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*PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES*

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The Council met at 14:00.

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

The CHAIRPERSON OF THE NCOP: Order! Can I start with my work first, please. I will recognise you. Members, I have been informed that the Whippery has agreed that there will be no notices of motions or motions without notice. Before we proceed I would like to welcome the Deputy President to our sitting. [Applause.] Hon Mokwele, you had your hand up.

Ms T J MOKWELE: No Chair, it is a point of concern by the EFF. It has come to our attention hon Chair ...

The CHAIRPERSON OF THE NCOP: Hon Mokwele, you should stand on a point of order, we don't have points of concern.

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Ms T J MOKWELE: Yes, it's a point of order, my apologies. It has come to our attention that because now is the second term for oral questions to the Deputy President, as a party we have submitted two questions but neither of those questions were placed in the Order Paper. So, we want to raise this concern that has persisted now for the second term. We are making you aware that we are not happy about what has transpired in terms of our questions as a party.

The CHAIRPERSON OF THE NCOP: Thank you ma'am. That point is noted. Hon members, we have had concerns about our Questions' office. Adv Phindela and the secretary to the NCOP, I am sure you are listening. We will attend to that, ma'am. It should not happen. I do know that we have a rotational and also a proportional representation of questions on our Question Paper. Surely, by now if the EFF keeps on contributing questions, they should be. We will attend to that.

Hon members, I then want us to proceed with the questions as are printed on our Question Paper. I call on the Deputy President to respond to the first Question, which is a Question by the hon L C Dlamini to the Deputy President. You are welcome, sir. [Applause.]

Question 1:

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The DEPUTY PRESIDENT: Thank you hon Chairperson for the opportunity accorded to me. The response to the first question is as follows: As a developmental state, our transformative agenda of the state and the economy requires public service cadres that are caring, skilled, professional, responsive and committed. For that to be realised we need the capable state staffed by people who have the appropriate orientation and commitment to public service, people who are willing to embrace the opportunity to transform and develop our country, people who are willing to serve for the purpose of taking our country to the next level of development and growth.

Furthermore, institutions like the Public Service Commission continue to play a role of oversight in cases of compliance, accountability and any breaches thereof. Financial disclosures are one of the means to promote clean governance and transparency. On our state-owned companies, it is important to note what our National Development Plan says about these enterprises, wherein it concludes that these enterprises are central to advancing national objectives through providing economic and social infrastructure.

With regard to these enterprises, we must treat them as a public good that is central in driving state-driven development. Through their various mandates and functions, we are able to drive

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socioeconomic growth that is critical in enabling business and improving the quality of life of our people. No developmental state can function without these strategic interventions, and they are and remain a platform to drive innovation and technological advances.

In all industrial revolutions, state-owned enterprises have been at the cutting edge, at the core of development and the provisioning of life-changing economic infrastructure. Accordingly, improving governance in our SOEs remains a must and an imperative. For our part as government, we are putting in place mechanisms to detect and fight all shapes and forms of corruptions. We note that corruption is a cancer that we must not allow to grow. We want to stem the leakage and uproot corruption from our ranks, be it in the form of a traffic official on the road, a teller at Home Affairs, etc.

We have decided not to talk about corruption or complain about it. We have decided to act - to stem the tide. We are seeking out delinquent directors and public servants who are more invested in feathering their nests than serving the public. These governance failures have led to deteriorating state-owned companies, SOCs, finances, crippling bailouts and have stunted and hindered our development progress. We are working hard to change the governance landscape by implementing several initiatives in the short to medium

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term. This should bring the required stability that we are all yearning for in our SOEs.

In the short term, under the leadership of the interministerial committee on SOEs, we have capacitated the board of SA Airways, SAA, and the fast-tracking of the appointment of the new CEO to oversee the implementation of the turnaround strategy. We have done the same with Eskom and we have said clear targets and parameters to plan better for the built programme to prevent future blackouts. For a longer term outlook, we will focus on the implementation and the recommendation of the Presidential Review Commission on SOEs. So far, the interministerial committee on SOE has made considerable progress and we are quite happy with the progress. We have completed a government shareholder policy which is undergoing stakeholder consultation to enable the drafting of an effective legislation.

Cabinet has endorsed a private sector participation framework for infrastructure delivery which will be led by National Treasury. We have also approved the guide on the remuneration and incentives standards for nonexecutive directors, executive directors and prescribed officers of our state-owned companies. Cabinet has further developed a national guide for the appointment of persons to

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the board of chief executive officers of all state-controlled institutions which will regulate even the appointment of CEOs.

It is important that we also clarify the policy and shareholder responsibilities of separate Ministries. Whilst doing so, we will also improve policy co-ordination and streamline mandates for board appointments, powers and functions. We must do so cognisant of the need to develop an adequate human resource development strategy. We will also look at skills development, promotion and retention of technical expertise.

Through these initiatives and others, we will improve governance and return to the core business of making our state-owned companies work for our people. We must see our SOEs as a quasi-private good. They must create skills and economic infrastructure to enable business activities; to enable our young people work, think and generate new ideas to spring development. They must answer to the challenges of inequality, unemployment and social dependency on the state.

This implies that the mandate of our SOEs and their responsibilities are greater than the burden placed on the state. When the private sector corrupts individuals within our SOEs and the state, they poison the entire economy, and so we must fight corruption in our

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SOEs from all angles. The insidious culture of corruption must be confronted from all corrupters and corruptees. Our approach in government is to treat all forms of corruption in our SOEs as a crime.

The CHAIRPERSON OF THE NCOP: Deputy President, this is your maiden speech and therefore I've allowed you more than five minutes for you to respond. Hon member, I am on the floor now. Deputy President, the first follow up to your question will be taken by the person who put the ... not the person, because a person becomes the honourable in the House, the hon Dlamini. Hon Dlamini, you can ask your first supplementary question.

Question 1 (cont):

*Siswati:*

Ms L C DLAMINI: Ngiyabonga kakhulu, Sihlalo. Angicale ngekubingelela Lisekela Lamengameli welive, ngikubongela kakhulu bhuti kutsi ukhetselwe kulesikhundla lokhetselwe kuso. Angisho nje kutsi ...

*English:*

... you have our undivided support. You have answered almost all of the points in my follow-up question. There's just one thing I want to ask. With the work that is done by the portfolio committee

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together with the commission of inquiry, should we expect implementation of the recommendations at the end of the work that they are doing, in order to bring hope to the people of the country that we lead?

The DEPUTY PRESIDENT: Thank you for the follow-up question. The work that is done by the National Assembly on state capture and the commission that has been appointed, seeks to try and drill deep into the problems that affected almost all our state-owned enterprises, SOEs. However, it appears that the committee in Parliament will finalise its work soon and I'm sure that that work will be available, even to the commission. Evidence that has been presented to the committee might also be used in the commission of inquiry. We hope that beyond that, our law enforcement agencies will then take over and do what is right.

Mr O S TERBLANCHE: Thank you, Chairperson. Deputy President, welcome in the House this afternoon. It's good to see you here for the first time and I really hope that you are going to tackle issues in the interest of the country.

Deputy President, firstly, you have informed this House about a range of different interventions that you envisage for SOEs and



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government departments. I must admit that I think it's a bit vague. Secondly, you have been speaking in futuristic terms in terms of the execution, but maybe you will be able to give some definite answers.

Sir, can you tell us whether these interventions have been fully implemented as yet, and if not, when is your target date for full implementation?

The DEPUTY PRESIDENT: You will understand that I'm almost a month old and I have tried very hard to catch up with the pace of our work. However, what I've noted in all our SOEs is that, in terms of trying to deal with maladministration and ineffectiveness in the performance of their duties, all of them are at a different level. The one that was almost far behind is Eskom, and with the appointment of the new board we can see that things are being shaken up and some people who were cited in a number of wrong things are resigning. That means that there is a board that is following up on these issues.

With regard to SA Airways you must remember there was a turnaround strategy that was placed before the board and the Minister is monitoring that turnaround strategy.

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With regard to Denel there are a lot of problems affecting it and I'm sure the Minister has identified one or two issues that must be attended to immediately, together with the Passenger Rail Agency of SA, Prasa.

So, you can count that almost all these SOEs are now taking the right direction.

However, with regard to corruption – the alleged state capture by individuals who are inside those SOEs together with those outside the SOEs, the commission has been appointed solely to get to the bottom of that.

Parliament also assisted in trying to pave the way by making it easy for the commission to almost trace exactly what went wrong. So, I'm confident that our SOEs will come back on track. I'm confident.

Ms L L ZWANE: Chairperson ...

*IsiZulu:*

... angithathe ithuba nami Sekela Mongameli lokukuhalalisela nokukubongela kuleyo ndawo osubekwe kuyona ukuthi uhole iNingizimu

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Afrika njengoSekela Mongameli. Siyakubongela kakhulu. Sikufisela ukusebenza nokuhola okuhle.

*English:*

My follow-up question is as follows. Deputy President, as we go around as committees responsible for oversight in conducting oversight, not only with regard to SOEs but also the Public Service, starting at local government, the provinces and at national level, you would find that there are institutions in the Public Service and in SOEs that are struggling, but when you delve deeper through engagement you find that they do have turnaround strategies and intervention plans.

What mechanisms do we as a government have to ensure that those interventions and turnaround strategies are being implemented effectively and that there is consequence management with regard to those that are not toeing the line?

The DEPUTY PRESIDENT: In the Public Service the problems are quite varied. The first challenge that we face is whether our structures and designs are fit for purpose. All the structures that we have must be designed to fit in with what we want to achieve. If you are

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a Department of Health, your structure and your design must be fit for that purpose of providing that health service.

In a number of instances we find that these structures are not fit for purpose and that is a question that we will discuss with the Minister of Public Service and Administration, because how we design the Public Service should be with the purpose in mind to achieve certain outcomes. It's not just a structure. A structure must be designed to achieve.

The second problem is the people you appoint in that structures, as to whether they are the calibre of people you need that will serve the people. In most instances the people we appoint are not fit for purpose. [Interjections.] At a certain point we as government will probably have to support these people. We must train and capacitate them to perform their work better and we must also be able to give them the tools of trade. If you have appointed a person and the person must do field work, that person must have a car and there must be petrol. Everything must be there.

There are a number of things that hinder our Public Service to perform its work in the right way, but again we need committed and dedicated people. We can have turnarounds, turnarounds and

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turnarounds, but if people are not turning around themselves we will have a problem. They must turn around. [Laughter.] They must turn around because a turnaround strategy is on paper but people must turn around. They must understand that they are serving the nation. Thank you very much. [Applause.]

Mr M KHAWULA: Hon Chairperson, hon Deputy President, I like this turnaround story because there is a turnaround story even in the House here.

Whilst some people in these SOEs were considered not to have committed any transgressions about six or seven months ago, today in this House there is a turnaround. Some people are wrong!

What I would like to know is with regard to those – as you have said – who have decided to jump ship and run away. Can government commit that wherever they may be, whether inside or outside the country, they will have to account and whatever ... as the President said when he was Deputy President, that those who have stolen the money will come back. Can you commit that that is going to happen so that, as Dlamini said, people will have hope in what is happening?

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The DEPUTY PRESIDENT: I think we are a country that has its own laws and we are respected amongst countries. If anyone has done wrong on our shores our laws empower us to find that someone to come and account for his or her wrongdoings. We have relationships with a number of countries. I don't think people can run to other countries and think we can't find them because there are agreements between countries that if someone is wanted in order to go and answer to something in a particular country that someone will be released. You will remember the known question of someone from the UK who lost a girlfriend around Cape Town. There was a struggle to get that person to come and account in order to answer questions here, but finally he came. So, I don't think that people can run away from what they must answer to. Rest assured that we are a country. We are not a banana republic. We are respected amongst nations. So we hope that when that time comes people will be subpoenaed to come. Thank you.

Question 2:

The DEPUTY PRESIDENT: Chair, in the state of the nation address our President indicated amongst others the following things; that this year is the year that we will turn the tide of corruption in our public institutions. The recent actions that we have taken at Eskom to strengthen governance, rude out corruption and restore its financial position is just the beginning of the journey. Criminal

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justice institutions have been taking initiatives that will enable us to deal effectively with corruption.

Like we have said, the commission into state capture headed by the deputy chief justice is expected to commence its work shortly. This commission is critical in ensuring that the extent and the nature of this state capture is established and that confidence in this public institution is restored and those responsible for any wrong doing are identified.

The incidents of maladministration at our state-owned companies that have been covered widely in the media, is something we take it seriously as government. In certain instances where forensic and criminal investigations had already been conducted, necessary steps have to be taken to ensure that individuals cited by these investigations both at the board and executive level are removed through proper processes from their positions, through suspensions and the institutions of disciplinary hearings.

In the process, we had some of these individuals opting to resign from their positions before disciplinary hearings could sit to determine their guilt. The criminal justice system will be pursuing these individuals to ensure that the resources are recovered and

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that these people are declared delinquent directors and part from serving on our boards in future.

With regard to the matter of criminal cases, a lot of work is unfolding to go through the forensic investigation report commissioned in the last five years to identify instances where the full might of the law was not unleashed on those that have wasted limited public resources. Further investigations will be undertaken to ensure that those cases that have been overlooked are urgently attended to.

As this work unfolds, there will certainly be criminal cases opened with the relevant authorities, the SAPS, Hawks, company and intellectual property commission to ensure that those implicated get to account for their actions. Thank you Chairperson.

Mr O S TERBLANCHE: Hon Deputy President, I think we will agree that these atrocities are regarded as quite serious in the public domain. And with all due respect, you still continue with your futuristic way of answering questions. You are going to do the following; cases are going to be open; you have appointed commission of enquiry.



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Are you telling this House that you don't have any concrete evidence to date, no cases have been opened? So, how do you explain perceive in action by the government? Are we really taking this serious sir? And what are you going to do to indicate to the citizens South Africa that this is really regarded as serious and decisive actions are going to be taken. Thank you Chairperson.

The CHAIRPERSON OF THE NCOP: Hon Oliphant, was that a point of order?

Ms G G OLIPHANT: Yes Chair, it was a point of order.

The CHAIRPERSON OF THE NCOP: What's your point?

Ms G G OLIPHANT: My point is that the hon member is pressurising the Deputy President. [Laughter.]

The CHAIRPERSON OF THE NCOP: Thank you ma'am. [Laughter.] Order members! [Interjections.] Order! Order! I can assure hon Oliphant that the Deputy President is strong enough to handle the pressure. [Laughter.] Deputy President you are on the floor responding to the hon Terblanche.

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The DEPUTY PRESIDENT: Chair, she doesn't like what he is doing to me, to pressurise me. [Laughter.] [Interjections.] It's not right.

Well, we are taking this matter very serious. And I am sure you are not expecting me to name one by one the names of people that have jumped ship in those state owned enterprises, people that have called to hearings and all that. You should have followed and I am respecting all the processes that are happening there because people must still go and answer for themselves. I don't us to drag that matter that is happening there and come and discuss it here.

People have been called, some people have resigned and that you know. So, if you say that there is nothing that is happening, I am perturbed because there is something that is happening and if you want to, for your own private use you can get that information. Because that information is between our security agencies and those implicated.

Finally, people are going to appear in courts and they are going to respond. Now, a commission of inquiry is a tool that we use, that is why it is chaired by a judge. If you are found guilty there, you are guilty. That is a platform that we have set and you hear people talking about that and all those people are going to come before the

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commission so that they are afforded an opportunity to answer. I don't think we should be impatient. We are on the right track. Now that we have accepted that there is wrong doing, no one is denying that there is some wrong doing in these state-owned enterprises. Now that we have crossed that path, I think all of us as South Africans are now facing in the right direction and I am sure people will be arrested.

Now, I am always talking futuristic. I am always talking about the future, about tomorrow; things will happen tomorrow, things can't happen yesterday. [Interjections.] So, tomorrow you will see change and you will see your institutions becoming better. [Interjections.]

The CHAIRPERSON OF THE NCOP: Order!

The DEPUTY PRESIDENT: There should be an opportunity granted to all those new board members who have been appointed to correct the wrong. If you acknowledge that there was a wrong, it can't be corrected yesterday, it can only be corrected tomorrow and futuristic. Now, I am sure this House is going to be here for many more years to come, even beyond our presence. So, definitely one day I will come again here to answer on progress we have made. Thank you very much. [Applause.]

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Question 2 (cont):

Ms T J MOKWELE: Deputy President, we have heard so many promises by your predecessors, so, we are sceptic as to whether something will be done. The Office of the Presidency is always there.

Let me congratulate you for your new appointment and hope that at least, now that you have another responsibility, you will perform your duties with honesty, integrity and transparency.

My question to the Deputy President is based on the knowledge that criminal activities that are happening in state-owned entities and in Public Service result in people being killed. We have mysterious murders that happened in my province of North West, the murder of brother Moss Phakoe, murder of the then Speaker of Mbombela Municipality, Mr Jimmy Mohlala, and some business people.

I want you Deputy President to assure us, please do it now not in the future, that in your capacity as Deputy President, will you take this upon yourself to make sure that all those mysterious murders which happened in the name corruption in state-entities and in Public Service, their cases are going to be reopened and those that are found to be guilty are going to face the might of the law. Thank you very much.

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The DEPUTY PRESIDENT: Well, I think as a country, South Africa, we are a democratic country. We have tried very hard to create all the institutions that we need that will ensure that our democracy functions very well. Firstly, we've got the Constitution, which is supreme law. Below the Constitution we've got the judiciary and all security structures that will detect any crime and arrest the culprit and is presented to the judiciary and that culprit must answer.

There is no stage where one is going to interfere with the work of the judiciary. You must understand that as the Deputy President I cannot even go to the national Prosecuting Authority to say I think so and so must be charged. In my capacity, I cannot tell the Director of Public Prosecution what to do because that will be seen as political meddling, an interference in the work of the National Prosecution. My duty is to go to a police Station and report that I have seen someone killing someone.

The CHAIRPERSON OF THE NCOP: Hon Deputy President, you are protected. Hon Mokwele, you will not drown the speaker on the podium. Please, proceed Deputy President.

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The DEPUTY PRESIDENT: No one is above the law. If we identify or we see any wrongdoing, let's take it upon ourselves as compatriots as people who love their country, people who want to fight corruption and criminality to report such incidences to our law enforcement agencies. There is no one who will be taken lightly.

In terms of my position as Deputy President, I'm not assigned the role of a policeman as a policeman got a different role. If you can check in terms of the duties that are assigned to me, I must co-ordinate HIV and Aids; I must do this and that. If they were saying they meant to say go after people and arrest them, they should have given me those powers to do that. So, it is not my assignment.

[Applause.] It is the reason there is a policeman and policewoman. All of us we are working for this government. These security institutions account. Some of these institutions are Chapter 9 institutions that must come and account to this Parliament about their work. You must ask relevant questions to relevant ...

Ms T J MOKWELE: It is a relevant question to you.

The CHAIRPERSON OF THE NCOP: You are protected Sir. Please round off.

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The DEPUTY PRESIDENT: All what I'm saying is that South Africans out there must understand that there is a renewed commitment from our side as government to really fight the scourge of corruption. Why is it renewed? We are all re-energised because we have seen it, it is no longer now a myth or story, and we have seen that there is corruption. We agree with our people when they say there is corruption in Eskom because it is no longer a myth now, it's a fact. Thank you. [Applause.]

Question 2 (cont):

Ms E PRINS: Chairperson, thank you, Deputy President for the responses; my question is how is government going to align the four processes namely, the judicial inquiry into state capture; the parliamentary inquiry; internal government disciplinary processes and the recovery of stolen money where applicable?

The DEPUTY PRESIDENT: Chairperson, well if you are working within a government department, if you have committed anything wrong you are subjected to internal processes of that department - of that SOE because that must establish whether you must continue working or you must be fired. But the law enforcement agencies can go to any department anywhere picks you up to go and answer. They can supersede anything. If you are found guilty in a court of law then

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certain things become consequential. You can't hold your job because you would have been found guilty. So, there is even no need for an internal inquiry because you have been found guilty by a court of law. It is the same with the commission of inquiry. The verdict that will come there is binding and it's enforceable - you can force it.

Now, in terms of Parliament, the duty of Parliament is to expose the truth for law enforcement agencies to understand exactly what really happened; but the same process is going to be repeated obviously in a court of law. Someone will come there and say the very same thing, probably contradict himself or herself; but I am saying all these processes are not contradictory but are trying to re-enforce one another so that we conclude this thing. Thank you.

Mr J W W JULIUS: Thank you, Deputy Chairperson. Deputy President ...  
[Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Julius, I understand when the people in the National Assembly call me a House Chairperson, but I don't understand when you call me a House Chairperson.



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Mr J W W JULIUS: Wow, sorry Chairperson, sorry. Just to cut through with the previous question, Deputy President, the President said Thuma Mina; we all have a duty to protect. You heard about people being killed because of corruption and all you are saying now is that you are not a policeman. Go to the police. I don't think that that is a responsible answer for our Deputy President. You are the leader of government business you should have given a better and caring answer to South Africans - I don't think that was a responsible answer - sorry.

However, Deputy President we heard from question 1 and now it's in question 2 similar responses because those two questions are basically similar - SOEs corruption, and so on.

Hon Dlamini said that you mentioned almost everything and there were follow-up questions, it's now the eighth follow-up question in those two questions. So, you have had 10 times to respond and you never once mentioned vetting; because prevention is better than curing. I don't think you have the cure for SOEs because you can come here and say what other people are doing. That is a committee - you did not start that committee. It's not under your peril - you didn't start that committee you are telling us what others are doing.

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You have to know what you are doing. Did you ever think of starting the vetting because in 2014 the Cabinet already instructed that all senior officials at SOEs must be vetted - especially those who are working on supply chain management? I want to know as to how far have you taken it since you are a month old now because you were in government in other department, on senior position; so did you do vetting, will you do vetting, and how far is the process?

The DEPUTY PRESIDENT: Chairperson, as government all our people especially in senior positions that are appointed are vetted. It goes concurrently before we issue your appointment there must be a vetting exercise. So, it does not happen that one is appointed first then vetted after.

Mr J W W JULIUS: On a point of order, Chair, the Deputy President is misleading the House. Yesterday, just yesterday state security Minister said they are not all vetted; they are still working on it - yesterday! So, the Deputy President doesn't know what he is talking about.

The CHAIRPERSON OF THE NCOP: No. Please take your seat. Order! Order, members! Order! Fortunately, I presided when the Minister of State Security spoke. The Deputy President said: "in the public

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service" and that is what we do. Even here in Parliament, before we appoint you are vetted, that is all that the Deputy President is saying; honestly, give the Deputy President to respond to you, hon Julius. Please proceed. No, no, members I am not going to entertain this because you want the Deputy President to respond on somebody else's intake of what was before them. [Interjections.]

No, no, no, please order! You cannot do this! You cannot take what was a response yesterday - by somebody who was dealing ...

[Interjections.]... No, no, no! Hon Mokwele please, behave yourself, because I am addressing this House on a point! Yesterday I tried very nicely to even suggest to you that some of the practices that you will have in your ordinary departments of state - those provisions will not be found within the closed family of the state security. You insisted that you wanted to get common responses as though state security is a Department of Public Works, they are different.

So, I suggest that as we come back and we do another training session we must then do a training session for the NCOP on matters of security and conflict resolution because then we will be able to give you an idea as to how you can differentiate what each does; then we will do a workshop on governance.

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I am very sorry, Deputy President to interject but that is to say that sometimes even if a person is a President give that person enough space to acclimatise, to adjust and to give you an honest answer. I don't like setting people up; and I think it is unfair. Deputy President, please respond.

The DEPUTY PRESIDENT: Thank you very much, Chair. Well, as far as I remember I have been the public representative for almost 24 years now. In my previous employment when you appoint HODs who must run departments an important requirement for that appointment is vetting. So, results must come and they will tell us if that person has a criminal record, he has this and that, and therefore that person cannot be appointed. So, I am answering on the basis of that knowledge and how I know the public service and how we appoint people into senior positions. Thank you.

Question 3:

The DEPUTY PRESIDENT: Thank you, hon Chairperson. Hon members, the dreams and wishes of our young people must be the glue that unites and binds all of us as South Africans, black and white. Nearly 24 years into our freedom, poverty still stands between our youth and their aspirations. It is they who suffer the burden of unemployment, lack of skills, disease and crime.

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No stone must be left unturned by members of this House to usher in a new era of hope and development for our young people. To succeed we must use evidence and data to sharpen our policy instruments to achieve greater success in improving the lives of and opportunities for our young people. This evidence shows that in our country, poverty, unemployment and social exclusion all have an identity: it is black; it is African and, sadly, also female; it is also rural; and it is also young.

In July 2017, Statistics SA put our population at 56,52 million. Black Africans constitute more than 80% of the total population; and 5 million South Africans are coloured and are the second largest population group. We know, further, that children and young people form the majority of South Africans. In 2016, Statistics SA revealed in its social profile of our youth - of 2009 to 2014 - that there were about 20 million young people between the ages of 15 and 34 that constituted our population. This age group constitutes more than a third - or around 36% - of the entire population. They make up the face of unemployment at around 70% of our unemployed population.

This report by Statistics SA shows that since 2012, the not-in-employment, not-in-education, not-in-training rate has remained

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around 30%. Even more alarming is that, of the 3,7 million unemployed youth in 2014, only 1,6 million had had work before.

According to the Statistics SA Quarterly Labour Force survey for the third quarter of 2017, the unemployment rate of our young people between the ages of 15 and 34 stood at 38,6%. It is also noted that of 10,3 million young persons aged 15 to 24, about 30% were not in employment, were not in education, were not in training. In August last year, Statistics SA revealed that in terms of the poverty trends, poverty levels were on the rise and today more than half of South Africans live in poverty. Statistics SA observed, in general, that children aged 17 and younger, black Africans, female, people from rural areas, those living in the Eastern Cape and Limpopo and those with little or no education were the main victims in the ongoing struggle against poverty.

The underdevelopment of the South African people, the economy and the potential ... it's structural ... have been achieved over many centuries of national oppression and social exclusion. To free the immense potential of our people, especially the poor majority black youth, we must address the structural factors pertaining to skills development, to education and to economic inclusion. We need policy

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interventions and programmes that will revitalise rural economies and include young people in local economic development.

South Africa's low and weak economic growth has had an adverse impact on job creation and youth employment. The forthcoming Jobs Summit announced by the President in the state of the nation address, which is convened to align all efforts of every sector and every stakeholder behind the imperative of job creation, must enable all social partners to agree on concrete actions to be implemented to meet the 5% economic growth envisaged in our National Development Plan, NDP. Vision 2030 of the NDP was crafted through what the National Planning Commission called a "youth lens".

In line with this vision to mainstream youth development, South Africa in 2015 adopted the National Youth Policy. In the policy, young South Africans are saying: "We don't want a handout; we want a hand-up." Our youth want to be viewed as assets of national development. They demand that we recognise their urgency, patriotism, inherent worth and dignity. This policy is premised on the need for integrated, holistic and sustainable development to free the potential of young people in their own development. This policy is aimed at enhancing economic participation by young people, at skills development, at offering second-chance programmes and at

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increasing the number of learners who graduate. It is aimed at improving the health status of our young people, at decreasing HIV infection rates and at reducing teenage pregnancies.

Programmes that have become part of the strategy to improve the lot of young people include state-sponsored opportunities for matric rewrites; a substantial increase in the number of university students graduating from high education, increasing by 6%; and learnership, internship and artisan programmes. The employment tax incentives, which came into effect on 1 January 2014, have had a positive impact on a number of our young people.

South Africa's industrial policy action and the New Growth Path, NGP, recognise the importance of prioritising youth in job creation and enterprise development. Through the War on Leaks programme, we are training thousands of young people as plumbers and water agents. No fewer than 19 000 young people have been recruited by the Department of Rural Development and Land Reform through the National Rural Youth Service Corps. The Department of Human Settlements, in partnership with the real estate sector, has set itself a target of supporting no fewer than 18 000 young graduates and unemployed youth in enterprise development in real estate.



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Initiatives like the She Conquers/Dreams campaign by the Department of Health and social partners are showing positive results in reducing the spread of HIV and Aids, creating economic opportunities for our young girls and women. Recently, Statistics SA reported that HIV and Aids prevalence among young people aged 15 to 24 had declined.

Just yesterday the President officially launched the Youth Employment Service briefly called the "Yes Initiative". This initiative will go a long way in offering work experience opportunities to a million young South Africans over the next three years. We applaud the South African business sector for their commitment to improving the plight of unemployed young South Africans. We urge many more to join this initiative and ensure that our youth are skilled on the job, that they are certificated and that they are assisted to access full and decent employment at the end of their experiential learning. The Yes Initiative adds impetus to other initiatives like the National Youth Development Agency, the NYDA, which was established to respond to and ... [Interjections.] ... provide support on issues of youth development through lobbying and advocacy. [Interjections.]

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The NYDA has contributed a lot to supporting youth-owned enterprises through funding - support that stimulates youth enterprises and job creation. In the past financial year, it reported that 698 new enterprises were supported through grant funding, and that a further 63 407 entrepreneurs were supported through the NYDA Business Development Support Services. This led to the creation of 3 718 jobs. Thank you.

Question 3 (cont):

Ms T MOTARA: Thank you, Deputy President. Deputy President, you've gone into great detail in response to deliverable programmes that government has entered into over the previous few years. In 2013, though, the Presidency through the National Youth Development Agency, the NYDA - and you have spoken about that - signed the Youth Accord, with the intention of expanding youth employment opportunities. I want to ask about youth employment opportunities and specifically about unemployed graduates.

The Youth Accord acknowledged a number of social accords that we have entered into between 2011 and 2012, amongst them the National Skills Accord, the Local Procurement Accord and the Green Economy Accord. This proves, of course, that we've repeated the same or similar types of programmes. Even yesterday, the President launched

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the Youth Employment Service. Almost every week on Wednesday there is a hashtag called #JobseekersSA which trends or even has hundreds of retweets and responses from unemployed young graduates looking for jobs.

Now, how are we going to intervene directly as government to look at ways to employ or create more employment opportunities for unemployed graduates who, even by your own admission, are the most vulnerable and whose numbers continue to grow instead of decreasing over time, and even when we've entered into these agreement accords and programmes? Thank you.

The DEPUTY PRESIDENT: Thank you very much. That is one category of our young people: those that have gone to school, have qualified and are professionals. Now, what is missing there is to link them with business. So, the Yes Initiative is a initiative that allows young people to go and gain experience for a year. What we are still discussing is that, beyond that year, that young person must go out with a paper that will say, "I'm experiencing this and this and this," so that this person can be employable in future.

Generally, the Yes Initiative was trying to answer one problem: that everywhere young people go, irrespective of whether they are

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qualified, the answer is: You don't have experience. So, this was to offer young people experience. Companies will always rely on the experience you have, regardless of your qualification. So we see this programme as a good initiative that will allow the movement of our youth from unemployment to employment. This programme gives us confidence that one day these young people will be in a job because they're experienced. [Interjections.]

Now, the second category of our young people are those who have dropped out of school, that have not made it to matric. Those young people are generally our challenge as a country. What we are saying to business, what we are saying as government is that we must find training facilities that are below what is offered by your Technical Vocational Education and Training colleges, or Tvet colleges, because Tvet colleges require matric.

You need something that is below that that can train young people as plumbers, as boilermakers ... and, beyond that, these people can then be taken to industries. We are going to collaborate with business at those training facilities to ensure that after you have trained as a boilermaker, you have a job. This requires a greater partnership between government and business. Thank you.

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Mr W F FABER: Thank you, Chair. Thank you, Mr Deputy President. We are glad that the new leadership is using DA policy in the new youth programmes. [Interjections.] In the Western Cape, where the DA governs, we have implemented various ...

The CHAIRPERSON OF THE NCOP: Order, members! Mr Faber is on the floor ... hon Faber.

Mr W F FABER: Thank you, Chairperson. We have implemented various incredibly successful programmes focused on the youth, such as the Premier's Advancement of Youth programme, the Pay programme, and the Youth Development Programme. The DA's youth policy has been advocating projects like this all along, and I wish to congratulate the ANC on finally seeing the light with the new Yes Initiative.

We, however, have some serious concerns regarding the implementation of it. The ANC-led government, put in practical terms, failed in the most disastrous manners. All we have to do ... Sorry, Chairperson, can I be protected ...

The CHAIRPERSON OF THE NCOP: You are protected, sir. Hon Dlamini, please allow the hon member to conclude.

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Mr W F FABER: Thank you, Chairperson. All we have to do is consider the current ANC-led youth programme of the NYDA. The National Youth Development Agency, the NYDA, is struggling to spend its budget, Mr Deputy President. Programmes are failing all over the country. How will these new programmes be managed effectively so that you do not create another failing NYDA?

The CHAIRPERSON OF THE NCOP: Thank you, sir. Deputy President.

The DEPUTY PRESIDENT OF THE REPUBLIC: Well, all I can say ... maybe all of us are talking from a distance. Now that I am closer to the NYDA, I'll be talking from what I will be experiencing there. I'm sure I'm going to assist the NYDA rather than criticise it, because we know what we must do. The NYDA needs to be assisted, and you must know that it is led by young people. I'm prepared to lend a hand to help them. However, with regard to the DA policy, as the ANC we don't really mind a lot whether the cat is black or white. As long as the cat catches mice, it's fine. [Interjections.] [Applause.] It doesn't matter. It doesn't matter.

Question 3 (cont):

Nks T G MPAMBO-SIBHUKWANA: Sihlalo ohloniphekileyo, mandizeke mzekweni, ndaleke umsundulo nam ndithi huntshu kuwe ngokubekwa

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kwisihlalo sakho esitsha kwaye ndikunqwenelela impumelelo kumsebenzi wakho ozayo.

*English:*

I want to know, you said on the Youth Environmental Service, Yes, programme that you have created for the youth, lots of jobs will be created. Which department will be responsible and who will co-ordinate it given the opportunities emphasising the DA's policies that are in place? Thank you.

The DEPUTY PRESIDENT: The Yes programme is co-ordinated by the President himself and being the helper I will always help the President but it is co-ordinated by him.

Mr D STOCK: Hon Chairperson, let me also take this opportunity to congratulate the Deputy President on your election ...

[Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: It seems you are too tall for your microphone, Ntate [Sir].

Mr D STOCK: Out of all these deliverable programmes that the Deputy President has actually highlighted in your response from the

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National Youth Development Agency, NYDA, the intervention of government at a provincial level and also at the national level I am sure, Deputy President, you will agree with me when I say that the challenges that are facing young people are still there and they are still prevalent irrespective of what type of an intervention our government is actually trying to do. So, I just wanted to find out from the Deputy President that based on all these interventions that you have actually highlighted, whether the government from their side have actually tried to vigorously engage the private sector? So that the private sector should also come on board and play a critical role for the government to be able to deal with all these challenges facing young people. I so move.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Stock, what motion are you moving? You are supposed to put a question.

Mr D STOCK: It is a question, I am moving a question.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: I hope you got the question, Mr Deputy President.

The DEPUTY PRESIDENT: I've heard the question. Well, since I was sworn in as Deputy President I attended two meetings that were



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chaired by the President; it was the government Ministers and the private sector business. That culminated into the launch of Yes and we are looking forward to more business people joining this initiative. Also, the President is looking at approaching business in terms of sectors. In the meetings that I have attended we did not have mining companies and as a mining country, we must make it a point that mining companies play a role in skilling our people and in offering our people a platform for employment. That engagement I think it will proceed. Thank you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Deputy President, we are moving to question 4. It was put to you by hon Gaehler, my instructions are that hon Khawula is taking care of the question today, question 4 Deputy President.

Question 4:

The DEPUTY PRESIDENT: Hon Chair, as the government, we have noted with grave concern the findings of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, CRL Commission, regarding certain shocking and unacceptable practices carried out in the name of religion.

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Our unsuspecting victims have in some instances been exposed to criminal activities - all in the name of religion. Extreme cases and acts of child abuse have also occurred. The findings of the CRL Commission are now in the public domain following the release of their report and its subsequent tabling in Parliament. Parliament need to process this report with diligence and the urgency it deserves and create a necessary platform for meaningful stakeholder engagement and public participation.

It is important that these engagements are allowed to proceed so that together as a nation, we can find lasting solutions to these problems.

While we have not yet planned an audit of churches in this regard, we are very clear as the government that where criminal activities have happened, we must pursue these matters and some of these matters should be reported without delays to our justice system. Similarly, the government has not yet decided to introduce added regulations over the religious sector as recommended by the CRL Commission. The recommendations are only recent and we believe that they should continue to be discussed with as many stakeholders as possible so that the corrective measures that ensue will have benefit from this rich dialogue.

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In this regard, we have noted, for example, that the Portfolio Committee of Co-operative Governance and Traditional Affairs has recommended, among others, that a national consultative conference be convened to explore, among others, the possibility of introducing a charter for self-regulation as well as a code of conduct for the religious sector. Thank you, Chairperson.

Mr M KHAWULA: Chairperson and hon Deputy President, in some of the findings of the commission - I will just touch a few of them; they say that there is a need to protect religious freedom without necessarily attempting to regulate it from the state or through the state. The commission's findings also say that within the context of religious freedom, when some religious views lead to the abuse of human rights, there needs to be cause for concern, for example, this has happened in the Eastern Cape, Engcobo, where because of the so-called religious beliefs, school-going aged children were denied their right to education, which was a violation of the Constitution and the laws of the country.

They also say that the Department of Social Development is given powers to act on transgressing churches, church formations registered as non-profit organisations, NPOs, and Public Benefit Organisations, NPOs, by cancelling such churches registrations or

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even referring such transgressions to criminal investigations but this does not happen.

They also say that foreign pastors who do not have the necessary documents to reside or work in South Africa may be arrested, deported, fined or imprisoned but this is not happening. This is what the commission is saying. Sir, in your capacity as the Leader of Government Business, I would like to know what are you prepared to do so that ... I do hear what you are saying but in the instances where the government departments have not acted on issues they are supposed to act on, what are you prepared to do so that there is intervention by the government.

The DEPUTY PRESIDENT: Hon Chair, obviously now that this has been exposed and all of us were unsuspecting - we are seeing a church - people going to church, we were not suspecting that there are criminal activities happening within the church. Now that this has been exposed, people died there, you would have realised the quick response by our police. Certain people have been arrested but of course when it comes to regulating religion, it becomes a problem and all of us, I think, we should discuss because there are certain criminal activities that people hide them behind religion.

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When you come close to regulating religion, you will be tempering on a very fertile ground because we want this nation to follow whatever religion of their choice without feeling suppressed. Religion is a matter of the heart, so we don't think people and criminals should hide behind religion. Now that it's happening, what do we do as a nation? When we regulate religion, I don't think people will feel free to worship. I am saying this is a matter for us all. Now that these things are happening where we did not expect them to happen what do we do. If you regulate, you are going to stifle religion.

We have agreed ... And any regulation that you put in place must not contradict your Constitution. Understand the Constitution regards us as a country - as a secular state. We allow all people to practice their religion freely but behind these religions, we are noting some criminal elements and that is a concern and that's what is on the table now.

When a criminal activity has been exposed, definitely our South African police would intervene, like they already did when people are killed in a church.

But when you are looking for firearms, the first place to look for a firearm is to maybe try a shebeen but not a church. A church is

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something that you don't suspect finding firearms. So, that's why this thing has happened. Thank you.

*IsiZulu:*

Mnu J M MTHETHWA: Angibingelele uSekela Mongameli owakhuluma ngobumbano kwenzeka. [Uhleko.]

*English:*

My question is: Have some religious practices that have recently caused public outcry in our country been tested in terms of compliance with the Constitution and how does the government intend to deal with the challenges in a manner that do not encroach on the right to religious affiliation? Thank you.

The DEPUTY PRESIDENT: Chair, the report of the commission is now in Parliament, meaning you will also have a share to discuss. And if you say the government, we are a government, all of us. We must find a solution because this thing is happening where we did not expect. We wanted to treat churches with the respect it deserves.

You'll note that during the advent of our democracy, we have put the church at the centre of our moral regeneration. This means that we regard the church to be of a high moral standing. All good moral

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values are associated with the church but surprisingly, we are seeing new priests who are saying to heal you, you must drink paraffin or that, we are saying no and that something is not right.

The latest incident was shocking to the whole country, where small children are denied the opportunity to go to school. It is like indoctrination. I am sure we will an opportunity here to discuss that and ask ourselves as South Africans as to what do we do with this situation. Remember that the commission does not report to the government but to Parliament. The report is before you, in fact, I should be asking you that question. [Laughter.] Thank you, Chairperson.

Question 4 (cont):

*IsiXhosa:*

Mnu D L XIMBI: Sihlalo ohloniphekileyo mandibulele phaya kuSekela Mongameli. Siyavuya xa kucaca ukuba urhulumente uyibeke elisweni into yeenkonzo okanye masithi iicawe. Ndicinga ukuba loo nto ithathe ithuba elide kakhulu into yokuba urhulumente enze loo nto. Bendifuna ukuqonda ukuba njengoko sinayo iNdlu yeeNkosi ejongene nezinto zeenkosi kutheni singenayo le ndlu eza kujongana nezinto zecawa?

*English:*

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We feel that churches are just used for prayers and after that...

*IsiXhosa:*

... zilatyalwe. Ingaba urhulumente akanayo kusini na enye indlela anokwenza ngayo ukuba nazo icawe zithathelwe ingqalelo njengeenkosi?

*English:*

There will be house of religious leaders which will be recognised within the government whereby they will assist or have some suggestions to government.

*IsiXhosa:*

Akulunganga ukuba iicawe siziyeke nje, ngolu hlobo ziyekwe ngalo namhlanje zingenamigaqo.

*English:*

I have a belief that even these traditional leaders are members of the religious groups in as much as these religious groups belong to the traditional groupings. In other countries there is a Ministry of Religious Leaders but here in South Africa there is nothing like that.

*IsiXhosa:*



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Sifuna ukubuza ke Sekela Mongameli ukuba...

*English:*

... is there any way that we can regulate and accept the religious leaders to participate within the government just like the traditional leaders? Thank you.

The DEPUTY PRESIDENT: Thank you very much, Chairperson. I can see that the hon member is thinking aloud. You are now thinking of possible solutions to the problem and you are doing the right thing; because you remember that the report is coming before you to ask, what do you do?

We are afraid really of trying to regulate, pass a legislation that will seek to regulate the functioning of a church. But he is coming with a view that says why we don't create an association or a council of churches there which will monitor the affairs of churches. Well, he is thinking aloud and I am also going to think about this; but I am sure at the right time we will find a solution.

As a nation we did not anticipate that along the way we will meet such challenges, but we are going to pursue that matter and as a Member of Parliament too, I am going to participate in that debate

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and I am sure we will finally advise the country on what best to follow. But we request our religious leaders to stand up and condemn these acts because this seeks to undermine the church and what the church stands for. So, if people are using the name of the church wrongly, those who are in church must stand up and defend the church - it's important.

*Siswati:*

Ngiyabacela-ke bafundisi kutsi abasukume bayikhulume lendzaba...

[Kuhlaba Lulwimi.]

AN HON MEMBER: Ya, siyavuma!

The DEPUTY PRESIDENT: Yebo, niyikhulume kutsi ayikalungi lentfo le!

*English:*

... not in the name of the church, and not in the name of religion.

Thank you.

Mr L V MAGWEBU: Deputy President, recently the five police officers were gunned down at Engcobo Police Station. It has been reported by the community that they have raised these matters with the police.

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It has been on national television and I am sure it is common cause to me and you and everyone in the House. Your response earlier was:

We were not suspecting that there were criminal activities taking place in those churches.

That was your response earlier. Now, if you are saying that statement it means that our intelligence gathering instructions have failed us. They are dysfunctional because part of their mandate is to ensure that they gather intelligence to ensure that crime that is imminent does not take place. In that area therefore, it means that it is the ANC failure where intelligence was allowed to be dysfunctional and that means the crime intelligence structures have failed the people Engcobo. Would you agree with your own concessions as well?

The DEPUTY PRESIDENT: I have not heard the question.

Mr L V MAGWEBU: I can repeat it for you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Just the question-part my hon member.

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Mr L V MAGWEBU: In your own admission, you are saying that we were not suspecting any criminal activities taking place in that church. Now, I am saying to you that it means a failure of our crime intelligence to ensure that the church was exposed. The church was harbouring criminals masquerading as church leaders. So, it is another ANC failure. Do you agree with me? I am inviting your comment. [Interjections.]

The CHAIRPERSON OF THE NCOP: Order hon members!

The DEPUTY PRESIDENT: So, must the answer be a yes or no? Well, I want to elaborate to say yes, there was a failure there. There was a failure to detect what is happening behind the church. Like any other person, people were unsuspecting. Of course, our intelligence structures should have really warned us that something is not right there. Probably that failure we must admit but the fact of the matter, without really pointing fingers at one another, is that criminality has invaded the church.

Now, what do we do? This is a question before us. How do we protect the church from criminal elements? We regard the church as our backbone as a nation. If that can be undermined we will not have a nation. So, it is a matter of not scoring points; not blaming one

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another but a matter of importance to the country. The values that we think hold us together as a nation are now being tempered by the people that we think that they must guard these values. That is a worrying point. Thank you.

Question 5:

The DEPUTY PRESIDENT: Hon members, the President correctly pronounced on this matter as a measure aimed at ensuring that ethical behaviour and social accountability are promoted within the public service.

The decision to start with this process at the level of national executive is to provide leadership on this matter and to demonstrate our seriousness towards building public confidence and restoring public trust that has been undermined through continuous reports of maladministration, theft of public funds and acts of corruption to advance the interests of a selected politically connected few.

The objective therefore is to ensure that those of us in government positions and other organs of state are not being used for narrow personal gain at the expense of providing service to our people. We are currently finalizing the guidelines and the protocols for this process to unfold.

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Hon members can be rest assured that this matter is receiving the priority it deserves. Thank you very much.

Mr J W W JULIUS: Deputy President, it's a relieve to see that something is being done in this regard. But I would like to know, when? Because, Deputy President, we normally hear "we are in the finishing phases", "we are currently there", but there's nothing coming out. You can still come next year and say "okay, there was a problem with this and that", but we really want to hold you accountable. So, please give a date. As the leader of government business, your role is to look at the affairs of the national executive and the President gave you that role during the state of the nation address, SONA, so it's your role. You have to tell us when, please. Thank you, Chair.

The DEPUTY PRESIDENT: Chair, you would imagine that before coming here I would have spoken to the President about this question because he raised the matter in both Houses. He even raised the matter during SONA. The answer that I got from the President is the answer that I'm giving that he has set a process in motion using the office of the director-general to put a team that would work ... this thing must be introduced in government; of course, it will

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first touch the national executive or Cabinet; then it will probably come down to all of us.

The President will come back and announce the commencement date because he has set the process in motion. [Interjections.] I cannot steal the thunder from the President. I'm not going to steal the thunder. [Applause.] Thank you very much.

Mr M T MHLANGA: Chair ...

*IsiZulu:*

Mhlawumbe kuyokuba kuhle ukuthi sivume sibonge futhi Mshengu izimpendulo osipha zona ...

*English:*

... they are really spot on. But let me go direct to my follow-up question, to what extent has the government considered the due process, including the regulatory framework regarding the lifestyle audit as part of the anti-corruption measures so that it is not found waiting in terms of the constitutional compliance? Thank you.

The DEPUTY PRESIDENT: Chair, you will understand that this announcement that has been made by the President is not stemming

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from grandstanding - maybe wanting to make people happy - it's stemming gout of a problem that we have come to a point where we think lifestyle audit must be done to all people in public office because there's a growing tendency or practice of corruption which now makes society not to believe in leadership. Therefore, it is important as a country to really deal with that perception so that people that are elected must always carry with them the confidence of the people; it's not an exercise to please whoever but it's an exercise that is needed by a country like ours, as South Africa within the African continent so that good governance must at all times be projected and be upheld. Those who are in leadership positions must at all given time try and lead by example. Thank you.

Question 5 (cont):

Ms D B NGWENYA: Chairperson ...

*IsiZulu:*

... Sekela Mongameli, siyabonga.

*English:*

Your words, that you would like to demonstrate seriousness in restoring the trust of the public, concern me a bit because, after the statement by the President that there would be a lifestyle



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audit, the people were very happy and had a little of their trust restored. However, just yesterday, an announcement was made that the Free State provincial government is planning to spend R20 million on a farewell celebration for Ace Magashule, who leaves his position as Premier.

Now, Deputy President, in ensuring that the state agencies spend public money in a responsible and transparent manner, do you encourage such extravagant use of public money? If not, what are you going to do to reprimand Ace Magashule and the Free State provincial government for this act? Furthermore, do you think this will earn the trust of the trust of the people of South Africa? We see that this is still continuing, even after what the President said about corruption and the misappropriation of funds in this country. Thank you, Chair.

The DEPUTY PRESIDENT: Chair, the hon member is very correct in raising her concern about this matter of a farewell party, where money is going to be spent. [Interjections.] Well, we don't have money, we have a lot of problems. So, as leaders, we must use the very few resources that we have, correctly.

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Now that you have raised this matter, we will enquire and probably understand from the leadership of the Free State what the rush is about to have a party ... [Interjections.] ... Well, you can still do without a party! [Interjections.] Well, I'm here. I didn't have a party at home but I'm still surviving ... [Interjections.] [Laughter.] ... because we don't have money. [Interjections.]

The CHAIRPERSON OF THE NCOP: Order!

The DEPUTY PRESIDENT: What we can probably do is to persuade them in the interests of the public and of all the challenges we are facing, as a country, to use money sparingly and correctly. [Interjections.] Thank you.

Mr W F FABER: Chairperson, I had hoped that the Deputy President would say that the money would have come from their own pockets, but that did not come through.

I would like to know: Will the Deputy President undertake to conduct a lifestyle audit on Members of Parliament and members of the provincial legislatures, MPLs, as well? [Interjections.] If so, can he also give us deadlines by when he will start; and if not, why

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not? [Interjections.] Hon Dlamini, if you have a problem with the audit, just say so.

The CHAIRPERSON OF THE NCOP: Order! We can't hear.

Mr W F FABER: As Members of Parliament ...

The CHAIRPERSON OF THE NCOP: No, no, hon Faber. Hon Mokwele, we couldn't hear you.

Ms T J MOKWELE: [Inaudible.]

The CHAIRPERSON OF THE NCOP: Yes, yes, but we still want to hear. Please proceed, hon Faber. Hon Mokwele!

Mr W F FABER: We ask this from you, Deputy President, as Members of Parliament and MPLs are public representatives and we are paid by the public purse. Thank you.

The DEPUTY PRESIDENT: Chair, I am responding to this question on the basis of the pronouncement made by the President. [Interjections.] All members of the national executive will have to undergo a

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lifestyle audit. I am not confused, in my mind. There is only one President here. I am the Deputy President. [Applause.]

So, with regard to rolling this down to Members of Parliament, that will be the prerogative of the head of state. I am not he. I will always act on the pronouncements that he has made, but I won't seek to make pronouncements, myself. That would shock him, sitting where he is. I won't do that. I won't. I won't. [Applause.] I am done, Chair.

Question 6:

The DEPUTY PRESIDENT: Chair, hon members, yes, government has engaged with traditional leaders on the expropriation of land without compensation. [Interjections.]

Maybe I should pause, Chair. I see some hands. I don't know what the practice is ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Those are members trying to get a piece of the supplementaries. Please proceed.

The DEPUTY PRESIDENT: Oh, they want a piece.

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On 13 July 2017, here in Cape Town, the Minister of Public Works engaged with all the traditional leaders on the Expropriation Bill. At the meeting they strongly submitted that the expropriation of land must exclude communal land and that the state must decongest communal land by availing land through expropriation to expand traditional communities, as the current communal land is congested.

Further to this, when the 54th national conference of the ANC resolved to implement the expropriation of land without compensation, the ANC leadership met with various traditional leaders around the country to share the outcomes of the conference and its implications for the work of government, and those matters that impact on the current structure and systems of traditional leaders.

On 27 February 2018, the National Assembly voted in favour of a motion to accelerate equitable land redistribution through the expropriation of land without compensation.

During his reply to the debate on the opening of the National House of Traditional Leaders on 1 March 2018, the President made it clear that government would shortly initiate a dialogue with all key

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stakeholders on the modalities through which the commitment can be effected meaningfully.

Since the process of expropriation of land without compensation is now underway, as government we will further engage various stakeholders in society, including traditional leadership. We view traditional leaders as a critical stakeholder that should be engaged at all times.

Just last week, I had interaction with His Majesty, King Goodwill Zweletini, during the observation of the international TB Day in Durban. During that interaction we agreed that we should further meet to further discuss this land question. He sounded very concerned and I have committed to having a meeting at his place so that we discuss this.

Just yesterday, I also interacted with the National House of Traditional Leaders. We engaged on the role that the leadership must play in the process. This will also include how to implement the land reforms in a manner that will address all concerns that are being raised.

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Indeed, our engagements with traditional leaders have included fostering a shared understanding of the ownership and usage of communal land, in the sense that communal land ownership is in the hands of the communities to whom was entrusted custodianship of such land under traditional leadership.

Traditional councils administer the usage of land. In this regard, they issue permits for usage – called permissions to occupy – which includes permission to use the land for residence, subsistence farming and other livelihood.

Therefore the approach is that community engagement should take place on issues of spatial planning intended for the usage of communal land such as planning for grazing, settlements and businesses.

As far the situation stands now, there has been consideration of policy or legislative interventions about the acquisition, ownership and usage of communal land. Traditional leaders therefore cannot sell communal land, since such does not belong to them as individuals, but to communities.

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The Communal Land Tenure Bill has been proposed to regulate the ownership and usage of communal land and a system of the traditional council ownership and the administration of usage of such land is proposed in the Bill. As a matter of principle, traditional councils should consult communities on all matters concerning the administration of communal land for the benefit of the same communities and as per traditional communities and spatial plans that are put forward to communities to accept or reject. All these must be done and must be administered by our traditional leaders. Thank you.

Mr B G NTHEBE: Deputy President, you were quite eloquent and explicit about engagements that are already ensuing between government and traditional leadership. [Interjections.]

There seems to be divergent views on the issues of ownership patterns ... whether who owns ... how much piece of land vis-à-vis who currently holds what ... how much piece of land. Is this shared common understanding between the ownership and the usage of communal land also part of the discussion to ensure that such matter is close with the traditional leadership? The reason I'm asking this, Deputy President, is because we understand that custodianship is extended



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to those who are occupying the land in the communal land.

[Interjections.]

Therefore the usage remains the custodianship of the whole community. Is that their understanding? Thank you. [Interjections.]

The DEPUTY PRESIDENT: We discussed this matter yesterday with the House of Traditional Leaders. Now, what I've got that was raised yesterday is that they've got a concern that even traditional leaders themselves are not settled on this matter. Some have put claims as traditional leaders, claiming land next door that belongs to another traditional leader. That has created tension amongst themselves. We said, let this tension not divide them, because we are looking at the bigger problem.

So, they must unite because they are fighting over small pieces of land that are undeveloped, that don't have any economic benefit. So, our advice was that, as traditional leaders, let them come together and say, this is what we want to suggest when it comes to communal land. But we emphasised the fact that communal land is land that is held by traditional leaders on behalf of the people. So, the challenge now that people are starting to complain is that traditional leaders are now selling this land to private people.

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They are coming and building malls and building that...

[Interjections.]

Now there is an arrangement that that land parcel is taken out of the community. [Interjections.] That is a concern which they must answer.

But, as government, we have set processes in motion that, if you want to dispose of communal land for business purposes, there are certain procedures that you must follow. So there should be a community meeting that grants that permission to say, no, no, no, if you want to build a mall here, we give you this piece of land. Then that is taken through the process back into Land Affairs. But that process is often exploited along the way. Maybe we should tighten that.

With regard to the general expropriation of land without compensation, here we are referring to land that is in private hands that people have claimed and that land has not been restored. We are going to go beyond that. Even if the land has not been claimed, but the land is lying fallow, not utilised ... because as government we want to see every piece of land utilised. So we can expropriate that land in the interests of development.

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Now, we are not going to that singlehandedly. Our white compatriots in this country must not get scared about this. But the productivity of our country must be put first. We believe, as the ANC, that we must share in the wealth of this country. So all of us ...

Now, there's no use to keep land lying fallow there. You are not using it and people are dying. They are hungry.

An HON MEMBER: Ja, you must take it!

The DEPUTY PRESIDENT: Why don't you voluntarily give this land to the people to farm? [Interjections.]

Now, we are going to engage ... I'm happy that business, the farming community, the private sector are ready to engage. We are not going to be reckless about this process. We understand that it's at the cornerstone ... it's at the centre of our nation. We can't break down this nation that has travelled too long. But it's important that we can no longer afford to postpone this question. This question must be answered here and now so that we guarantee the success of our country going forward. Thank you. [Interjections.]

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Mr J W W JULIUS: Deputy President, I'm following up on land being sold to the private sector without benefitting the communities.

Now, you are implicated ... or you were implicated in a similar case where land was sold fraudulently under the Ndwandwa Community Trust. An enormous amount of money was stolen from government. You were the MEC of Agriculture at that time and allegedly very much involved in a case that robbed the Badplaas rural area community. Rural land money ...

These people still remain landless and poor because of your alleged corrupt involvement.

This case was withdrawn by the NPA and, based on ...

The CHAIRPERSON OF THE NCOP: Hon Julius, that comes out of the response?

Mr J W W JULIUS: Yes.

The CHAIRPERSON OF THE NCOP: Does it?

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Mr J W W JULIUS: The original question and the response ... the Minister responded to land that must be returned to the people. He elaborated almost three minutes on the importance of getting back the land to the people. While, I'm talking here ...

The CHAIRPERSON OF THE NCOP: While you are talking here about an allegation which you must then substantively put ...

Mr J W W JULIUS: Yes, they took land from the people ...

The CHAIRPERSON OF THE NCOP: No, no, no, sir.

Mr J W W JULIUS: Chairperson, they took land from the people. I'm saying, these people remain landless because of that act. The Deputy President earlier said that, you know what, we didn't know what we now know. Now we know there's corruption. He didn't know.

So I want to know whether he will also do this. He said it's wrong for traditional leaders to sell communal land to the private sector. Yet, he is allegedly involved in that.

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I want to know from the Deputy President, will he also open up the case, or come out in the open to restore the public's faith in government. That's all I want to know, Chairperson.

The CHAIRPERSON OF THE NCOP: That is your question? Deputy President?

The DEPUTY PRESIDENT: Hon member, you are referring to a case that was put before the NPA. That case was withdrawn. [Interjections.] You want me to come forward and clean myself. [Interjections.]

No, it's not ... It's the other way. It's the other way. [Interjections.]

The CHAIRPERSON OF THE NCOP: Deputy President, please take your seat. Is that a point of order, ma'am?

Ms C LABUSCHAGNE: Yes, Chairperson, on a ... I would like to know whether I may ask the Deputy President a question of clarity on the statement he has just made.

The CHAIRPERSON OF THE NCOP: No, ma'am. Unless it is a point of order or a point of procedure or privilege on what he has just said.

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Let him finish. Then, if you have a point of order, we can entertain it on a full response. Please proceed, Deputy President.

The DEPUTY PRESIDENT: Well, you are referring to a matter when I was still MEC for Agriculture. I am now Deputy President. I'm still in the employ of government. I'm still accountable like I was accountable yesterday. [Interjections.]

Therefore, anyone who has anything ... alleges anything about me ... let that someone approach ... [Interjections.]

You have the right to go again and open that case ...

[Interjections.] ... but for me, I think I've done my work and I'm not afraid. I'm not shy about what I did ... [Interjections.] ... because I have protected the interests of our people. I will still continue to do that. [Interjections.]

Those people who are distorting facts are, in fact, the people who are refusing to give people their land. [Interjections.] Go and dig deeper. You will find out. [Interjections.] You'll find out. Thank you very much.

Question 6 (contd):

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Dr H E MATEME: Chairperson, thank you so much for this opportunity.

*Sepedi:*

Ke leboga sebaka se ... [Tšhwahlelo.]

*English:*

The CHAIRPERSON OF THE NCOP: Order! Allow the speaker on the floor to speak.

*Sepedi:*

Ng H E MATEME: Ke leboga sebaka se, Modulasetulo. Ke le bogiša le Motlatšamopresidente wa Repabliki ya Afrika-Borwa. Re rile go na le ditlamorago tšeo e sego tša maikemišetšo, moetapele.

*English:*

Over the last more than 20 years, experience says we may need to redefine this ownership of land. I would like to focus on the land below which there are mineral riches. I would wish for us to focus on that because it looks like we have a policy gap on the notion that mineral resources belong to all the people of the country *vis-à-vis* the question of ownership of land, Mr Deputy President. This is because the people on those pieces of land below - where mineral resources are found - oftentimes find themselves dispossessed. When



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the mineral wealth below gets mined - which belongs to all the people of the country - some of these people neither become participants nor owners. These people also lose their mealie fields. in the process.

My question is as follows: How can we reconcile these two operations? How can we perhaps close the policy gap that brings forth unintended consequences? Thank you.

The DEPUTY PRESIDENT: Chairperson, it is a very good question, but unfortunately, it borders on something new on the current subject. [Laughter.] It is a new question, but it is a very important question. I would like to come back to this question because I would have been assisted if the question had been asked. I would have gathered more information to share on this question. Thank you.

Ms C LABUSCHAGNE: Chairperson, I raised my hand to ask another question because that question had not been answered.

The CHAIRPERSON OF THE NCOP: Hon Labuschagne, I am not getting you.

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Ms C LABUSCHAGNE: Chair, as the Deputy President said the hon Mateme raised a new question, I put up my hand for another supplementary question to be asked.

The CHAIRPERSON OF THE NCOP: Alright. What is your point of order, hon Koni?

Ms N P KONI: Chairperson, I would like to check with the Deputy President whether his response to the hon Mateme is saying, in a polite manner, that her question was irrelevant.

The CHAIRPERSON OF THE NCOP: No, I don't think we should ... that point of order is not a point of order. I don't think we should put the Deputy President to that. He has said that ... [Interjections.] ... no, he has said that he would like to get an opportunity to respond after researching and equipping himself.

Deputy President, we have our last supplementary for the day. That supplementary goes to the hon Ngwenya.

Question 6 (cont):

Ms D B NGWENYA: Chairperson, Deputy President, you have recently released your resolution that was made in your Nasrec Conference

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that the land that will be expropriated is unused, vacant, indebted and state land. Do you think that this is sufficient to redress race-based land inequality in this country? Do you also have any kind of commitment to women - a gender that has faced the most inequalities in this country - that they will be given preference in the issue of land? Thank you.

The DEPUTY PRESIDENT: Chair, I was just citing one example. In this case, there are many categories of land that we are talking about. We are talking about land where people were dispossessed. Land was taken from them and they have put in a claim. There is a long list of claims. We are very far from finishing that list.

So, all those claims must be attended to and those people must be spoken to. We are moving very slow because it was costly. We have tried this instrument and that instrument - willing buyer, willing seller - but the price of land was getting exorbitant. Hence, the resolution of claims was moving at a snail pace. That is one category of land.

The second category of land is land that is in the hands of the state. As government, we have pockets of land everywhere. That needs to be quantified nationally, provincially and right down to a

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municipal level. There is a land audit that has been done and it is being updated now. That land audit will help government in the process of restoration. That means that there are easy things that could have been done like yesterday. Land that is in the hands of the state can easily be given to people who have indicated an interest to till the land.

However, there is land that has been claimed and that is where we say that if it is in interest of the country, that land will be taken. [Interjections.] Yes, but there will be a discussion with those people concerned.

The usage of land ... There will be land that will be demarcated for settlement, for business, where we will allow municipalities to have a say, because municipalities are mainly concerned about development in their areas. If there is land for settlement, it will be zoned as such by government, even if that land is in private hands. If government wants that land for settlement, that land will be taken for that purpose. So, no one will refuse and claim that it is theirs. If it is in the interest of the country, that land must be utilised for a specific purpose; it must happen.

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We want to achieve that by not just coming and dictating what will happen; we are going to discuss with everyone, even with those people who own the land. We believe, as a nation, there are certain things that bind us together and we must be very careful of breaking those bonds. We must also not be naïve. We have achieved the kind of settlement but we are coming from a very disruptive past.

So, we are mindful of the past. We don't want to go back, but there are certain things that we must address that are painful. We must confront them with the maturity it deserves as a country.

[Applause.] Thank you

The CHAIRPERSON OF THE NCOP: Deputy President, that was the last supplementary question.

Ms T J MOKWELE: Chair, before the Deputy President leaves the podium, I wanted ...

The CHAIRPERSON OF THE NCOP: He has left.

Ms T J MOKWELE: Yes, but he can still answer this.

The CHAIRPERSON OF THE NCOP: No, that was the last.

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Ms T J MOKWELE: Can he commit himself that, with regard to land that was forcefully taken from us, there is no need for us to negotiate or discuss with the ones that have taken it? Let us repossess that land. Let us expropriate it.

The CHAIRPERSON OF THE NCOP: Hon Mokwele, that point is not a point of order. The Deputy President has exhausted and responded to the question. Order, hon members! Order! Order, members! I want to thank the hon Deputy President for coming. It was a baptismal and we thank you for availing yourself.

I also want to thank the special delegates - the Eastern Cape, Mpumalanga. I also want to take the opportunity to congratulate a brand new Speaker from Mpumalanga. [Applause.]

The Council adjourned at 16:09.