the day, the morning before the state of the nation address, SONA and I can say that the event

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 221

was characterised by a high degree of confidence and optimism about the future of South Africa. I want to say that the investment by Isuzu was not just a holding operation carried on with the project that General Motors, GM, had. This was in fact the first of those 100% owned manufacturing plants that Isuzu has outside of Japan and the event was attended by the global president of Isuzu Mr Katayama. Mr Katayama said that the decision was a statement of confidence in South Africa. I might add that a number of the speakers also spoke very highly about the service that they got from agencies under the Department of Trade and Industry, Invest SA, the motor industry and also Department of Economic Development for the work they had done on some of the regulatory matters. This project is not the end of the road; it is in fact the beginning. Even where we were meeting to launch the product, they told us that this is the area for expansion and we committed to work with them to expand the project in the future.

Meanwhile, as we were sitting there, General Motors continues to wrestle with its exit from Korea which I think underscores that General Motor's decision has said

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 222

more about General Motors than about South Africa. I also want to say that I think the hon Radebe was very correct to talk about the Transnet Zimbabwe project. This project involves work by Transnet but it also involves quite a lot of work in the joint economic commission with that country. These things do not happen by accident.

[Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Order!

The MINISTER OF TRADE AND INDUSTRY: It is work by government. Thank you very much. [Applause.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon members, there is one Presiding Officer at the moment, okay?

**UNQUALIFIED EDUCATORS FIRED BY THE DEPARTMENT OF BASIC
EDUCATION IN THE EDUMBE MUNICIPALITY**

PROPERTY VALUE INCREASES IN CITY OF JOBURG

**RECENT CABINET RESHUFFLE BY PRESIDENT RAMAPHOSA TAKING
THE COUNTRY BACKWARDS**

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 223

GAUTENG GOVERNMENT FIGHTS CANCER

(Minister's Response)

The MINISTER OF HIGHER EDUCATION AND TRAINING: Hon Chairperson, I think if the colleague from the EFF could provide me with the details with respect to the practising educators. I will try and find out more from the Department of Basic Education because we do want to attract the best in to teaching and Funza Lushaka helps us to do that.

With respect to the very frightening proposed increase in rates in the Johannesburg metro, I would think the member who tabled the matter might wish to approach his colleagues sitting right next to him who best understand the DA more than any of us in this House and engage with them since they placed the DA in power in the Johannesburg metro. [Applause.]

With respect to the hon member of Agang, all one can say is the member continues to be in the twilight zone. There

is significant optimism and hope in our country that things are moving in the right direction and will continue to do so and we all know that the lone member's party does not have any hope of ever returning to Parliament in 2019. Finally, we would certainly support the efforts of Gauteng both to support citizens, the residents of that province knowing their status and to provide them with the appropriate healthcare support given the pandemic that continues to impact on our nation. So we welcome the efforts of the Gauteng government in that regard. Thank you very much.

[Applause.]

**ONE MILLION RAND CONTRIBUTION TO ASSIST UMHLATHUZE
COMMUNITY**

AMENDING SECTION 25 OF THE CONSTITUTION

(Minister's Response)

The MINISTER OF WATER AND SANITATION: Hon Chairperson ...

IsiXhosa:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 225

... iNkosi ehloniphekileyo, ndicinga ukuba iyadibana nathi le ngxaki, kuza kufuneka sithethe noko, mhlekazi. Enkosi ...

English:

... Title deeds for workers, now, the 54th conference of the ANC took a resolution. That is one of the resolutions that have been taken, to transfer title deeds to farmers who got land that is held by the state. [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Order!

The MINISTER OF WATER AND SANITATION: So that matter is covered. Thank you, hon Chair.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Ollis, I really have heard that you are in the House today. Hmmm!

PROPERTY VALUE INCREASES IN CITY OF JOBURG

(Minister's Response)

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 226

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Hon
Chairperson, I think hon Pandor has covered a bit on the
issue I wanted to deal with in relation to the increase
in rates in Johannesburg. What I think we need to raise
in particular as a Department of Small Business
Development is that, we will follow the matter because it
is of utmost importance to us. Also considering the fact
that ...

IsiZulu:

... I-DA iyathanda ukuzenza ngcono ngathi. Ifike la
ePhalamende ikhulume izinto eziningi. Uyabona namanje
abalaleli nokulalela, ulokho ematasa loyana
ongenangqondo, lo owenza kanjena. Akangizwa nokungizwa
ukuthi ngithini. [Ubuwelewele.] Indaba yakho wukuthi uma
ebona mina ngisukuma uvele avezezele yingakho engafuni
nokungizwa ukuthi ngithini. leliyaGoli leliya,
ningakhohlwa ukuthi leliyaGoli leliya yidolobha lakudala
ebeningavumi ukuthi abantu bethu bakwazi ukuthi baqhube
amabhizinisi kulo. LeliyaGoli liqale ukuthi libe
nosomabhizinisi ababonakalayo nge-ANC. Kubuhlungu ukuthi
nalithatha leliGoli. Siyanitshela kodwa namhlanje ukuthi
sizolibuyisa leliGoli khona nizoyeka ukuzonda abantu

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 227

ngenxa yebala labo. Aningizwa nokuthi ngithini, nilokho nimatasa nenza nje ngoba anazi lutho. Ayikho into eniyikhulumayo. Anikhulumi IsiZulu, Sesotho, anikhulumi lutho, nihlangene? Umazambane kuphela eniqoshe ngaye eyedwa enjena. Nina nonke enilapha anizwa lutho. Hambani! [Ubuwelewele.]

The HOUSE CHAIRPERSON (Ms T Didiza): Order!

THE REINTRODUCTION OF THE MUSINA-JOHANNESBURG TRAIN

**MASSIVE RAIL JOINT VENTURE PROJECT BETWEEN SOUTH AFRICA
AND ZIMBABWE**

(Minister's Response)

The DEPUTY MINISTER OF TRANSPORT: Hon Chairperson, let me welcome the statements from hon member Sheila Xego and of course hon member Sibusiso Radebe. Firstly, Transnet Freight Rail, TFR, and Passenger Rail Agency of South Africa, Prasa, rail infrastructure represents approximately 80% of Africa's total rail infrastructure and connects with neighbouring sub-Saharan rail networks.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 228

TFR alone has a strong and proud tradition of technological leadership both beyond Africa as well as within Africa. TFR is active in 10 countries and is profitable and provides sustainable freight railway business thus contributing to the competitiveness of the South African economy.

Any poor rail infrastructure anywhere on the continent and beyond hinders passenger movement, growth and trade within the region and the continent. As such, Transnet's strategic priority to build an intraregional trade corridor is understood and appreciated. The partnership between Transnet and the National Railway of Zimbabwe will promote a similar, cost-effective, integrated solution to trade. These two initiatives will indeed go a long way towards harmonising and supporting ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms T Didiza): Order!

The DEPUTY MINISTER OF TRANSPORT: ... the sale movement of freight and increasing ... [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 229

The HOUSE CHAIRPERSON (Ms T Didiza): Order hon Deputy Minister, can you take a seat. What is the point of order?

Mr M WATERS: House Chairperson, on a point of order: Why is the Minister reading her reply from a statement? It is obviously ... [Interjections.]

The HOUSE CHAIRPERSON (Ms T Didiza): Well, order!

Mr M WATERS: ... No, it is a prime statement ...
[Interjections.]

The HOUSE CHAIRPERSON (Ms T Didiza): Hon Waters, can you take your seat. The Deputy Minister was writing down as members were speaking. [Interjections.] Nobody has written her speech.

Mr M WATERS: ... She is a brilliant writer she should write a book then. [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 230

The HOUSE CHAIRPERSON (Ms T Didiza): Can you please be in order. Hon members, whether you did shorthand or you can write notes is immaterial, it is your document.

The DEPUTY MINISTER OF TRANSPORT: Of course, I think it was done in school. ... the safe movement of freight and increase industrialisation and the Prasa passenger train from Gauteng to Limpopo to Zimbabwe, moving passengers within the region. We do congratulate the TFR for being awarded a tender worth millions of US dollars as well as Prasa for the passenger train. I thank you very much.
[Interjections.] [Applause.]

The HOUSE CHAIRPERSON (Ms T Didiza): I have noted many a times from the chair ... [Interjections.] Oh! I did not see you General, over to you.

POLICE KILLER SENTENCED TO 22 YEARS IN PRISON

(Minister's Response)

The MINISTER OF POLICE: We welcome the statement that gives us the ... [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 231

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, on a point of order: Members in this House are called Mr or hon, the member concerned is not a General, and he holds no such rank. He was dismissed from office and is therefore not a General and should not be referred to as one. [Interjections.]

The HOUSE CHAIRPERSON (Ms T Didiza): Thank you very much, you can take your seat, Minister proceed.

The MINISTER OF POLICE: ... Chairperson, we respond positively to the statement that was read that somebody was given a sentence of 22 years after having killed a police officer. Secondly, we also welcome the statement calling for the involvement of the communities because we believe that if communities get involved in this, 50% of crime will be solved with ease. That is why we are making a call again to members here in this House, rather than standing up and wasting energy talking nonsense, it will be good that you all come together to deal with crime and the killing of police officers out there. Thank you very much.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 232

The HOUSE CHAIRPERSON (Ms T Didiza): Order hon members! That concludes the Ministers' Responses. Hon members seated have on a number of times, even though not on points of orders, in both Houses, were sometimes when members are speaking you will hear some noises, 'who is that?'

IsiZulu:

Ngubani lowo?

English:

'Who is he or she?' We have clearly indicated for almost five years. We do not seem to know one another. So, I would appreciate ... [Interjections.] Order! ... the NA Table should make copies with your pictures you took when you came in and circulate them to all members so that we can know when a member stands up to speak. It is just good for all of us. It would really be a shame that when we leave this precinct after five years that we do not even recognise one another on the street or in malls. I am being serious and not like some of you who do in jest when you want to be naughty and say, 'who is she?' but I am just honestly saying some of you may genuinely not

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 233

know one another and I think it would be an important resource. Order!

NOTICE(S) OF MOTION

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

That the House debates aligning the mandate of the Reserve Bank with international practice in order to ensure the full public ownership of the Bank.

The CHIEF WHIP OF THE OPPOSITION: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House -

- (1) notes that on 14 December 2017 a full bench of the Gauteng Division of the High Court of South Africa, Pretoria, delivered judgment in the matter

of Fireblade Aviation verses the Minister of Home Affairs;

- (2) notes that the full bench that hon Malusi Gigaba, during his tenure as Minister of Home Affairs, "deliberately told untruths under oath" which led the court to conclude that the Minister:

committed a breach of the Constitution so serious that the court could characterise it as a violation;

- (3) further notes that the court held that the Minister's conduct in the matter was:

such a departure from the standards which the Constitution enjoins be applied in this country that it constitutes something exceptional;

- (4) acknowledges that such behaviour is in contravention of Section 2.3(a) of the Executives Ethics Code which states that members of the executive may not deliberately or inadvertently

mislead the President, or Premier, or the case may be, the legislature;

(5) recognises that the DA has lodged a formal complaint with the Public Protector to investigate the matter;

(6) refers this matter to the National Assembly Ethics Committee. [Time expired.] [Applause.]

Mr T RAWULA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House -

(1) debates introduction and acceleration of service charter for the fuel retail sector by the Department of the Energy;

(2) currently this sector is untransformed because it remains 90% white owned, the fuel supplies remain 78% procured from white owned companies;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 236

- (3) the sector must be transformed to ensure at least 60% black ownership and supply.

Mr W B MAPHANGA: House Chair, I think there are some members here in this House who don't know the strategy that seeks to end the HIV which is called 90-90-90 strategy.

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

That the House debate plans to mitigate on the expansion of students who will not be absorbed in institutions of higher education in the near future.
[Applause.]

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, on a point of order: May I ask that you check the Hansard and Rule whether that motion was in order from the minute the member started speaking.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Thank you.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 237

Mr N SINGH: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the IFP:

That the House debate the plight of our foreign qualified medical doctors who upon return from their medical studies abroad are finding themselves ineligible to sit the Health Professions Council of South Africa, HPCSA board exams because of section 4 regulation contained in the Health Professions Acts No 56 of 1974, which was promulgated in 2009 but is only being enforced now.

IsiZulu:

Usolwazi N M KHUBISA: Sihlalo, ekuhlaleni kwale Ndlu okulandelayo ngiphakamisa egameni le-NFP ukuthi:

Le Ndlu-

- (1) ilandela inhlekelele eyenzeke eNgcobo lapho kugcine kulahleka khona imiphefumulo engenacala. Kulandela amalungu athile esonto abanjiwe nasolwa ekubulaleni amalungu ombutho

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 238

wamaphoyisa egameni lokubhebhethekisa inkolo-ze
egcine ithumbe imiqondo yabadala nabancane
abagcina bedube amakhaya nezingane zingafundi;
futhi

- (2) iphuthume ibhunge ngodaba lwamasonto mbumbulu
nezimfundiso zawo njengokubulala, nokudla
izinyoka, ukuphuza uphethiloli nokunye nokunye.
Ngiyabonga sihlalo.

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

That the House debate tightening of safety
regulations aimed at improving and implementing
safety measures to prevent a recurring spate of
worker fatalities and deaths in the South African
mines.

Mr N L S KWANKWA: Chairperson, I hereby give notice that
on the next sitting day of the House I shall move on
behalf of the UDM: [Interjections.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 239

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order hon members!
Don't be provocative.

Mr N L S KWANKWA: Chairperson, I hereby give notice that
on the next sitting day of the House I shall move on
behalf of the UDM:

That the House debate the negative impact of late
payments by government to service providers on the
economy as well as in particular, the Small, Medium
and Micro-Sized Enterprises (SMMEs) sector.

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

That the House -

- (1) acknowledges the following finding made by the
office of the Public Protector in a formal report
released on 22 February 2018 in response to a
complaint laid by myself:

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 240

The allegation that Minister Brown deliberately or inadvertently made a misleading statement to the NA when she denied that there were contracts of engagements between Eskom and Trillian Capital Partners is substantiated;

- (2) further notes that the Public Protector found in the above mentioned report that Minister Brown's failure to act responsibly and in accordance with her constitutional and legal obligations to be accountable for Eskom as the Minister of Public Enterprises when she replied to the parliamentary questions which was inconsistent with her office resulted in a violation of provisions of the executive ethic's code;
- (3) acknowledges that such behaviour is in contravention of paragraph 2.3(a) of the executive ethics code which state that states that a member of the executive may not deliberately or inadvertently mislead the President, or Premier, or the case may be, the Legislature;

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 241

(4) refers this matter to the NA Ethics Committee.

[Time expired.] [Applause.]

Ms N V MENTE: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the misguided system of rationalisation in schools especially those in rural areas without proper profiling of surrounding communities and the history of the schools affected.

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

That the House debate the removing of hurdles that prevent boosting and revitalisation of South Africa's manufacturing sector as one of the ways of absorbing a large scale of unemployed South Africans.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 242

The CHIEF WHIP OF THE OPPOSITION: House Chair, on a point of order: May I just raise a point with you and sorry that we have to raise it again but we already made a request during the last session that the air conditioning be left on especially if we are going to sit past 6'o clock. It gets really hot in the House now and we are all at work and the air conditioner must also stay at work until it's finished. [Interjections.]

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Thank you, we will address that matter with the household unit.

[Interjections.] Order! Hon Waters!

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

That the House debate accelerating and funding the expansion of black industrialists programme to all sectors of our economy.

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 243

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

That the House debate opening the market to new black-owned companies, in order to reduce the concentration of ownership and control in the economy in a small number of historically white companies which has been able to build and sustain networks which closed doors to poor and black people. [Applause.]

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

That the House -

(1) notes that in reply to a parliamentary question, the former Minister of Cooperative Governance and Traditional Affairs, hon Des van Rooyen, was found by the Public Protector to have deliberately made a misleading statement to the NA;

- (2) further notes that the Public Protector found that hon van Rooyen "conveniently structured his answer to favour a distorted interpretation" and that he "tailored his response in order to evade answering a question that was clear and straightforward";
- (3) acknowledges that such behaviour is in contravention of paragraph 2.3(a) of the executive ethics code;
- (4) further acknowledges that hon Van Rooyen was found to be in violation of section 96(1) and 96(2) (b) of the Constitution;
- (5) further notes that this House has been plagued by evasive and misleading statements by various Ministers; and
- (6) refers this matter to the NA Ethics Committee for an appropriate sanction. [Applause.]

UNREVISED HANSARD

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

Page: 245

Ms C N NCUBE-NDABA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debate the interventions aimed at promoting township and rural economies to develop as economic centres and as sites for manufacturing and the expansion of the services industry.

The House adjourned at 20:00