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PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The Council met at 14:02.

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

QUESTIONS FOR ORAL REPLY

Question 140:

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, my apology for running bit late. I thought I could still run, but I have realised that I'm no longer there that's why I'm huffing and puffing now.

The reply for Question 140 is that in April 2018 there were no major challenges experienced with the payment of social grants. Yes, from time to time the agency does receive complains from beneficiaries regarding unknown or unauthorised deductions from their grants. The issue of loan sharks happen via the national payment system over

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which the SA Social Security Agency, Sassa, has no control. However, in order to prevent this Sassa has placed restrictions on its new cards for beneficiary accounts which are opened with the Post Office. This is a special disbursement account which does not allow any electronic funds transfer, EFT, debit or stop orders and this is in line with Regulation 221(4) of Social Assistance Act of 2004.

Thanks, Chair.

Ms L C DLAMINI: Hon Chair and hon Minister, thanks for the response. Let me also say that we appreciate the progress made so far. My follow up question is that we have been flooded by concerns from the beneficiaries, especially the elderly people. They are concerned that we are closing pay points which they are used to. Just yesterday I received a call from Sekhukhune, in Limpopo, where pay points were closed and they are expected to go and get their grants at Burgersfort which is difficult for the elderly people. Can I get a response on this?

The MINISTER OF SOCIAL DEVELOPMENT: Hon member, I welcome the question from the hon member. Indeed, it is one of the challenges we are facing. When we started the process of moving away from Cash Paymaster Services, CPS, one of the models which was used was to reduce the number of pay points and make sure that there are lesser

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pay points. The intension was to go to other areas like merchants - Pick n Pay, Shoprite, Boxer, etc. On doing inspection in various areas, it's not only Limpopo which has that challenge. It has been a challenge nationally. We have agreed, and I have issued an instruction, that for us to close pay points we must understand how big that pay point is. For instance, we have agreed that if you have a pay point where there are about 300 people, why close it. There is a directive that I have issued about a week ago that pay points must not be closed. Pay points must be left opened and as we move to the Post Office, the pay points will continue to operate.

I have to acknowledge that we have officials who are very naughty. We have officials who are not only saying they must go to town, but also push elderly people to go to ATMs. And we know that there are reasons for elderly people not wanting ATMs. They don't want ATMs because there are bank charges. The reason why we opt for the Post Office, Sapo, it is because of that. Post Office must render that service free to our people. Those are some of the challenges we are encountering. But as we pick them up we are correcting them. I am not talking because I am in the office, but I have been out on the ground. I have met elderly people. I have experienced the pain and the suffering which the elderly people are experience on the ground caused by our own Sassa employees. I hope when we take action as

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Sassa you will not say there is an intention of being malicious or victimisation. It will be arising out of these problems.

Just to share with you, members, that week of the second day of the month end, I went to Everton. I found a 101-year-old man whom they were saying he can't get his money. They can see the money but they cannot retrieve it. I had to intervene. The other was an old lady whom they have paid R60. Again, we had to intervene. When we checked her money, still it was not sufficient because they have now paid her R1 500. When you say to her...

IsiZulu:

... iyashoda gogo ...

English:

... gogo said ...

IsiZulu:

... ngiyithola ngazonke izinyanga njalo ingaka.

English:

This means that the shenanigans of the CPS and all the wrong things they are doing are continuing. I just wanted to share with the House

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that this is not an easy road. This is not an easy path, but it will take every member of the NCOP and of government to work together in making sure that all these terrible experiences faced by elderly people are worked together to stop them. It's a big challenge. It's not easy, there is a push back. I must also share with you that at least I'm happy... [Time expired.]

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHAKATHI: Isikhathi sami siphelile? [Ubuwelewele.]

USIHLALO WOMKHANDLU KAZWELONKE WEZIFUNDAZWE: Siphelile uzophinda usithole.

Ms T G MPAMBO-SIBHUKWANA: Chair and Minister, on 04 July, during the recess, I went to visit the Sassa pay point at Zolani Centre in Nyanga, in the Western Cape. I interviewed various people who had not been paid for three to four months. Many of these recipients and chronic patients are on medicine and require regular food intake to take their medicines and yet their grants have not been paid.

I also witnessed beneficiaries being turned away due to system failures which you have just mentioned. This crisis dates back to

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the former Minister, not you, but the dodgy Bathabile Dlamini. It was due to her lack of leadership that Sassa stumbled from one crisis to the next. Now, you seem to be following in her footsteps as you have not stepped up to take the charge.

What measures are in place or have you put in place to ensure that both the old and new cards which you have mentioned in your interventions are functioning for beneficiaries on 01 September? What are you doing to ensure that those beneficiaries who could not access their payments last month will access their money on 01 September? I thank you, Chair.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I assume the hon member has been part of this committee for a long time and she understands the challenges. She should have raised the question she is raising today then. The issue of beneficiaries not getting their money is not new. It has been there forever. It's has been there for four months that's my experience. But what we are doing is to make sure that we correct that. I am happy we have identified that. We are going to take precautionary measures. We are also going to put consequence management. If our members are involved in elicit activities we can't leave them. This is part of the process. It's not a one day issue, but it's very complex - the systems and

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everything. Hon member, I can just say to you that rest assured that what I have inherited I am committed to make sure that I fix it. Mark my words today and do not forget this day, 14 August, I am promising you.

Ms L L ZWANE: Chairperson and hon Minister, I would allow you a lieu to respond this question in a written form as it is statistical in nature. Nonetheless, you could probably be able to respond. What is the percentage of the clients that have been transferred from CPS to the Post Office to receive their grants? Again, what is the percentage remaining, and what are your projections in terms of finalising the transferred so that we can know that by this time of the year we would have finished the transfer of beneficieries? Thank you.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Minister, are you able to answer her question as she is saying the question is statistical? Are you able to deal with it now?

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, when you said I must stop I was about to give that answer it. Where we are today we have done card swap to the new card for about four million, starting from mid-June to date. That includes personal identification number,

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Pin, numbers, for those who are with Grindrod including those in the cash payment. Members are aware that we are in court because of the 2,5 million cash payment beneficiaries. When it comes to that 2,5 million yesterday when I made an assessment, I realised that we are left with about 600 000. What it means is that on the cash payment we have done about 1,9 million which we have pushed to the new system - the Post Office.

I must say that the target which we have set for ourselves or projection is that by the end of this month the 2,5 million must be gone because this is the number which makes us to be in court. I am confident that come 01 September we would have done that. But you must also know that we were expected to have done that by the end of September. The reason I am raising this is because our last report to the Constitutional Court is going to be at the end of August. When we submit our last report there must be nothing left.

The projection, the Grindrod payment system had about 5,4 million. It means we are also cracking that. When we are done with what the court requires us to do, we will be going for the 5,4 million. Where we are we are confident that we are making progress because we are also dipping into that particular area of Grindrod. Our intention is to make sure that come 01 October, the 2,5 million is with the Post

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Office. At least about two million will be with us and we hope by the end of November there will be no Grindrod's green card. That's where we are now. Thank you, Chair.

Xitsonga:

Manan B T MATHEVULA: Mutshamaxitulu na Holobye, eka tindhawu to tala leti mi nga ti longoloxa ta va Pick 'n Pay, Boxer, na tin'wana, loko u tshika u fikile eka tona hi masiku yo hola midende u kuma leswaku vakhegula va fole tilayini to leha nakambe ku va ku ri hava switulu. Va tshama ehansi ehenhla ka semende. Ndzi kombela ku tiva leswaku xana mi endla yini ku antswisa xiyimo lexi leswaku ku va na switulu loko va fole tilayini leti? Ndza khensa.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Chair, I think it's been part of our history when it comes to payment of grants. Our old people were never treated with dignity. If you go all over the country, there are long queues and there are no chairs. What we have started introducing now is that the regional managers must make sure that they get chairs. They must also get something even it could be a sandwich. Some of the elderly people do collapse at the pay points because they have nothing and they could not take their medications. We are trying to improve the system and also we are trying to bring dignity as much as we can. It's not only the chairs

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but we are also looking at how best can we make sure that ablutions are there. I went to one pay point at Juberton. It's a small hall but has long queues. When elderly people are in trouble there are no ablutions. We are really committed in improving that hence our decision as government to move to the Post Office - upgrading the post offices and make sure that there are places of safety, shelters and where elderly people can sit. Thank you, Chair.

Question 110:

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, yes, we have made progress which includes the South African Post Offices as one of the existing channels through which grants will be paid and there are available details as part of what was asked.

On the 8th of the December 2017, South African Social Security Agency, SASSA, signed a service level agreement with the South African Post Offices and the payment of grants for the 1st of April was conducted without major challenges.

The new South African Policing Union, SAPU-SASSA card is linked to a special disbursement account, which will only make provision for the deposit of social grants, not allow any debit orders or stop orders.

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This will effectively reduce the current challenges, which illegal deductions, which are being experienced. Thank you.

Ms T G MPAMBO-SIBHUKWANA: Chairperson, hon Minister, the panel of experts monitoring the South African Social Security Agency, SASSA, especially the grants payment recommended in their sixth report the Constitutional Court in June 2018, this year. Does the urgency consider legal action against Cash Paymaster Services, CPS? Has your department considered any legal action against CPS? If not, why not? If so, provide us with relevant details. I thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, indeed, we have filed - not as per the panel of experts. We have various issues which are of transgression by CPS. We have filed papers with the Constitutional Court and also with the High Court. So, we are in Court with those people. I will not be able to divulge to what extent have we made or taken up the matter. But we are in Court as we speak with you. Thank you.

Ms L C DLAMINI: Chairperson, hon Minister, you gave a full account on this question the last time you appeared in the committee on this matter. I am surprised to see it here because the member who is

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asking the question is part of the committee. My follow-up question hon Minister ...

Siswati:

Hheyi! Labantfu banemsindvo laba.

English:

... is that, are you going to make it on the deadline of the end of September because you told us in the committee about the progress and challenges. That is why ...

Siswati:

Babanga umsindvo longaka labantfu laba.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I just want to assure this Council - as I have indicated, come the end of September and the 1st of October, because that is when the Court said there must be no CPS. And I want to assure this Council that we are going to make sure that we do everything possible to ensure that we meet the Court's decision because as you know, we are under administration. It is not a choice. We have to make sure we respect our Courts. We can no longer continue undermining our Courts. If there is a ruling and we must abide by that ruling. Thank you.

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Mr O S TERBLANCHE: Chairperson, hon Minister, according to media reports and the panel of experts monitoring the South African Social Security Agency, SASSA, social grants ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Terblanche, I called the House to order and you are protected.

Mr O S TERBLANCHE: Thanks for the protection Chairperson, I feel very strong now. I am prepared now. [Laughter.]

I am going to start again. Hon Minister, according to media reports and the panel of experts monitoring the SASSA, social grants payment plan, CPS is preventing SASSA and post office staff from doing their legal mandated duties through various means, including intimidation and illegally preventing post office and SASSA employees from entering payment premises.

I have spoken to people who were intentionally given confusing and inaccurate information and convincing by CPS to sign up for green Easy Pay Everywhere, EPE, cards which will keep them tied up to CPS who are being phased out as paymaster. Furthermore, CPS has unlawfully prioritised EPE card holders over other grants recipients.

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Minister, my question is; what are you doing to address this issue and to ensure CPS is not holding up the hand over process? Thank you, Chairperson.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, just to say that we are doing everything under the sun. It's one of the cases which we have lodged with the courts about the intimidation about also the collusion with some of our employees in trying to lure people - but also telling our SASSA members to go to the banks, and also moving them away and making them to sign new loan forms. So, we are very much alive to it. It is some of the issues we are dealing with. We are going to Courts.

However, internally too, we have set up our own mechanisms in making sure that we can really start showing that we are serious. Over time you will see, there will be consequence management which is going to happen because we have identified some of individual who are not doing the right thing. All these challenges you are raising we are on top of them. They are not easy. I must be honest. They are not easy. But we are prepared to really make sure we meet those challenges in honour of our elderly people.

Ms L L ZWANE: Thank you, Chairperson.

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IsiZulu:

... mhlonishwa Ngqongqoshe, ezinye zezinkinga ezidalekayo kule ndlela abantu abahola izimali zempesheni noma kungaba wumuphi umkhakha, abadala, abaphila nokukhubazeka, izingane, wukuthi wonke umuntu uya ngosuku olufanayo ukuyohola. Njengoba sekukhona leli lungiselelo neposi liyabanika yini inketho yokuthi uma ungayanga ngoMsombuluko ungenza ngisho nangokuphela kwenyanga ngoba imali yami vele ngizoyithola isekhona ohlelweni futhi angidingi ukugijima ngiyobamba olayini abade ngoba imali yami njengomuntu ohola impesheni ngizoyithola noma kunini? Thank you (Ngiyabonga.)

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHAKATHI: Sihlalo, engakusho mhlonishwa, ngempela njengoba uma ungalibuka leli khadi elisha eliphuzi liyikhadi le-Visa, kusho ukuthi lizovumela ogogo noma abantu abadala bakwazi ukuhola noma kukuphi nangelanga abalithandayo. Sizama futhi, njengoba ekhombisile umhlonishwa laphayana indaba zokuthi olayini bababade zibhekane naleyonto. Umuntu omdala uma engazizwa kahle namhlanje noma angabuya ngeviki elizayo imali yakhe abe nesiqiniseko sokuthi ikhona ngoba enye yezinkinga ebikade ikhona kwi-CPS, uma umuntu omdala engaholanga uma esethi uyaya ngenyanga ezayo ebe engasayitholi imali yakhe. Manje yizinkinga esihlangabezana nazo kodwa siyaziqeda yingakho ngizocela

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kumalungu ukuthi sicela nisisize ekucaciseleni abantu bakithi ukuthi balithathe leli khadi eliya eposini, lizobalethela impilo engcono kanti ngeke futhi badonselwe izimali kwikhadi laseposini. Ngiyabonga.

Question 122:

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, the contract had expired and it was not renewed. The new tender to recruit medical doctors to conduct the medical assessments for the applicants of the disability grants was advertised and closed on 19 June 2017. During evaluation it was discovered that the doctors who responded to the tender already, were working for the Department of Health on sessional contracts and therefore, were disqualified in terms of the directive of conducting business with the organ of state issued in January 2017 by the Department of Public Service and Administration which prevents employees of the state from conducting business with another organ of the state.

Therefore the SA Social Security Agency, Sassa, requested an exemption of social assistance disability assessment as an Act category from the Minister of the Department of Public Service and Administration to allow doctors who are not permanently employed by the state to continue doing the sessional work and therefore, the

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exemption was granted. This was part of making sure that we deal with the concerns raised by the member and the huge backlog which we had. However, in the process, only five doctors who were contracted in the Sassa head office could do technical quality assurance for the purposes were to be deployed to the KwaZulu-Natal region for assessment from October 2017 to November 2017. Thank you.

Mr M M CHABANGU: Thank you, Minister. Let me reiterate the fact that would you blame your predecessor Ms Bathabile Dlamini for many of the failures at Sassa or would you blame the slow change of system to another service provider from Cash Paymaster Services, CPS, to the Post Office, for all the failures and the maladministration that happened? Thank you, Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I am not sure whether this is the time for blame game or is it the time for us to look forward and say: How do we ensure that we maximise our professionalism and delivery in meeting the needs of our beneficiaries? And that is exactly what we are doing. We have moved from CPS in terms of the court order and we are addressing that, but also we are moving to a new system which will ensure that the dignity of our elderly people as beneficiaries, it is there and that is our responsibility as government. So, that is what we are looking

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forward to and that is why this takes into cognisance the rural areas themselves. When we roll out, we are not rolling out in the cities, we also want to see decent and modernised Post Offices in the rural areas. Thank you.

The CHAIRPERSON OF THE NCOP: Thank you, Minister. Hon members, I only for a follow up on this particular question. That means we then proceed hon Minister, to the next question which was put to you by the hon Moshodi and it is Question 144. My instructions are that the hon Dlamini is taking care of the question today. Hon Minister.

Question: 144

The MINISTER OF SOCIAL DEVELOPMENT: Hon Chair, yes, the Department of Social Development has programmes to assist early childhood development, ECD, centres in order to improve and to get them in line with the prescripts of the department. Firstly, the comprehensive early childhood development programme is one of such programmes and it includes subprogrammes such as social protection programmes, parents' support, food security, health and nutrition, early learning programs, play sports and culture, communication and advocacy. Further, it also includes registration framework done in collaboration with the Department of Health, conditional registration levels introduced to assist ECDs centres to adhere to

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the norms and standards, conditional grants for maintenance of ECD centres and subsidy to children to assist conditionally registered centres to be fully registered. Monitoring and evaluation, partnership with international organisations, nongovernmental organisations, NGOs, and donors who were involved in ECD centres to comply with the prescripts in the early childhood development policy and the Children's Act, Act 38 of 2005.

Ms L C DLAMINI: Hon Minister, we have seen beautiful ECD centres built by your department through a National Development Agency, NDA. My follow up question, Chair, would be that: Do we see in the future an increase in the budget in this programme so that we are in control of the ECD centres other than supporting ECDs that we don't have control of, as the government?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, hon Dlamini, I want to assure this House that our intention or the programme of the government is to make sure that the type of ECDs can bring dignity in the lives of children, but also can nurture them in a way that prepare them to be ready for going to grade R. So, we are not only doing that ourselves as a government - there are special grants which we got from Treasury. We have also private sector companies who have come on board, who want to work with us

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and NGOs in improving the lives of the small children. Thank you, Chair.

Ms T G MPAMBO-SIBHUKWANA: Hon Minister, I am sure you will agree with me that the prescripts of the department with regard to the ECD, includes the infrastructure. What is your department doing to ensure that the ECD centres have proper toilet facilities to ensure the dignity of our citizens, especially children and these tiny children? In the Eastern Cape especially with the recent oversight in Matatiele we have seen this. The tiny children are forced to make use of the massive pit toilets and their lives are in jeopardy. I thank you, Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Mpambo-Sibukwana, I must say that the issue of the education comes from the past, but we are moving into the future. This morning the Presidency of the country launched the issue of eradication of pit latrine and toilets which are not decent for school children. This will fall within that particular category, including the kind of infrastructure which is proper. We will make sure that it meets the standards and ensure that young kid's own dignity is respected. Hon member, I am going to invite you when we open some of the ECDs, then you can make your own opinion arising out of that. Thank you.

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IsiXhosa:

Nks P C SAMKA: Sihlalo wale Ndlu, umbuzo wam ubhekise kuMphathiswa. Mphathiswa, liyancomeka igalelo enilithabathileyo niliSebe lezoPhuhliso loLuntu. Ndifuna ukuqonda into ethi ingaba neSebe lezeMfundo esisiSeko lidlala le ndima idlalwa liSebe lezoPhuhliso loLuntu kusini na? Ingaba kukhona na apho nihlangabezana khona ukuqinisekisa ukuba lo mthwalo asingoweli sebe ulikhokeleyo kuphela? Enkosi Sihlalo.

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHEKATHI: Mhlonishwa ngempela siyasebenzisana noMnyango Wezfundo Eyisisekelo ngoba ukuthuthukiswa kwezingane ezincane [early childhood development] yikona okuhlinzeka izingane eMnyangweni Wezfundo Eyisisekelo. Manje futhi nekharikhulamu yenziwa yiwona uMnyango okumele usibonise ukuthi sifundise kanjani. Okunye ukuthi yini othisha okumele bakwenze uma befundisa kuphuma eMnyangweni Wezfundo Eyisisekelo. Yilapho sihlangana khona nabo, besikucacisela ukuthi yini okumele sikwenze futhi sikwenze kanjani. Thina njengoMnyango sizozazi nezakhiwo futhi sibone ukuthi indawo zakheke ngendlela efanele. Sibambisene nabo kakhulu futhi siqeda ukuthatha isinqumbo siyiKhabinethi ukuthi kule minyaka ezayo yokuthuthukiswa kwezingane ezincane senze ukuthi izingane zibe zikulungele uma ziya ebangeni R esikoleni. Zingaqali

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isikoleni zingazi lutho. Kumele zifike sezazi amagama azo futhi sezikwazi ukubhala nokufunda. Ngiyabonga.

Question 128:

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, there is no formal engagement with the Department of Home Affairs to amend regulations in order to wave application fees for persons who are identified as homeless. The current position is that the Department of Home Affairs does wave application fees for the homeless based on the social worker's report.

However, the challenge sometimes is to prove if the person is indeed a South African citizen and an indigent, which poses challenges. This is a policy matter that sells and has interest and together with Home Affairs, we are looking into the extent with which we can work together and make sure that we are able to assist the homeless and the indigent in our country.

Ms B A ENGELBRECHT: Minister, thank you for that answer, however, in Tshwane, where I come from, we have a huge problem with our homeless. We have found that the Department of Home Affairs is not prepared to assist. So, the city has intervened. However, your department is not assisting either. So, can you give us a guarantee

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that your department will assist us in sorting out this issue, by when and how quickly can we do this? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Chairperson, if I was the Minister of Human Settlements, I would tell you exactly when and how. We are not responsible for housing. Ours is to provide social services and I think also we understand that the Department of Social Development deals with people on the basis of the needs. That is why I am saying that social workers need assessments for each individual and on the basis of that, they are able then to deal with the matter. But, when it comes to when we are going to build the houses, I would ask the hon member ... I am talking about homeless because is about houses or human settlement. You must talk to the hon Mayor, hon Msimanga, to assist in making sure that the human development happens faster and quicker in Tshwane so as to ensure that we reduce the number of people who are homeless in our country.

Ms L L ZWANE: Hon Minister, in order to ensure that the process of validation of people that are homeless and indigent is strong enough, I suppose there would be a need for the Department of Social Development to work with the municipalities because they would always keep the register of the indigent. Is there any relationship between your department and the municipalities in this regard?

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The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, we do have relationships with various departments which we are working with. That is why if our social workers have to do the validation, they then work with the city and relevant departments, which then can allow an individual to be there. We must also know that the Tshwane Municipality has done away with the indigent policy. So, it exacerbates the problem. Thank you, Chairperson.

Question 142:

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, the Department of Social Development facilitated the review of the White Paper in 1997. The review report is in place and provides a comprehensive national assessment of progress gaps and key challenges in the implementation of the White Paper for social welfare since 1997.

Currently, we are in the process of revising the White Paper for social development herein referred to as Social Development Policy. A framework for the revised white paper for social development was developed and consulted with stakeholders in the social development sector. The revised white paper will be tabled before Cabinet structure for approval.

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The proposed social development policy includes the collaborative strategic intensions and services with other departments and state-owned entities in order to empower and develop the youth, women and the unemployed graduates. Thank you.

Ms T MOTARA: Thank you, Chair. I was saying that the Minister may just give me the answer but it's fine. But thanks, for the response, Minister. I think while the focus from your department has been to extend social services in the form of grant funds; your mandate is also to eradicate poverty. Now in eradicating poverty have you thought about; firstly, putting in place conditions attached to the usage of grants that are disposed; and also to create platforms and programmes in the existing system to allow grant recipients to exit the programme?

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, as we know that our current grant systems vary; there are those that are short-term, and those that are long-term. I must also indicate that as part of fighting poverty, there has been a programme that has been going on which is called Integrated Community Registration Outreach Programmes, ICROP, which intends to address the various people who might have nothing to eat. So, that is part of the programme which tries to fight poverty alleviation in our country.

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However, as I speak today, we are also looking at how best - when talking about exit strategy - how best do we make sure that our young girls who tend to drop out of school, maybe at Grade 11 or 12, we come up with a programme. We are talking to the Department of Basic Education because they have a programme called "second chance". So, we think this programme will assist us in exiting the young girls by taking them back to school where they can be professionals and move away from the child grants.

Mr L V MAGWEBU: Chairperson, on the issue of the unemployed young graduates, Minister, I want to ask. But before I ask - here is what I want to put to you - 2 504 social workers whose education was funded by government remain unemployed, in a country where we are engulfed by so many social ills; and no wonder these young graduates were sent to universities to study social work. Now, here is my problem; why are these young graduates unemployed yet the country continues to have these social ills and they were in the first place invited to apply so that they can assist the society to become better?

What is your response, Minister, what are the real problems, particularly in the Eastern Cape? There are so many there.

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The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, hon member we are mindful about the number of graduates which came through the funding by social development and we are still producing some more through the same bursary scheme and we are mindful that there are those who are not employed.

We have started a process of making some intakes - so we are moving in that direction. But we are also looking at a country as a whole because social workers are not just about working as social workers under the department of social work. We also need social workers at the schools in various places. That is what we are seized with in making sure that they can really play their role and contribute to society. For instance, in correctional services we have to agree to what extent can we utilise them. When I talk about ECD there must be social workers. So, it's the overall over whole of the whole system in ensuring that social workers can be placed appropriately. Thank you, Chair.

Ms L C DLAMINI: Thank you very much, hon Chair and Minister.

Siswati:

Kuloluhlelo lenitawubambisana kulo Nelitiko Letemfundvo Temabanga Laphansi, kunebantfwana labangacedzi kufundza hhayi ngobe

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banetinkinga emakhaya kodvwa tingcondvo tabo tingavumi kantsi banawo emakhono ekusebentisa tandla tabo kanye nalaba labahlushwa tidzakamiva. Umbuto wami-ke utsi: Litiko lingakhona yini kubonelela labo banftwana labanjalo, laba labangakhoni kucedza esikolweni kodvwa babe bakhona kusebenta ngetandla?

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KOMPHAKATHI: Ngiyabonga kakhulu. Ngezinye zezinhlelo esizibhekayo kodwa asizibheki sisodwa sisebenzisana noMnyango Wezemfundo Eyisisekelo ngoba uphinde uthinte nezifundo ukuthi bangaba njani, bangakwazi ukufunda baphelele ezingeni elithize. Yingakho ke sibheke lokho. Okunye esikubukayo ukuze bakwazi ukungena nabo ukuthi laphaya Imfundo Ephakeme kanye Nokugeqesha isisize ngama-Tvet Colleges ngoba lama kolishi azosinceda ebantwini abakwazi ukusebenzisa izandla uma bengaphiwanga ngengqondo ukuba baqhube ezinye izinto. Kusho ukuthi uhlelo lukahulumeni esilubheke sonke kodwa luhamba kancane. Sithe lolu hlelo malusheshe neMfundo Eyisisekelo ikwazi ukubahlukanisa, ikwazi ukubona laba abakhubazekile ukuze bakwazi ukufunda bangene ezikoleni. Manje ke yizinhlelo ezahlukahlukene ezizozama ukubathinta sikwazi ukuqhubekela phambili babe nokuzimela.

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Okunye engingakusho ukuthi laphaya eSilverton ikhona imboni ethungayo ethungela izibhedlela eyabo abantu abakhubazekile. Ngenye indlela yokuqinisekisa ukuthi bayakwazi ukuzimela bengabantu abakhubazekile. Ngiyabonga.

Mr A J NYAMBI: Chairperson, hon Minister as you are the house that represent the interest of provinces; what do you think the role that we can play as members of this august House called the NCOP in terms of our constituency offices to assist in this regard?

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I think the role of Members of Parliament is not just oversight and identifying problems but it is also oversight in making sure that you can contribute by helping us to understand the extend of the problems in different areas and bringing those issues to our attention, and also to give us some ideas because areas are not the same.

So, as a Member of Parliament when you are there especially in the NCOP it makes it easier to make us to be sensitive because we might want to do a generic approach and will find that it doesn't work in other areas. So, in the varying of the challenges, I think you have a role to help us in being able to deliver adequately and properly.

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The CHAIRPERSON OF THE NCOP: Thank you, hon Minister. That was the last supplementary question on the last question for the day. Thank you very much for availing yourself to take questions in this House. [Applause.]

Question 170:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, the question number 170 by hon Monakedi, a little of the background to this issue is the fact that a number of municipalities deposited funds to the Venda Building Society, VBS, Bank. At the beginning of the year it was reported that they were not able to make withdrawals on these particular deposits that they have done. This was subsequently announced by the SA Reserve Bank that they found that the degree of fraud or corruption had taken place, those particular funds were no longer available and the bank was put under curatorship.

In the process, we interacted with the Reserve Bank, the Governor and the Ministry of Treasury. We were made to understand that the numbers of the municipalities which were involved was quite large. At that point the figure was close to 20 but of late when we looked at the numbers were around 14 and their amount involved was around R1,65 billion. Then, with regard to the question I just want to

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indicate as follows that; as the Minister responsible for Cogta we have met with the affected provincial Member of the Executive Council, MECs, and the affected municipalities; the mayors, municipal managers and the chief financial officers in terms of section 106 4(a) of the Municipal Systems Act which states that the Minister may request that the MEC should investigate maladministration, fraud, corruption or any other serious malpractice which in the opinion of the Minister has occurred or is occurring in the municipality in the province. Inline with that, the MECs are conducting forensic investigations at a provincial level for their respective municipalities. It is around eight in Limpopo, three in the North West and three in Gauteng. The outcome of this will provide a basis for consequence management on the affected officials and continuously monitoring the progress in this regard.

I have also directed that the affected municipalities need to report this matter of the Co-operative Governance and Traditional Affairs VBS Bank to their respective municipal public accounts committees in order to exercise their oversight and responsibility. The status therefore of the forensic investigation is as follows: Limpopo province has appointed a service provider not yet announced because of the finalisation of the processes, North West and Gauteng provinces had each appointed a team to do the report. The question

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being refers to the recouping of the potential investment; I need to state this, Madam Chairperson, that once all these investigations are complete and the court cases are also done, we would then be able to know the amount of money that is possible to recoup and we will also be guided by the findings of all those investigations and court processes.

I am working closely with the SA Reserve Bank on the processes undertaken by the appointed curator to secure the interest of the municipalities although the recovery of the municipal deposits still remains uncertain. The recent developments on provisional sequestration court order granted against the perpetrators gives us hope that some of the depositors assets may be recovered. So, we will be following the matter closely and obviously report as time goes on. Thank you very much, Madam Chair.

Mr D M MONAKEDI: Chairperson, thank you very much to the Minister for that comprehensive response to my question. My follow up question is; your department or Ministry, is it getting the necessary support and co-operation from the relevant provincial governments and in particular I am interested with Limpopo provincial government as whether they are giving you that support and co-operation in ensuring that the investigations currently

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underway are thorough and that appropriate action is taken against those found to be responsible? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, indeed let me confirm that we have full co-operation from all the provincial MECs and provincial Treasuries together they are managing investigations and may I also just indicate that in the North West they have already appointed Deloitte, a company, and that in Gauteng they have appointed SekelaXabiso, in Limpopo they are in the process of signing the contract and the name will be announced soon thereafter. Let me also indicate that I have met specifically the MEC, of Treasury, of Finance and Co-operative Governance and Traditional Affairs in Limpopo. Both of them have actually given assurances and gone ahead with the processes. They have actually since invited me to meet and address all those mayors, municipal mayors and chief financial officer, CFOs, of those particular municipalities in Limpopo which is for the second time because I actually called them into the Co-operative Governance and Traditional Affairs offices in Pretoria. I have been there and all of them are absolutely committed to co-operating.

In fact, the report I got was that in Giyani the first suspension has happened; that the acting municipal manager, MM, who was the

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former CFO was suspended. As far as I would be concerned that we have absolute co-operation from all the provinces and whenever we have an occasion to meet they update us as to how far their processes are. Thank you.

Mr M CHETTY: Chairperson, the DA has laid charges against the municipal managers and CFOs of the affected municipalities. Are you, Minister, after your elaborate explanation that you have done and in keeping with the President's call for zero-tolerance on fraud and corruption willing to fire or recall the respective mayors for their failure to exercise their oversight and also for violating or defying a directive from National Treasury not to invest in VBS Bank? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Chairperson, thank you for the question. We are aware that the DA has laid some charges. I actually raised the issue with the Governor of the Reserve Bank whether this assists. I am not so sure on whether it does because the Hawks are actually handling the issue of investigation from the point of view of the forensic investigations. Now, if you lay a charge you will obviously require that there must be evidence to take the matters to court and that evidence is not available until the Reserve Bank and specialised investigation unit

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processes has provided that information and it is also not possible to charge anyone until the provincial MECs of Co-operative Governance and Traditional Affairs and Treasury investigate and have information which collaborates the extent of fraud, the connections and networks thereof between the two sides; both inside the bank and inside the municipalities. Therefore, for that reason we believe that we need to support that process and take the matter forward.

I have no doubt that where there is clear evidence of culpability actions will be taken irrespective of whether is the mayor, the deputy mayor, the speaker, the municipal mayoral committee, MMC, the municipal manager or the CFO. Whoever would be found to be liable will be acted upon and there will be no compromise on that matter but we need to allow the processes to prove - you know - clearly the level of culpability. The reason why I have to say this is that we went through and questioned one by one and realised that in some of the instances the mayors may not have been aware of what was going on. In some instances the decision was taken by an official even below the level of the chief financial officer. In some instances others were arguing that they had legal opinion and we have said it clearly that when it comes to the interpretation of the investment rules of government it is the National Treasury that has the

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interpretation that will be accepted in court and by any other government institution.

Therefore, as far as we are concerned we believe that in this process a thorough investigation is necessary so that we can actually get to the bottom of this whole issue and when there is evidence of culpability there should then be direct actions. That is why we have said as soon as the reports are out and those mparks must start acting. We want to see consequence management, we want also to get them to report to us even as the report will go to the Reserve Bank to can make all the necessary connections of the networks because it looks like this might have been syndicated activity but we do not want to jump the gun we want to make sure that we have clear evidence of who was wrong and who was responsible. From that point of view, action must be taken irrespective of who the person is and what position they hold in the municipality and anywhere else for that matter. Thank you.

Mr J W W JULIUS: Chairperson, I think I must just comment on that, you know, "allowing processes". That is a very familiar word from the days of President Jacob Zuma; allow process, allow process and allow process that is why we have the massive corruption that we see today and our people are deprived of services out there while we

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allow processes as if we do not have any evidence of wrong doing in these instances. We have all evidence but the inaction by the ANC is actually hindering these people from going to jail and you actually protect them by doing so; allowing process and allowing process.

However Chairperson, I want to know whether Minister is willing to publicly oppose the intention by the ANC to save VBS Bank from liquidation by making it the provincial bank to be run by the members of the ANC provincial executive committee, PEC, treasurer Danny Msiza and ANC youth league secretary David Tsilane where they are directly implicated in this or do you agree with the ANC and the President Ramaphosa's ANC National Executive Council, NEC, negotiated stance on this matter. Thank you, Chairperson.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Julius, you know you are sneaking in a completely new question. You are not putting a supplementary to the initial question I am going to leave it to the Minister to see whether he wants to respond to this new question of yours.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, it is indeed a new question but let me start dealing with the question of allowing due process. I don't know if the

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members do understand that the people who have the responsibility of arresting and charging anyone are the police because in this case when we dealt with the various mayors and municipalities we realised that we need a proper investigation before you can act on anyone. In a number of them the people who were involved when these happened are not necessarily the same ones who are occupying office right now. Some of them have actually left office. So, it is not something where you can just simply say your municipality invested in VBS, therefore, the mayor or the municipal manager, MM, or whoever goes. It is a pretty complex matter from what we have seen. That is why we are taking the matter into the direction we are taking.

The second issue refers to this matter is basically based on a speculative article that came over the weekend suggesting that the ANC is looking for a plan to save VBS. Let me just put it categorically that as far as we would be concerned there are clear processes of how we will deal with the issue of VBS. In the first instance, we support the process of the Reserve Bank to conduct investigation and the Special Investigation Unit to follow all of those who are involved. They have capacity to investigate, asset forfeiture and all sorts of forensic capacity to dig out all of that information. That must be done, they must deal with it and that is it. Secondly, when it comes to the municipalities we support the

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process that we have instituted that the whole debacle must be dug into and that we must uproot. Then, when it comes to the speculative article that came out, the ANC has not taken any decision to support a political settlement of some sort.

As far as we would be concerned, the issue that sparked the ANC to get interested was when people were going to the bank waiting for their monies, staying throughout the day in night and rain and they were asking what the ANC can do at that level but as far as the rest of the other issues the ANC would not deviate from the process that is defined by the state agents; the Reserve Bank, the state criminal justice system and the rest of the other investigations. So, there is no plan by the ANC to rescue anybody here. There is a formal process where there is a curator involved. That process will go on. The debates, speculation and criticism can go on but the focus of the matter is that people who took advantage of the funds in the bank and funds for service delivery for the ordinary South Africans must be punished. At the end of the day that is what we want to see happening. The rest of the other speculations for me it is just speculation and I don't think I want to associate myself with that type of speculation.

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The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: The last supplementary question is from hon Essack, ... you are covered?

Mr F ESSACK: I have a follow up on question 166.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: No, Okay.
Then, the hon Mathebula.

Xitsonga:

Man B T MATHEVULA: Mutshamaxitulu, ndzi lava ku tiva loko eka vulavisisi lebyi byi nga ku endlekeni ku ri na nkarhi lowu pimiweke leswaku loko nkarhi wo karhi wu fikile vulavisisi lebyi byi fanele byi fikile emakumu ke? Ndza khensa.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order, order, order! Hon Minister, you are on the floor.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, it looks like the objection of the hon member has sparked up a brilliant smile had she asked a question. [Laughter.] Ehm, we do not have specific timeframes. What we have asked is that the provincial Co-operative Governance and Traditional Affairs, and Treasury must do is to give us reports every month on what is

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happening and how far is the situation. When it comes to the area of the Reserve Bank and the Special Investigating Unit, we do not have even the ability to ask them for timeframe. We have been in this matter for over a long time. What we have offered them is that as soon as all these forensic reports are done from inside the municipalities those must be handed over to them so that they must see the networks.

What we did initially we actually even went through - when we were shocked about this whole debacle - we looked through and I said to my team please, just check one thing; do those municipal managers and chief financial officer, CFOs, in those municipalities have the correct qualifications to understand the simple rules of Treasury investment policies, simple rules to be able to know that if money has been allocated for use by the municipality it cannot be spent on something else. Then of course we checked and we found that the qualifications of all of those were actually in order. We then said that here we want to get a proper explanation because no one did something that he did not understand what he was doing. They knew it for a fact. So, we will have to ensure that we take the patience that it deserves to ultimately get into the bottom of this.

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Therefore, the timeframes for us is to get update reports every month. When we come to Ministers and Members of Executive Council, Minmec, we want to know what has happened and in between we also want to know if the councils have actually been given the feedback and we will be putting pressure to say that they must quickly finish this because it is a limited number; eight in Limpopo and three in each of the other provinces and they are all divided. Then, all information is there hence we will put pressure to ensure that this information is made available as soon as possible. But, with the other process we have to really be a bit more patient because it is not in our control. Thank you.

Question 166:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Chairperson, with regard to Question 166 by Mr Chetty, we have been involved with this matter over a long period and we are also looking beyond the issue of Eskom and water boards. We have noted that currently, many municipalities are owed money. In fact, it's a total of R139 billion for municipal services which is owed by government, the private sector and communities. This results in some municipalities being unable to pay their debts. Of course there are lots of other issues that are a factor here which we will refer to when we answer the other questions.

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On 14 June, as chairperson of the interministerial task team, IMTT, on electricity reticulation and distribution, I briefed the Standing Committee on Public Accounts, Scopa, in the National Assembly, on our plans to resolve this matter.

The task team is constituted of the Department of Co-operative Governance and Traditional Affairs, National Treasury, the Energy, Enterprises, and Water and Sanitation departments, as well as the SA Local Government Association, Salga. We are concerned about the amount because the latest figure right now has escalated to about R27 billion as of 31 July, and the overdue debt is about R14,5 billion. Of course, the current debt is about R13 billion. The top 10 debtor municipalities owe about R11,8 billion, and about R2 billion of that is Maluti-a-Phofung and then of course the others.

We also believe that we need to deal with the general culture of nonpayment for services in various communities and also in the private sector and government departments. We established an advisory panel to co-ordinate and help all the parties to work closely towards finding a solution. Some of the issues that they are involved with are beyond their ability to resolve because each one

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of them is in a state which now requires us to find a rescue package to get them out of that.

Some of the matters that we are looking into include, resolving the perceived tension between Eskom and municipalities over the allocation of areas for serving, as both parties supply electricity to different stakeholders within a municipality based on the licencing from the National Energy Regulator of SA, Nersa. This is one issue that is huge. That's why the Cabinet felt that this needed to be taken to an IMTT, because they wanted to take each other to court and each one felt they had a case on that score.

We are also engaging Eskom regarding their credit control policy to curb further escalation of the debt as there are concerns from municipalities about interest that the utility charges on the overdue amounts.

Eskom also needs to be engaged with regard to the tariffs that they charge municipalities for bulk electricity and the interest charged on the municipal debt. When we have time we could come to explain this issue of how this is seen to be a very problematic approach in terms of the way their billing process goes.

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All the parties are determined to find a lasting solution and municipalities have indicated that they are keen to support all efforts and implement the decisions deriving from this process.

While government is looking at the constitutional and legal issues, such as the issues of jurisdiction and mandate for the supply of electricity, municipalities and Eskom are making headway in creating a conducive environment to reduce the debt in the immediate term. This relates to, firstly, reducing penalties charged to municipalities for high electricity usage; secondly, increasing from 15 to 30 days in which an overdue amount may attract interest; and changing the model for penalising municipalities for exceeding the allocated bulk electricity.

We have also undertaken to persuade Eskom to avoid the disconnection of electricity supply to municipalities with debt as that tends to punish the innocent, including those who have already paid for electricity. This happens to those who have prepaid and some industrial clients who have paid, but who then of course get affected by the discontinuation.

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We have scheduled that we will get a report to be tabled some time in September so that we deal with a package of proposals on how to deal with this matter.

The Department of Co-operative Governance and Traditional Affairs has intervened directly to assist municipalities. As of the end of May the electricity IMTT assisted in the negotiation of payment agreements. A total of 51 agreements were signed, with 18 having been fully honoured and 10 partially honoured, while 23 have not been honoured thus far. We have gone through some of the finances of the municipalities ... [Time expired.]

Mr M CHETTY: Chair, I think I must start off by saying that the Minister's responses are a breath of fresh air compared to what we were getting from his predecessor. Thank you, Minister.

Hon Minister, as you alluded to in your response, what are you doing to ensure that public entities and departments, which in most cases constitute more than 50% of the outstanding debt, are paying their debts to the municipalities as this is putting further pressure on councils to settle Eskom's debt, to facilitate their budgets and provide basic service delivery to the residents?

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The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Thank you very much. There are two issues which we need to deal with. The first one is the point that the hon member is raising. Firstly, we have raised this issue with all the various Cabinet Ministers and we are taking the matter up at the Presidential Co-ordinating Committee to discuss it. There is, however, already a team that's constituted of Public Works, Treasury and Co-operative Governance and Traditional Affairs that is actually looking through these Bills because a lot of these Bills are contested. Some of the municipalities say this is the amount while the department says that is not the amount. So they are going through a verification process, and we have pleaded with various ministries and departments that what they do not contest, they must pay. Settle what is not contested and allow us time to deal with the rest which is being verified. So, that is one process.

The other process, which is slightly different to your question, is the fact that some of those municipalities that owe Eskom, water boards, other service providers and so on, have a problem in financial management. We have to go into the system to check the qualifications of those who run the finances, and check whether they have the right number of officials and whether the post levels are okay so that they also follow the proper processes, procurement

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regulations and financial accounting regulations. Once we have looked into all of that we start embarking on a programme for financial recovery and revenue generation for themselves so that they begin to know how to manage their budgets, how to generate revenue and how to manage their expenditure. It's a totality of all of this that is going to make a difference to the municipalities. However, the municipalities must be disciplined in the way they run their accounts and their processes, and raise their own revenue. There mustn't be a municipality that feels they are just fine with only the transfers. They must also make an effort on their own. This is what we are emphasising.

Mr M J MOHAPI: Thank you very much, hon Chair. Hon Minister, much as we appreciate the efforts from your department in terms of ensuring that municipalities are honouring their municipal debts, I just want to check with regard to the opposite, especially from the side of Eskom, where they have lines which are contributing to servitude which are supposed to be paid back to municipalities. I just want to check if there is any intervention on the side of the Minister in terms of ensuring that Eskom also honours its own servitude in terms of paying the municipalities back.

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The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:

Thank you very much. There are a number of things that we have gone into when dealing with Eskom. We have not dealt with the issue of servitude. We have dealt with the difficulty of a combined area of supply by the municipality and Eskom, where Eskom collects less than the municipality within the same municipality, and that becomes a problem. So we have actually gone into that discussion.

We have also gone into the question of the responsibility over every municipality as to whether Eskom should continue to supply in those areas. That discussion with regard to the mandate and jurisdiction is ongoing. We have even gone into the format of billing. When you have prepaid you find that the collection rate is much higher. When you have conventional metering you find that the collection rate is much lower. But between a municipality and Eskom, the collection rate is lower for Eskom than for the municipality.

We have not even gone to the issue of servitude. We will actually be looking at all of the package proposals to see if any of those issues arise.

Mr M RAYI: Thank you, hon Chairperson. I think the hon Mr has touched on the question I was going to ask. My question is as

follows. Why don't we just have Eskom directly billing households and companies that use their electricity without involving the municipalities, because Eskom also complains about the billions that the municipalities owe? As such, Eskom itself has to go through these bailouts for them to meet their obligations.

Therefore, my question is, shouldn't we rather have Eskom directly billing households and companies, and not involve municipalities as a third party?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:

Thank you. We have never looked at it in that way. However, some of the problems that result in municipalities not being able to collect will affect Eskom as well. There are illegal connections; there are people who will not pay even if they have received electricity. That becomes one of the problems.

However, the real issue is that the municipalities use electricity as a form of revenue. The highest percentage of revenue for municipalities – about 63% – comes from electricity. So, we'll actually shut down municipalities if we say Eskom must collect directly.

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Even if we do so, Eskom will never be able to collect the exact amount that is expected. We need to go through a number of these changes so that we can assist, but once we have done so there is no need for us to worry about Eskom collecting directly.

So, I think we will wait for these proposals and then we will be able to see. We think we will find a formula that will satisfy everyone; maybe not necessarily 100% but certainly the system will work better.

The CHAIRPERSON OF THE NCOP: Thank you, sir. Hon Zwane? Hon members, if you do not raise your hands in time you will lose out because there are only four supplementary questions and it is first come, first served.

Mr F ESSACK: [Inaudible.]

The CHAIRPERSON OF THE NCOP: No, you asked after all those other hands had been raised.

Ms L L ZWANE: Thank you, Chair. Hon Minister, I just want to establish if the time has not actually come for us as a government to encourage people to convert to the card system because I want to

believe that those households that actually owe municipalities would, in the main, be those using the grid system and not the card system? Don't you think that if all households were encouraged to migrate and Eskom assists us in that regard, it would then be able to alleviate the pressures that municipalities are facing as a result of people that are actually not honouring their debts?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Thank you. Madam Chair, let me also say that we actually believe that installing the prepaid meter system will go a long way in assisting with the collection because then obviously you know ... In a number of municipalities we have seen that the rate of collection on prepaid meters is close to 99% but when it comes to conventional meters it can be as low as 38%, 40% or 48%, and that number is actually insufficient to get the system to run properly.

So, I think that part of what might come in the proposals will be an encouragement to move towards having prepaid supply and therefore it will actually help with the process of collection. It doesn't solve all the problems but I certainly think that, on the evidence we have, there is better collection from prepaid.

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The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, our response to Question 171 by hon Mohapi is that the new system of local public administration in human resources for local government requires an efficient, effective and transparent local public administration that conforms to the values and principles of public administration as enshrined in section 195 of the Constitution. This new system is governed in terms of legislative prescripts, namely: Municipal Systems Act, 2000 System Act, and the Local Government Regulations on Appointment and Conditions of Employment of Senior Managers and the notice on the upper limits for remuneration for senior managers.

Section 5 (54) (a) and 56 of the Municipal Systems Act provide the member of the executive council, MEC, for local government and the Minister with sufficient mechanism to correct any appointment or contract of employment concluded in contravention of the Act. We want to build a well-functioning municipality; we have a strong political and administrative leadership with a strong political and administrative leadership which is also characterised by stability. This should be functional councils with oversight structures and the consistent spending of capital budget, consistent unqualified audit outcomes and good financial management. This is what Co-operative Governance and Traditional Affairs is driving to achieve nationwide.

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Many of the dysfunctional municipalities are facing problems created by poor management and lack of relevant qualifications for key positions. The right people with the right qualifications must be appointed to the key positions in municipalities. We will not compromise on that aspect. During 2017-18 financial year 423 appointments were concluded with competent and suitable qualified senior managers. A total of 95 corrective actions were taken to enforce compliance where appointments were made in contravention of this approach. Clean governance is also an imperative for Co-operative Governance and Traditional Affairs since the amendment of the Municipal Systems Act in 2011. A total of 1 651 municipal employees were dismissed for misconduct and 130 resigned prior to finalisation of the disciplinary hearing. A total of 1 120 candidates were screened by the department to advise as to whether the shortlisted candidates appear on record of staff dismissed and staff members who resigned prior to the finalisation of the database.

As part of building a strong institutional capacity, functional oversight committees such as audit committee and municipal parks are in place and are also operational. We are also promoting the leadership and institutionalisation of the code of conduct of councillors and officials in order to promote accountability.

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Therefore, the people must feel that their elected representatives are here to serve them using ward committees and municipal community complains management system. We are also making progress in this regard. Thank you.

Mr M J MOHAPI: Hon Chair, through you to the hon Minister, two weeks ago during our oversight visit in Free State we realised that the challenge of incorrect recruitment and appointment end up to an extent where municipalities are faced with bloated organisational structure. I just want to check with the Minister if there is any intervention from your department in terms of addressing these uncontrollable bloated organograms.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, I visited Free State few weeks back, probably earlier than you, hon members. I think that the issues you are raising are also quite prevalent. We actually addressed 10 of the most affected municipalities. Yes, the issue of incorrect recruitment is a factor, so what we do here now is that we wait for the appointment. If you appoint a municipal manager, chief financial officer and particular directors, we insist on the qualifications. Therefore, all the municipalities' mayors, municipalities' managers, MMs, know until we have given a support for someone whose qualifications is not as seen

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as appropriate, that person will not be appointed. We actually have had to intervene to say that reverse this one because this particular individual is unqualified and is not suitable qualified. And so, we deal with it from that kind of endow.

Part of the problem with a bloated establishment arises from ... there are municipalities that were operating as different stand alone municipalities. Then they get amalgamated. Then we get a crisis now, you have two municipal managers, two chief financial officers, CFOs, two of each and so on. When they come together it takes a long time to remove or to downsize. That is what is affecting Free State. A lot of that and we went through that in a number of municipalities. We realised that that is the issue. What we have then said from Co-operative Governance and Traditional Affairs, we are benchmarking so that for this size municipality, this is the recommended size of establishment you should have, work towards it and then we give timeframe. Therefore, we are going to be going to most of them telling them that this is what you should be having and so on, particularly it was not just a question of bloating, it is a question of overspending. When we sit down and look at why they are having strain in their finances, they are overspending because they are paying too many people and some of

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whom they don't need. Therefore, we need to then rationalise that structure, and to do that we need to be working through with them.

However, just remember that municipalities have got their own authority and autonomy to take decisions at that level. Therefore, our role is to be able to guide them and then recommend what needs to be done, and point out where their shortfalls are so that they must be able to move towards right sizing. It is a process that we have embarked on and we think that the response is coming positively because it is a working progress, but there is an approach to it. Thank you.

Mr M CHETTY: Hon Chair, through you to Minister, are you willing today to conform or guarantee before this House that those senior managers whose council received disclaimers and adverse findings will be fired and blacklisted and not just transferred to another municipality or sphere of government with just the norm that has happened before your time. Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Well, it is not possible to make such a guarantee as I sit here and I do not want to mislead the hon member. The powers we have do not allow us to be able to do that and I think maybe if we change the

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law we might be able to get to that point. However, the reality is that strengthening of the powers of the Auditor-General is going to go a long way to helping us to deal with these particular issues. Of course, a number of people who have got issues of disclaimers have got issues that need to be investigated around those municipalities because we will find that it is not the only thing that is wrong, there are few other things that are a problem in the way that they are managing.

Our approach into these issues is that we have given all the municipalities one year to say that you had a disclaimer; we give you 12 months; and from now on work towards getting out of the disclaimer. In that process we are sending in teams to look at where the weaknesses of those municipalities are. We have got a team that will go and deal with the issues of governance; we have got teams that will deal with the issues of financial recovering; and we have got teams that are going to deal with the issues of infrastructure and service delivery, particularly as it refers to the technical expertise that they need. So, we are also raising the issues directly with the municipalities that when they've done investigations, we want to see that they have actually acted appropriately for those who might have been found to have been involved in transgression. In fact, inside the Co-operative

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Governance and Traditional Affairs Department we have got now people who have come from the Special Investigating Unit to help Co-operative Governance and Traditional Affairs to be able to spot where the report is inadequately addressing the issues raised where there is no proper follow-up and we go back to the municipality to say that take the action here because it was inadequate what the municipal council had done. That is how far we can go, short of just going out to fire a municipal manager which we have got no power to do; we actually believe that these mechanisms will go a long way to help the municipalities. At the end of it the municipalities must take responsibilities for the wrongdoing inside the council.

Xitsonga:

Man B T MATHEVULA: Ndza khensa Holobye. Ndzi lava ku vutisa leswaku incini lexi mi xi endlaka ku tiyisisa leswaku loko, xikombiso, manejara wa masipala a endla vundzundzwani eka masipala wun'wana a nga ha hundzeli emahlweni ku ya thoriwa eka masipala wun'wana. Ndzi vula leswi hikuva leswi swi endlaka leswaku ku va na vundzundzwani bya le henhla hi leswi manejara wa masipala wo karhi loko a endla vundzundzwani mi n'wi susaka kutani mi n'wi yisa eka masipala wun'wana laha na kona a fikaka a endla vundzundzwani. Na kona mi tlhela mi n'wi susa nakambe mi n'wi yisa eka masipala wun'wana laha

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na kona a fikaka a ya emahlweni na ku endla vundzundzwani. Ndza khensa.

English:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, through to the hon member, thank you for the question hon member. There has been a lot of lessons from the past and one of those lessons has been the situation where someone is found to have been involved in something that they get discipline and just before the disciplinary process ends, they resign and the next thing lo and behold they are now a municipal manager in a far of municipality where nobody knows them, and they appear there and they impress everybody with all the knowledge they have and so on. What we have now done, we have created a database when anyone is involved in transgression we blacklist them and keep them in the database. No municipality is allowed to finalise their appointment of a senior manager without us clearing that they don't appear in our database. For that reason, we will make sure that even if somebody could be promised a job and could think that they've got a job, as soon as we find the name and we can go through this process, we will make sure that they are terminated, and that we are serious about it.

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The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, firstly, it is not 20 out of 22 municipalities which were dysfunctional. What we had there was that there were municipalities which had adverse disclaimers or qualified audits reports. What we are saying is that, of the 22, the bulk of them did not have unqualified reports. Therefore, this is what it was referring to. I know that some of the reports could have indicated that they were all distressed, but they were not. Then, we have 12 which were distressed. But the truth of the matter is that Cogta has been in the North West much earlier before this matter of section 100 came about. In fact, the Cogta team started to North West in 2017 and in March we embarked on a process of evaluating interventions that were needed. They were not complete at that point but we were able to assess and found that municipalities that required attention were Ditsobotla, Mamusa, Tswaing, Lekwa-Teemane, Naledi, Maquassi Hills, Ngaka Modiri Molema, Mahikeng, Ramotshere Moiloa, Madibeng, Kgetlengrivier and Bojanala. Sorry!

The CHAIRPERSON OF THE NCOP: Minister, you are protected against hon Essack. Please proceed.

The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Oh, okay. So, we want to confirm that we were looking also at the

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municipalities wherein section 139(1)(b) was effected but did not show any results. Therefore, by the time the Inter-Ministerial team was constituted, Cogta had a body of evidence of a lot of series of interventions that were already being discussed. Of course, we refined our process after section 100 intervention. That is why when Cogta was asked to indicate action, we then felt that we needed section 100(1)(a) where we issue directives, and which we have already done. In fact, the provincial department has actually started issuing all those directives to say what needs to be corrected by each of those municipalities. From that point of view, we are engaging all of the municipalities just to give them the support because we are also worried that, whilst we have 12 which were seriously distressed, the others were also going to fall into that category. Therefore, we decided to work with all of them to try and get the corrective measures to all.

Mr M CHETTY: Hon Minister, in the budget speech, and as you have just said, you stated that your department has identified and were providing support to 12 priority municipalities together with National Treasury. Again, I beg to differ with you because the Inter-Ministerial Task Team, IMTT Report was clear that 20 out of the 22 municipalities in the North West were dysfunctional. Therefore, I am not saying that, but that's what the IMTT has said

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and I am quoting them. I agree that you have always 12 but they have said it was 20 out of 22. This indicates that your department is failing local government in its monitoring and evaluation mandate because, up until then, we are still waiting for action to take place.

Clearly, in the case of the North West there was a lack of political will to intervene due to the factional battles in the ANC. Still, until today, former disgraced Premier Supra is calling the shots as a provincial chair and it is business as usual; with the new premier appearing to be nothing more than Supra lackey. When will we see action in the North West province based on the findings of the IMTT? Or, is government just merely doing damage control to appease the voters before 2019. Thank you, Chair.

The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: I don't if we can argue that, when there has been intervention and the premier has resigned and the new premier has been put in place, there is no action. I don't believe we can argue that way.

[Interjections.] Yes. Well, this is politics. It's either you are fired or you resign, but the point of the matter is that he is no longer in position. That's the point!

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The CHAIRPERSON OF THE NCOP: This Minister is protected, members. Allow the Minister to give you the response, please!

The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Secondly, a new premier has been appointed. An administrator has been brought in to take charge of the function of the Premier's Office, and that is under the direct control of the national government. That is action. Then, a number of things have happened. As we talk about municipalities, all of those municipalities were given directives of what corrections needed to be done. There are a whole lot of issues. When there is time I'll take you from one municipality to the other in terms of what actions are being taken to actually deal with the corrective measures in those municipalities. For us, that is actually where we needed to take the municipalities to.

As regards the point that you have raised about monitoring, I think we need to strengthen monitoring right around. However, monitoring is not only just Cogta and this is the issue that we are discussing with the Department of Performance Monitoring and Evaluation. There needs to be a stronger way in which we are able to intervene so that we don't have problems developing to the extent that they have. We are actually working on that. Minister Dr Nkosazana-Zuma has gone

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public raising this issue that we need to tighten. We must accept here that, where monitoring has not been strong, we must obviously face up that. That, we will not deny. In the process though, we try to separate what do here and what we deal with in ANC meetings. The fact that someone is a premier of the province does not suggest that he or she must have automatically been the Chairperson of the ANC. The converse also applies. It does not mean that, if you have been removed as the premier, you must then be removed as chair. You are getting into a dangerous territory because those are party matters that have nothing to do with the discussion on how that province runs. At the end of the day, the ANC has to take responsibility for everybody.

As far as we are concerned, we are getting regular reports about those interventions. The Report was brought here. Indeed the Report did refer to all of them being dysfunctional and I am standing here to indicate that in some of the documents we corrected that. The dysfunctional and distressed are 12 but the others were unsatisfactory. That's why we lumped them together because we said even if we intervene only in the 12, we want to deal with the rest of them. There have been a number of things which were done. We have sent a number of teams in there. Maybe later when I deal with the

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interventions, I'll tell you to which municipalities in the North West we are sending engineers and regional planners.

We sent a team to Ditsobotla to go and clear the whole mud in the sewerage system, with Misa and some from the defence force and so on. Work is being done in most of those municipalities where there are sewerage problems. Unfortunately we have to go through planning, advertising contracts, and then we can get things to be visible. Therefore, there is a bit of a lead time there. However, we are satisfied that enough work is being done to turn the whole area of North West municipalities around. Obviously there are lots of other issues. Yes, indeed there would have been issues where factional battles were a problem but again, the fact that the ANC leadership has been there many times was to precisely address those issues. We can't necessarily run away from them. Every party here has its own factional battles to deal with and we don't want to worry about your party. I'll leave you on that. [Time expired.] [Applause.]

Mr M J MOHAPI: Hon Minister, let me acknowledge with gratitude that you have clarified it is not 20 but instead, it is 12 dysfunctional municipalities. Hon Minister, in the Inter-Ministerial Task Team Report ... [Interjections.]

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Mr J W W JULIUS: Chairperson, on a point of order: I know the hon Mohapi has desire to be Cogta Minister one day. [Laughter.] However, please don't answer questions on behalf of the Minister. You must wait for your turn, Baba. Wait, you are still young.

The CHAIRPERSON OF THE NCOP: Thank you very much, hon Julius. That was not a point of order. Hon Mohapi, please proceed.

Mr M J MOHAPI: Thank you very much, hon Chair. Hon Minister, much as we appreciate the intervention in terms of the provision of section 139, the challenge that we have also observed when we were visiting North West is the capacity constraints with regard to section 154. Perhaps I should also confirm that in terms of the IMTT Report there is an analysis attests to that. I just want to check with the Minister. With regard to the district teams that the Minister has committed to address the challenge of constraints particularly around the capacity, how far is the Minister in addressing that particular challenge?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, I want to thank you for the protection from the hon member. I am not too sure whether he has aspirations to be in the deployment committee to decide who becomes a Minister. [Laughter.]

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However, the point raised by hon Mohapi is actually true. What you see in the MTT Report is the admission of Cogta that part of what we need to solve is the provision of section 154 of the support by national and provincial government. We believe that we need to elaborate a lot more on it and take it as a continuous process of delivering continuous support combined with monitoring, so that we know the appropriate support needed by a municipality based on the fact that we are continuously monitoring. That is our admission. That's why you'll see it there.

Therefore, as part of our interventions - which the hon Chetty didn't read - is that we have actually talked about interventions in terms of governance, financial recovery, infrastructure, and service delivery. For us, whilst there are interventions in distressed municipalities, they are basically part of the package of what our responsibility is over all municipalities. We believe that it is important for us to be very strong on those interventions and monitoring so that when we say, this is time for intervention in terms of section 139, we actually have a body of evidence of failures to respond to the support we needed, and therefore we want to take the next action. That also means we must be able to decide whether there is capacity or even political will from the provincial MEC and department to intervene and support the municipalities. The

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reason for example, why we did not invoke 100(1)(b) in North West is that we realised that the problem was not lack of will at that level. What they were lacking was an appropriate structure that needed to be sorted out. The reason why they didn't have was not necessarily their fault but the higher offices should have also assisted. Therefore, we want to drive that process. Once we are sure that, that structure is in place and we do not see any improvement, then we can target them and say, well you have failed. However, at the moment they are very co-operative and actually receptive to all the support that we give them. Therefore, we think that going together to the local municipalities, we will be able to make an impact.

Mr J W W JULIUS: Chairperson, I just want to remind the Minister that the deployment is not necessary. The DA is taking your department from the bottom up, municipality by municipality, and soon we'll have your department. [Laughter.] Minister, you said earlier that all new appointments must first go through your database to ensure that any municipal official found guilty of fraud or maladministration will be red flagged and not be employed in another sphere of government. Can you please give us two examples of where you found this because it's prevalent! That's why you

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mentioned it. Therefore, give us just two examples where this was the case countrywide. Thank you, Chairperson.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: For that, I need to go and research, and come with the names. Yes, I have to do that and can you record it as a new question because I need to go into it. We would need to go and dig that up from 257 municipalities. However, I am ready to give the answer as soon as we have done that. I don't have a problem. I cannot give you a specific name but I am ready to do that. However, I must be given time to go and research it. Thank you very much.

The CHAIRPERSON OF THE NCOP: Hon Minister, we are on record that you will relay the answer as soon as you have it. Hon Julius, you also know that you were asking for specifics and when he answered he did not say, "I specifically." He said: "This is the measure we are putting in place." No, no, hon members. I don't want to protect the executive members but we must also learn to listen to the exact wording and choice of words used. Hon members, that was my last supplementary on Question 167.

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The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Chairperson, our slogan is "Local government is everybody's business." So, if we have to calm everybody down, I do understand, it's our all business. The Question 184 by hon Mateme refers to the matter that we have just been talking about ... sorry ... 184 ... that is fine ... no, I am not done with it yet. I just want to indicate that we reported that we had identified between Treasury and Co-operative Governance and Traditional Affairs, COGTA, 87 municipalities, where some interventions were needed. We have clarified that the number of areas where we see major types of challenges facing municipality are on the area of governance, we have spoken a little bit about that, on financial management, on infrastructure and service delivery. There is also an area of fighting fraud and corruption, which is a fourth area while the other area is the issue of political stability.

So, as we move around discussing with most of the provinces, we also try and attend to these particular issues. We have indicated that on the area of governance, we are largely looking at the structure, qualification, size and the compliance at the level of the governance of the municipality.

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On the financial management, we have also gone into that to say we look at the budgeting, structure, qualification and management of expenditure revenue collection and so on. On the area of infrastructure and service delivery, it is an area where I want to concentrate on just a little bit. We have noticed that we have a number of municipalities that are lacking in service delivery whereas there is money available on municipal infrastructure grant, MIG.

Over the five years, when we were looking at R47 billion that was used, we found that R8,4 billion was actually relocated and withdrawn and reallocated because of the difficulty in expenditure by various municipalities. R3,4 billion of that was totally removed from those municipalities that could not spend. Our concern was that most of those are the ones that cannot afford to pay engineers and that cannot have their own revenue and as a result, if we withdraw the MIG from them, we would be punishing the poor communities.

In total, 55 municipalities have engineers, the rest don't have. This is where we are trying to intervene. Out of this process, we have therefore announced, last week, the first of the 150 specialists expects that were sent to municipalities to create district technical support teams. They are located at the level of

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the district municipality so that they can service all the local municipalities. Of these 55, 17 district municipalities and 38 local will be supported.

Out of the 82, nine are provincial managers, 36 are civil engineers, 14 electrical engineers, 16 town and regional planners and seven others who are candidate civil engineers, who have the experience but are awaiting registration.

On the other side, the Municipal Infrastructure Support Agent, MISA, has also opened up to employ a lot of new staff. Sixty-two of them are young engineers. As a result of challenges that we have had to solve in most of these municipalities, we have identified by name the municipalities we are going to intervene. The list is a bit too long to bore this House with. I can say that all the provinces are going to be involved. As I said, 38 of the local municipalities and 17 districts are the ones which are affected.

In the process, we want to build capacity not just on infrastructure but on other areas of financial management as well as governance. Those teams that are going to reinforce on the governance and financial recovery over and above what the Department of Co-operative Governance and Traditional Affairs, Cogta, and National

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Treasury are going to offer, these will be published when they are ready.

The issue of our intervention is literally dealing with all the things we have found to be challenges on municipalities. We have also met to discuss the issue of fighting corruption as I have indicated here. A team goes through all of the investigations to ensure that all the necessary actions have been taken.

When we were reporting in the portfolio committee of the National Assembly, we gave them a dossier with about 500 cases stating municipality by municipality, case by case, complain by complain, case number by case number and individual officials and whether the matter is in court, who the prosecutor is, the investigating officer and what is the level of the case. We are focusing very strongly on this area because it is not just a matter of technical capacity but you also need to ensure that everyone understands that we want to crack down on corruption.

We have also had to address the issues that relate to political instability. Here again, we have raised these issues when we met with the municipalities involved, that the issues of tensions amongst members of the council, be they of the same organisation or

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coalitions, that does have an impact. Where there is a problem of tensions between the councillors and the administration side, particularly the mayor and municipal managers, all of those issues do affect issues of service delivery. We are addressing them and we are also raising issues that those may not be necessarily matters that are administrative as in Cogta only but also require political interventions of the parties that are party to those particular municipalities.

For us, all of those issues have become quite important. We have also indicated on some of the issues that we intervened on. We raised the issue of VBS, which I think we have covered quite adequately. We have also dealt with the issue of Eskom. So, there is a comprehensive intervention approach that we are using as we go to the various municipalities. We hope that with time, we can turn around the situation.

We are determined to turn the municipalities around but we do know that it is not up to the Minister and Cogta but it is up to everybody, including the members of this House to go out there and ensure that we can work together for municipalities that are rendering the services to our people that they can fix simple basic issues like clean the streets, remove rubbish dumps, fix potholes,

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fix water leaks and electricity lights. All of these simple things so that people must ultimately be able to say that we are getting the services that our municipalities can afford and on top of that, turn the municipalities into destinations for investment because that's where the crux of the matter is.

We need to make sure that our municipalities attracts investment and have additional revenue for themselves and help create jobs and reduce poverty in those areas. That's what municipalities must do. As we move to municipalities, remember that when it comes to service delivery, it doesn't matter which party you belong to, we need to work together to turn around municipalities and ensure that there is good service delivery.

Dr H E MATEME: Hon Deputy Chair, indeed, the future looks good. I think as a country ... Am I intimidated, Chair? Am I protected?

The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: We seem to be having a problem because hon Mateme is a principal of the question. Are you aware that I might be having you on my list?

Dr H E MATEME: Deputy Chairperson, I have just said that indeed the future looks good. As a country, maybe we should just say eureka. We

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have found it eventually. Chairperson, this is the system that has a potential to deliver services.

My question is: Hon Minister, going forward, is it possible that these teams of engineers, artisans, town planners as you displayed on TV the other day, they be kept as a regular maintenance workforce for the municipalities thereby establishing a foundation for insourcing? At the moment, whenever we have a problem, we get a once-off service provider and thereafter, no maintenance.

So, could we say we have finally found a team that can serve as our maintenance workforce for the municipalities?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:

Deputy Chairperson, let me say that I do agree to an extent with the hon member that we need to build the capacity of the municipalities to deliver its own services to a greater extent. This is important for us because part of why we end up with a situation where get potholes, you go back and look at the way we have budgeted, some of the budgets are for maintenance so that we don't just focus on new projects but also focus on maintenance.

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Some of the municipalities have started creating their own plants where they will go out to level the roads up and so on. This is important because some of it is low cost; they are investments that have been effected by the municipalities. They stay for a long time at very minimal costs and maintenance. So, this needs to be looked at from the point of view of what we need to ensure that if there is a small problem, there could be early easy intervention.

Sometimes when you look at the level to which deterioration has happened, it can be very problematic. I have looked at how some of the potholes have actually degenerated to a point where it is dangerous to even drive on the road. We have to close off that part of the road. At the end of the day, you need teams inside that are able to quickly walk into an area and clear that up, patch up that place. Where there is a problem of electricity, you must get someone to go in there.

There is obviously a need to balance a lot of these issues because in some instances, municipalities have been unable to manage the overtime associated with it. Then you end up with a problem of a burst pipe that solving it needs early interventions. Sometimes it gets delayed and someone comes in late at night and the cost goes up. These are things they must manage.

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We can't run away from that. We need to have a capacity for the municipalities to deal with basic things. I do agree with you from that point of view. The fact that we have gone through these challenges with municipalities doesn't mean that this is where we must always be. In the future, we can actually find that we turn this around and move on. Where we need to be, is at a level where issues of service delivery are understood and accepted, and then we start looking at real issues, which are about how to improve the quality of lives of our people.

That's where our municipalities need to go. It is also a matter of mindset. We can seat here and be very pessimistic about it and not go anywhere but we can also be optimistic about it so that we act together firmly and move everybody forward. Thank you.

Mr W F FABER: Deputy Chairperson, Minister you already have an intervention plan in place to address these issues, the so-called back to basics programme. Government is also using Treasury with intervention plans. However, municipalities are not adhering to these intervention plans for example, the Magareng municipality in the Northern Cape. There is a failure of the Minister and everyone involved in terms of section 32 of the Municipal Finance Management Act, MFMA.

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Every plan you put in place fails and results in more suffering for the people due to the incompetence and lack of will to work with these interventions and recovery plans. Please give us examples of real success stories of rescued municipalities. Minister, I would like you to commit to follow up on the municipality of Magareng's intervention personally. Thank you, Chair.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:

Well, I think that question has come a little early. The interventions are going on now. We would come and give you the report on the success but because you will still be here, we can come back after a couple of months to be able to report what progress we have made.

The specific ones that you are referring to, I would have to go and research specifically because I can't off the cuff just report about a municipality. I didn't know there was going to be anything raised on them. So, I would request that you send me a specific note on it, then, we can follow it up and avail the response. I have already ... Chairperson, maybe after this question ... Just to give some of the responses, one of the members asked that I must give examples of where we have actually intervened on specific municipalities and names of the people. I will give you the names just now.

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Mr D M MONAKEDI: Deputy Chairperson, thanks to the Minister for making sure that his Ministry lives up to its constitutional mandate especially as far as section 154 of the Constitution is concerned. My question is with regard to these interventions - the assistance that you have referred to at the level of municipalities. Is there a turnaround time by which the said municipalities should be up and running, fully functional and in a position to discharge their constitutional mandate without necessarily any further intervention or assistance? The issue here is about turnaround time so that you don't have a situation where your teams remain in these municipalities forever. Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Deputy Chairperson and the hon member, yes, indeed, the focus for us is that section 154. The teams that are dealing with the issue of governance and financial recovery will give them a few months - three to four months to indicate that they have dealt with the basics. Then we will monitor for the next few months. So, we should be able to give you a sense in around six months or so from now to say what pattern do we see. It's not like it is an intervention forever. It is an intervention and then monitoring and then deal with specific weaknesses that we detect in the process.

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When it comes to the infrastructure team, we have the team in place up until 2021. It requires a bit of a longer term planning and longer term execution. Most of the projects are multiyear that we cannot deal with them within one financial year. So, we want to see productivity and outcomes over that period. So, we have given them a period of up to 2021 -the engineers and regional town planners teams. That is what we are focusing on.

The others that are dealing with issues of governance - we have specific intervention times. Of course it differs from one area to the other. Our timeframes on the municipalities that are distressed ... A number of them are the ones that have disclaimers. We want to get them out in 12 months. The ones that are on section 139(1) (b) they must also be out in 12 months. We are really trying to push in that kind of direction. Obviously, we would be able to see the effect we are making.

My approach to our team is that; let's deal with them in such a way that we identify all the weaknesses and the interventions needed in time so that we can meet our timeframes.

Mr J M MTHETHWA: Deputy Chairperson, thanks to the hon Minister for assisting the municipalities with a team of engineers. It will help

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municipalities with regard to capacity. There those municipalities like Tshwane municipality, where the manager unlawfully awarded R12 billion infrastructure contract to an engineering consultancy firm without taking it to the council. My question is: Is there any intervention that your department can do before it's too late? There is a lot of money involved here bearing in mind that this is affecting lots of small contractors, especially those who were previously disadvantaged. This is a DA municipality.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Mthethwa, just for clarity purposes, did you say Tshwane?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Mthethwa, thanks for the words of support. We have read this issue in the media. We have asked our team to give us a bit of clarification if they are aware of what's going on. Depending on the response we get, we might need to investigate. We will need to deal with it in the normal way we deal with this. If we have a query as it is being raised here, we have to get the provincial MEC to start a process of finding out what happened. We can just say that if there is something that we find, which will obviously be a transgression, we shall act on it. Action has to be done irrespective of the party that is in charge. We have to deal with it

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on the basis what we find. We will take the matter in that direction. Thank you.

Question 196:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, our response to question 196 is as follows: the question about the payment of izinduna in KwaZulu-Natal requires the information that is in the possession of the province. We have accordingly approached the province to provide information and we will revert to Parliament as soon as we the information.

The government has taken measures to capacitate and empower traditional councils to enable them to fulfil their mandates effectively and efficiently with programmes targeting traditional leaders as well as council members. Each province has the responsibility to implement capacity-building and programmes for the institution of the traditional leaders.

After the reconstitution process of the traditional councils in 2012, an induction manual was developed in order to roll out training in all provinces. The content of the programme includes but not limited to the following headings: establishment, roles, functions and responsibilities of traditional councils, leadership

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and governance, protocols and intergovernmental relations, legislative framework pertaining to traditional leaders as well as any other relevant legislation.

The addition to the above mentioned, various provinces are also conducting trainings such as community development programme; [Inaudible.] in partnership with the University of KwaZulu-Natal, which comprises different learning areas, for example, understanding the context of the community development and community-based project facilitation; and rural housing development programmes in partnership with the Department of Human Settlements.

Traditional council members, herd men and women also received training on visionary leadership and strategic planning through partnership funded by a local government sector education and training authority.

Due to financial constraints, the Department of Traditional Affairs enters into partnership agreements with various private sector and other government departments to ensure that continuous training is provided for traditional councils and the institution of traditional leadership.

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In some of the provinces training is currently underway on the following: integrated development plans, local economic development, project management and financial management. Thank you very much.

Mr L B GAHLER: Chairperson, former State President, His Excellency, hon Zuma, made a commitment in this House that all izindunas will be paid a full salary. To date, that has not happened. However, the information you are talking, KwaZulu-Natal has paid R800 million for izindunas, which is an audit query. But, we cannot have two sets of law; why are the izindunas in the other provinces not paid? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, obviously one would have to verify the numbers that have been given so that one must not comment as though we actually agree with the numbers given. I'm not sure about the accuracy so we would like to go and check.

However, let me say that there are practical challenges with the issue of the payment of izindunas. The first of those challenges is that there wasn't any additional allocation given to provinces to be able to take care of this category of office bearers - if one may call it - therefore, this means that provinces will be going through

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difficulties. They have indicated to me that they do have difficulties because this is a commitment that they are not necessarily empowered to be able to deliver up to.

So, where there are question marks, I would understand that to be the basic problem of various provinces because there was no specific budgetary allocation. So where you talk about some of the issues, for example, KwaZulu-Natal, they have raised a concern that the estimated or projected amount that is envisaged in this operation will far exceed the resources they have for the institution.

The other challenge that I think becomes an issue - that has not been properly dealt with - is the definition of izindunas. Whether when you say herd men you mean the same thing in different provinces is a big issue. Whether izinduna in terms of numbers, are we referring to exactly the same category or we are dealing with a class of issues which mean different things to different people as it were?

So, these are the issues that we are discussing. I had an opportunity to raise this matter with Justice Musi, who is responsible for the remuneration of office bearers, and it became clear that we need quite a bit of work to do research that will

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analyse and clarify these issues because in terms of the definition of who herd men are, just as an example between KwaZulu-Natal and Eastern Cape we found that there were differences of exactly what category we are referring to. It then creates an issue if you go from province to province.

Secondly, the numbers are such that there's a huge challenge at that level. While the traditional council has an obligation to look at the first ten people that are around the traditional council, but the rest of the others do exactly the same thing and therefore it does create complications.

When it comes to installations, dethronement or removal from office and expectations and the formality of appointing and so on, ordinarily in a communal life there's no problem there. But once you have to go to specific provisions in law of how you provide budgetary allocations and the relevant legislation that will have to deal with the person who has been in office and the one who has been removed from office and what processes go into that, it tends to be a complex matter.

I'm only pointing out these because I think when are reporting challenges in managing this issue it needs to be understood that the

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issue is not as simple as straight forward as we understand when we are out in the villages and you are talking about izinduna, it's very simple because in your area there's one or two izinduna depending on what they are doing. But when you talk about the rest of the country and the systems to manage this thing, is more complicated. I think all of us know that where you deal with formal bureaucratic systems and trying to impose them on traditional leadership structures, there's an incongruence that happens and asymmetries that arise that do create a lot of challenges. So, these are matters we are dealing with. We have a team that must work together between the Department of Co-operative Governance and traditional Affairs, CoGTA, and Judge Musi to try to refine this issue so that we can resolve some of the issues that have been raised.

Ms L L ZWANE: Chairperson, with regard to the training of traditional authority structures and the capacitation programmes hon Minister, I will cite the example of KwaZulu-Natal where I know that those programmes have been taking place and I want to believe that they do assist in improving the governance of traditional authorities or traditional authority councils.

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Nonetheless, my question is on whether there is a tool that Cogta is using to measure the performance that seeks to investigate whether we do have a return on investment after the traditional authorities have undergone the training programmes, is there a visible improvement in terms of the governance at that level? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
chairperson, I do suspect that the hon member's personal background on this matter is an issue that ... [Laughter.] ... to be honest, I've never gone onto this one. It is something that I will have to go and find out; I think it's something that we need to work on. There are two things that I think are important going into the future, firstly, [Inaudible] ... structure causes for traditional leaders in office and those who are part of that system to move from basic knowledge you need to start managing, which is part of what the capacity-building programmes are, and then build onto that to a point where it is possible to get a certificate, diploma, degree and so on, because this area of service delivery is also very important and I think it's important to ensure that people who are assigned to lead communities, we must invest in their own personal capacity and development, so I agree on that one.

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Secondly, the question of assessing the impact of our investment, we've not done that. If it has been done, I've not been informed. So, I think it's something that we need to go and look into. Thank you.

IsiZulu:

Mnu J M MTHETHWA: Sihlalo, cha, ngithi Ngqongqoshe, kwakuyisinqumo esihle esasithathwe nguMengameli ukuthi izinduna zihole ngoba kwakuqala ngqa emlandweni wezwe lakithi eNingizimu Africa ukuthi induna isebenze ihole kuHulumeni. Kodwa-ke okube yinkinga kakhulu yilokhu kokuthi ayibange isenzeka imali yakhona, isabelo sakhona ukuthi bazohola kanjani osekwenze ukuthi kuze kugcine kuphazamiseka Umnyango Wezokuphatha Ngokubambisana Nezindaba Zendabuko oKwaZulu-Natal ngokuthi kuthathwe imali yezinsiza kube yiyona ekuholelwa ngayo izinduna. Isicelo sami kuwena bekungesokuthi, ayikho yini indlela uNgqongqoshe angenza ngayo ngoba kulimala uMnyango Wezokuphatha Ngokubambisana Nezindaba Zendabuko KwaZulu-Natal ngalo msebenzi ukuthi axhumane noNgqongqoshe Wezezimali kuboniswane ukuthi siphuma kanjani kulento ngokushesha kodwa ukuthi izinduna zihole, cha, kumele zihole impela, muhle lowo msebenzi. Siyabonga.

UNGQONGQOSHE WEZOKUPHATHA NGOKUBAMBISANA NEZINDABA ZENDABUKO:

Ngibonge Mphathisihlalo, ngibonge nakuwe mhlonishwa ilungu

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elihloniphekile, lolu daba lokuhola kwezinduna lwaluvele ngoba kwakuwukuzama ukulekelela, ukubonelela ekutheni njengoba nazo zinomsebenzi eziwenzayo emphakathini makube khona lapho zizothola khona ukusizakala kodwa into engiyichaza lapha yinkinga nje engihlangana nayo uma sengingena emnyangweni ukuthi ngokusebenza kweminyango zikhona izinto eziningi ezingaka xhumani kahle ngalolu hlelo. Okokuqala wukuthi izifundazwe ezinikezwe umthwalo wokuba zibhekane nomsebenzi wezinduna bese ziyaziholela azange zinikezwe isabelo sazo esiqondene nalezi zinduna. Yilesa-ke isikhalo engisitholayo esivelayo kulezi zifundazwe ezibika izinkinga zisindwa ngoba kwafika isimemezelo esingahambisani nezimali ezifanele ukuba lento ngabe iyenziwa.

Uma sesibuyela emuva-ke umhlonishwa ubuza ukuthi, izinyathelo zini esizenzayo? Ngithe isinyathelo sokuqala ngesokuthi ijaji u-Musi okuwuyena onqumayo ukuthi wubani oholayo, ohola malini ikakhulukazi kubantu abasebuholini. Sithe-ke kwijaji u-Musi uma sihlala nalo simchazela ukuthi nazi izinto ezikhombisa ukuthi lolu daba aluhlelekile kahle lunezingxaki ezithile ngoba uma ubuka izifundazwe ezehlukene uma ubuka induna ngokwesigaba sesifundazwe esithile nokuya kwesinye isifundazwe akufani. Kungabe into eyayinqunyiwe iyavuma yini ukuthi icace ukuthi uma sibeka kanje kuphuma isigaba esikuphi sobuholi. Sase sivumelana ukuthi ngenxa yesimo sale mibuzo

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nalezi zingxaki abahlangana nazo ake sithole uphenyo esizolwenza lokuqondanisa ukuthi bangaki laba bantu, abenza muphi umsebenzi ngoba akufani ngezifundazwe nezifundazwe. Uma sesikuhlanganisile-ke lokho kuzobalula-ke ukuthi-ke sikwazi ukuzobhekana nayo lengxaki ebekwa yizifundazwe ukuthi izokuxazululwa kanjani. Singekadluli lapho ngibona sengathi kuzoba lukhuni ukuphendula ngeqe nami kulokho.

Okwamanje ukuthi njengoba umhlonishwa uNyambose esho, wudaba lolu lona olwaluwumqondo omuhle okufanele kuyobhekwa emuva ukuthi uma kuthiwa luyasetshenzwa kuzosebenzeka kanjani nezimali zakhona kufanele ziqhamuke kanjani ngoba njengamanje yilokho nje uyazisika abe esezama ukuyovala isikhala bese kuba wukuthi emuva kwesikhathi siyavela isikhala sokuthi lento, lemali abayisebenzisile yayi ngaqondene ngqo nalento asebeyenza kodwa bekuwukuthi bahlonipha igama eselivele lokuthi lento kufanele ngabe iyenziwa bengenakho ukuthi bayayiphikisa nabo kodwa kube wukuthi nje izohlenganiseka kanjani.

Kanjalo-ke isafuna ukuyophekwa kuleso sigaba lapho ijaji ehleli khona ekhuluma lolu daba lokuthi izinhlelo zezimali kubantu abangabaholi zisebenza kanjani. Ngiyabonga.

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Mnu M M CHABANGU: Sihlalo, ngiyakholwa ...

Sesotho:

... Ke a kgolwa hore ntho ena ya Marena ha se taba ya Natala feela ...

English:

... and other areas as well. I'm from Qwa Qwa; it's a small area and a former homeland also. There are two principal chiefs there; they are getting a ... 500 Mercedes Benz as a package, money that is equal to that of the MEC ...

IsiZulu:

... kube yilaba ababizwa izinduna zesifunda, baphiwa izimoto eziyizigadla zakwa-Ford ezintsha bathelelwe nophethiloli ...

English:

... and then they get money equal to that of municipal managers of municipalities; and then ...

IsiZulu:

... bathelelwe nophethiloli. Kube yilaba ababizwa ngama-local chiefs bona abanazo izimoto bayazithengela, bahola imali elingana

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neyamakhansela ajwayelekile futhi uma uthi uyabheka labantu lapha abenzi lutho, abasebenzi, futhi kusukela nibapha imali akusakhethwa ebantwini ukuthi abantu basize ukuthi kube nama ... njengasekuqaleni, sekukhethwa umndeni.

English:

Now, my point is, what is it that we are paying them for? If at all you want to my them, I'm not against it, they must work.

IsiZulu:

... iBhayibheli lithi ...

Sesotho:

...o tla fumana bohobe ka mofufutso wa phatla ya hao

English:

They must go to the municipality and assist. Thank you, Chairperson.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:

Chairperson, if there's an example of a new question, this is one.

This relates to the issues of the conditions of employment or tools of trade of traditional leaders, it's a new discussion that I wouldn't want to venture into unless we're given enough time to

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start going through it together with the challenges that we have to face. Suffice to say, the point that I am making is that there are asymmetries in the provinces, things are not the same, the same terminology cannot be translated to exactly the same level of position in another province. And indeed, it is not just KwaZulu-Natal issue but when you deal with the numbers and you deal with the approach of the different provinces is another matter; it's a matter that our department is ceased with, we are not able to comment further.

Maybe once that matter has been dealt with and we have sufficient clarification that we can give to all those who are part of that institution, we'll be able to come and report here. However, the examples, you can go to every province and find the discrepancies and misalignment, and that's an issue that is going to take a while to resolve because we are dealing with a system of traditional leadership which is not the same from province to province. And of course all the conditions, therefore, become very different. So, we are in the process of trying to work through that. The first meeting that we are going to have with the national house, we are going to be tabling our first thoughts on that matter. But I can't discuss and respond to all the matters that are raised here.

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The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon members, you might notice that members have been sneaking new questions and allowed the Minister ... [Inaudible.] ... because of his ability to handle even new questions and respond to them. But let's avoid that because the last time, as presiding officers, we were accused of protecting the executive or allowing the executive to ... [Inaudible.] ... questions and all that. So, I'm appealing to you members not to get into that.

Mr J W W JULIUS: Deputy Chairperson, can I also appeal that you also don't allow it; you know the Rules, please apply the Rules. If it's a new question, stop them and ask the Minister whether he's going to take it. Thank you. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: That coming from hon Julius, I'm telling you, we're flowing now.

Question 10:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Deputy Chair, the answers are ready.

The DEPUTY CHAIRPERSON OF THE NCOP: I just wanted to explain that it was a Question for Written Reply but, because of the length, it was then put on the list for today and has become a Question for Oral

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Reply. So, the Minister is in a capable position to respond to the question. I will allow the Minister, then.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Deputy Chairperson, I am going to turn the page towards the Chair so that you can see the type of answer I am going to give. It is statistical, and I am ready to go through it. It is only two and a half pages of numbers ... [Laughter.] ... and one, two, three, four columns, and I am ready to go to the last decimal. However, may I suggest that these two questions are accepted as tabled so that they can be placed on record? It might be a little taxing for members to listen to the numbers - not that I have any problem reading them.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, my attention is brought to Part 3: Questions for Written Reply. As I explained, the question was for written reply, but because of the length of time, it was then transferred for oral reply. Now, the Minister is bringing something very important to us, highly statistical, and we have the answers. We have a choice. We can ask the Minister to table it, and then members can read it. Yes, hon Labuschagne?

Ms C LABUSCHAGNE: Deputy Chair, on a point of order: The question is on the oral Question Paper today, not because of how it is composed

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but because it wasn't answered in the prescribed time the Minister's Office had to answer the question. That's why it is here. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: That is exactly what I said. Hon Nyambi?

Mr A J NYAMBI: Unfortunately, Deputy Chair, you are both correct, but I will assist you. The question is brought today, as the hon Labuschagne has put it, because the 10-day period within which the Minister was supposed to reply has lapsed. That is why we have it. However, in terms of the Rules of the NCOP, there is nothing, as you have correctly put it, that prevents it from being tabled because it is statistical in nature. So, that is all in order. You are both correct.

The DEPUTY CHAIRPERSON OF THE NCOP: Do we agree that the response be tabled? Thank you very much. It will then be tabled. Hon Minister, you don't have to take us through all the statistics, unless there is a specific issue that you want to clarify.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Deputy Chair, I want to clarify one issue. With regard to the question raised, it doesn't matter what numbers by analysts and

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statisticians you have. You cannot answer this question in 10 days. It is not possible. It requires columns of analysis that must go back in archives for three years - year by year, car by car, model by model. So, I think we need to understand it was not the fault of the Minister's Office. It was the nature of the request that we had to deal with. Thank you.

Mr J W W JULIUS: Deputy Chair, on a point of order: That should have been the response of the Minister within 10 days, to ask for more time. There was ample time to do that. [Interjections.] I just think next time, if the Minister says, or any Minister says ... Deputy Chair, may I be protected?

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, order! Let's listen to the hon Julius.

Mr J W W JULIUS: All I am saying is that should have been the response. The Minister should have asked for more time. I don't think anyone would have been ... but that is the reason it is on the Order Paper - because the Minister didn't respond. If there is a problem, the Minister can write to us. That is your response: 10 days is not enough.

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The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much.

[Interjections.] The hon Julius has not disagreed with anyone. He is just raising a concern, which is within his right. Let's take note of what he is saying. So, we agree that the response will be tabled.

Question 11:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, with regards to the question that has been asked, I would also request to table it because there is going to be too much of a repetition. It's exactly the same as the questions I have responded to before, but again, the members will get it as it will be tabled to them. I am therefore prepared to read it as well.

Question 12:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Chairperson, this question has also been answered. We have also indicated that it is also a statistical kind of question; there was also an indication that there is still a lot more information that we still need to add on to this question. So, we can submit this additional information that will still come because it refers to a number of municipalities for which we haven't got all the responses yet.

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The DEPUTY CHAIRPERSON OF THE NCOP: Over to you, hon Terblanch!

Ms B A ENGELBRECHT: Hon Engelbrecht.

The DEPUTY CHAIRPERSON OF THE NCOP: Yes, I'm listening.

Ms B A ENGELBRECHT: You said Terblanch, I'm Engelbrecht. I didn't get married yet from the time we saw each other last. I'm laughing.
[Laughter.]

The DEPUTY CHAIRPERSON OF THE NCOP: Okay! My apologies!

Ms B A ENGELBRECHT: Chairperson, I just have a follow-up question. I have no problem if the Minister answers in a written form, but can I just ask a follow-up question to the specific Question No 12? Chairperson and Minister, this question is specifically regarding the Auditor-General's report where 112 municipalities are in a disastrous financial position and only 13% have a clean audit.

Now, in the Eastern Cape, I just happen to be mentioning just the Eastern Cape, 13,5 billion was spent on irregular expenditure. The concern we have is that these municipalities are still being bailed out by government. Just Walter Sisulu Municipality, of the

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R23 million outstanding towards pension funds, the Department of Cooperative Government and Traditional Affairs paid R15 million towards the municipalities.

Also, with regards to Walter Sisulu Municipality, in terms of the Eskom debt of 133 million, the Department of Cooperative Government and Traditional Affairs of the Eastern Cape contributed or paid out R30 million to that municipality. So, the question Minister is, where does that money come from? Up and above the statistics that you will be providing us with, which I really appreciate, if you can just tell us where would that money actually come from? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS:
Chairperson, could you ask the hon member to table that question and allow us the time to go and ask where does that money come from? We will have to ask from the province. It will be unfair to answer that question based on more information on our side. That information can be shared; we will gladly go and investigate. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Engelbrecht is comfortable as far as I can recall.

Question 168:

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The DEPUTY CHAIRPERSON OF THE NCOP: Let me take this opportunity to thank the Minister for being available to answer questions in the House. [Applause.] We proceed with questions to the Public Service and Administration.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chair, the question is about how many senior managers in provincial administration have failed to declare their directorships in public and private companies, as at 18 July 2018. The reply to the question indicates that details regarding declarations of financial interest, including directorships by senior managers for the 2017-18 financial year are not yet available. The records were submitted in April 2018 and are currently being worked on.

In terms of Regulation 18(1) of the Public Service Regulations 2016, members of the senior management service, SMS, in the Public Service are required to disclose all their registerable interests, annually, to their heads of department, by no later than 30 April, each year. During the same period, heads of department are also required to submit their financial disclosure forms to their respective executive authorities, in terms of Regulation 18(2) of the Public Service Regulations 2016.

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Heads of department and executive authorities, as the case might be, must, in terms of Regulation 18(5) and (6) of the Public Service Regulations 2016, submit copies of these forms to the Public Service Commission by no later than 31 May of that particular year. Any person who assumes duty as an SMS member after 1 April each year, is required to make such disclosure within 30 days after assumption of duty in respect of the 12-month period preceding his or her assumption of duty. The Public Service Commission is currently conducting the verification of information, as disclosed by senior management in their financial disclosure forms. The outcome of the verification process will be available in February 2019.

With regard to the verification conducted in respect of the 2016-17 financial year, the Public Service Commission found that 718 SMS members did not disclose their directorships in companies. Out of this number, 482 were found in national departments, 236 in provincial departments, and 16 of these SMS members are at director-general or head of department level.

While disciplinary action was taken against some SMS members who did not make full disclosure of their registerable interests, some executive authorities indicated that they needed time to consult with their SMS members in order to determine the correct course of

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action. As at 31 July 2018, the Public Service Commission has received responses from 64 out of a total of 152 executive authorities, in both national and provincial government departments. Fifty-five of these executive authorities are from provincial departments and nine are from national departments.

According to the feedback provided by the Public Service Commission, the following were the outcomes of various consultations with the affected SMS members. A total of 672 SMS members in both provincial and national departments provided satisfactory explanations to their respective executive authorities. Therefore, no further action was taken.

A total of 285 SMS members were sensitised to the requirement that they fully disclose their registerable interests in terms of the regulations. Out of these 285 SMS members, 119 were in provincial departments and 116 in national departments. Disciplinary action, such as written warnings and counselling, were taken against a total of 127 SMS members, of which, 112 are in provincial departments and 25 in national departments. I thank you, Deputy Chairperson.

Mr J W W JULIUS: Agb Adjunkvoorsitter [Hon Deputy Speaker], the Deputy Minister used words like "sensitised" and "disciplinary

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action", and so forth. Apart from state capture, this matter is actually at the heart of corruption in our country. Just a few months ago, National Treasury reported that about 2 780 government officials were reported as still doing business with government, to the tune of R8 billion.

When this department introduced the Public Service Regulations in 2016, it put into regulation that no public servant can conduct business with any organ of state. How can we be "sensitive" towards that? It's clear. There is no real political will to end corruption in the Public Service, otherwise you would have charged them, because it's illegal to do it. How can you take them to a disciplinary hearing if it's illegal? It's illegal. It's corrupt to do that.

My follow-up question to the Deputy Minister is: How many criminal charges have been laid against these officials who have still not given their details, or have not complied with these regulations? Thank you, Deputy Chairperson.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chair, we have not actually made an audit of the criminal charges that were made. Hon Julius, what you are actually saying to me now

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is that something to the effect of R8 billion, currently, has been used by a number of senior managers, who have not actually declared it.

However, the report I am giving you is that the current statistics are not available because submissions were only made in April. By February next year, we will have the kind of information you are talking about, because what you are actually saying is that it is current information.

For now, the statistics we have are the statistics for the previous financial year, 2016-17. We don't have the 2017-18 statistics yet. I will agree with you when you say that some of the outcomes, like sensitising, might actually be demonstrating a soft approach to the matter. It's actually an area that needs to be reviewed. Thank you, Deputy Chairperson.

Ms B A ENGELBRECHT: Deputy Chairperson and Deputy Minister, I agree with my colleague. This is an indictment of exactly the way this government is going. Whenever one opens a newspaper, there are stories of corruption of some sort.

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I find it exceptionally disturbing to be told that 672 people that have been doing business with government gave a satisfactory explanation, and no disciplinary action was taken. That's unacceptable! It's unacceptable.

Then, the Deputy Minister wants to tell us that it is more than R8 billion that has been ... [Interjections.] Can I be protected, Deputy Chair, from the people making all these funny sounds in the background?

The DEPUTY CHAIRPERSON OF THE NCOP: Order! Order! Order! Order, hon members!

Ms B A ENGELBRECHT: Perhaps they should start focusing on getting officials to do the right thing. I mean, the value given by Treasury was at R8 billion. More than R8 billion has been used or been stolen by government, because officials are doing business with government. Now the Deputy Minister is telling us it is more than R8 billion. This is absolutely shocking! I really think we need hard action from the Minister, and the Minister has to give us very, very specific reasons how it is that no further disciplinary action has been taken against 672 people. It's unacceptable, Chair.

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The DEPUTY CHAIRPERSON OF THE NCOP: Well, I don't know, because I thought that the Deputy Minister had answered that question - that the statistics she was referring to and that she gave to the House refer to 2016-17 ... [Inaudible.] ... and what the hon Julius and you are presenting to the House now is what has come out of ... [Inaudible.] ... and she had requested to be given an opportunity to go and look at that and to come back to the House. Hon Deputy Minister, if you are comfortable with repeating that same answer, then I will give you that same ... [Inaudible.]

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chair, in actual fact, that R8 billion I was referring to came from the hon Julius, who said there is a particular number that came out in the paper, currently ...

The DEPUTY CHAIRPERSON OF THE NCOP: No, no, you are doing the same thing that you were complaining about. The Deputy Minister has responded.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Yes, R8 billion has been spent on this matter and I am saying we do not have the results of the year being inquired about, yet. Submissions only had to be made by 30 April. This means that it is a process that is under way. The final results will be available - that refers

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to the R8 billion the hon member is talking about, which is something that comes out in the paper on statistics. As I said, it has to do with the information that has just been submitted.

What we have as available information is for the 2016-17 financial year. That is accurate. If you want full information on it, we are in a position to make it available to you.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon members. Those were the only ... No, no, no, hon Engelbrecht. [Interjections.] No. It can't happen. You can't do it.

Ms B A ENGELBRECHT: No, you must allow me to make my point ... [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: No, no. Just take your seat, hon member. Can you just take your seat? The Rules also afford me the opportunity to call you to order by requesting you to take your seat, and I'm asking you to take your seat. Hon member, will you take your seat?

Hon members ... [Interjections.] ... no, hon member, can I just address you? Two follow-up questions were asked and the Deputy

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Minister responded to the full questions. We will now proceed to the next question, which is Question 175.

Question 175:

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chairperson, Question 175 is about whether government has considered the implication constructs for employees in Public Service, especially those who are providing essential services, if not, why not; if so, what are the relevant details. Secondly, why is Public Service still employing public servants on fixed contracts other than those who are employed at senior management level? The response to the question is that Public Service has taken into consideration different staffing needs and no specific occupation or group of occupations have been singled out or no specific focus has been given in terms of directing the nature of their employment except for heads of the department, staff employed by offices of the executive authorities and employees who left Public Service on the condition that they will not be re-employed in Public Service. Regulation 25 of Public Service Regulations 2016 provides powers to the executive authority to define and create posts necessary to perform the relevant functions of the department and the post created shall constitute the department establishment. Departments with specific reference to executive authorities have the necessary

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powers to address their human resources' needs that cannot be managed through the post on fixed establishment. Within the available budget, executive authorities may employ persons additional to the establishment where, one, the incumbent of the post is expected to be absent for such a period that his or her duties cannot be performed by other employees; two, the incumbent is employed on account of a temporary increase in work volume which is not expected to endure beyond 12 months; three, the incumbent is employed to work exclusively on specific projects that has limited or defined duration; four, the incumbent is a noncitizen who has been granted a work permit for a defined period; five, the incumbent is employed to perform seasonal work; six, the incumbent is employed for the purposes of official public work scheme; seven, the incumbent is employed in a position which is funded by an external source for a limited period or an employee post that has been abolished and he or she cannot be transferred into another post and is an employee who is part of a development programme as contemplated in Regulation 56 or; eight, he or she is an employee who has reached the normal or agreed retirement age applicable in the employers business.

Fixed-term contracts are especially used for short-term needs for a period not exceeding 12 consecutive months. An employer could employ

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an employee for a limited duration, as long as there is an objectively reasonable ground for doing so. What also comes into play here is the Constitutional Court judgement that is based on the whole issue of the services of brokers and the fact that if the services of brokers go beyond three months - that kind of contracts, then there should be automatic appointment of candidates. This matter has been referred to the Office of the State Attorney to give an opinion as to how will we work on this within government. Thank you, Deputy Chairperson.

Ms G G OLIPHANT: Deputy Chair, you know when we talk about brokers and all that, I am a unionist and I believe that there should be job creation somewhere. My question is: When can we expect the moratorium on filling of vacant and funded positions to be lifted? The second one is: What plans are afoot to absorb critical skills and prevent an increase in the unemployment rate? Because I believe there are skills that are out there. People have graduated from universities, they have skills and it is either they are not working or they are in the offices working but employed as contractors. Thank you, Deputy Chair.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chairperson, through you to the hon Oliphant, there has never been a

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moratorium on vacant positions. That is the point that the Minister reiterated, I think a month or two ago. I think even somewhere within the wage agreement, there is paragraph on this issue that states that there has never been any moratorium on vacant positions. Your other question relates to skills and absorption of skills within Public Service. One thing that was also delaying appointment of people with skills within Public Service was the conditions that are put - entry conditions, which the President has made a pronouncement on by saying that we need to remove all those conditions in order for us to allow the number of graduates and skilled people that are out there looking for jobs that find it difficult to come into Public Service.

There is also a graduate recruitment programme that has just been launched about two weeks ago through the National School of Government, which is a programme that is going to attract all the graduates that are unemployed so that they can come into Public Service. This programme is connected to the President's Youth Employment Service, Yes, initiative that is intended to provide jobs within public and private sector for youth. Thank you, Deputy Chairperson.

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Ms B A ENGELBRECHT: Deputy Chairperson, through you to the Deputy Minister, could you please tell this House what positions in your department do you consider essential services because that doesn't mean that people employed under essential services are not allowed to strike. So, if we can just get clarity regarding who is employed as an essential service worker in your department.

The DEPUTY CHAIRPERSON OF THE NCOP: Can I check with the Deputy Minister whether she is prepared to respond.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: It is a new question, hon Deputy Chair. If you don't mind we can consider the question and forward the response later.

Ms B A ENGELBRECHT: Deputy Chairperson, if we look at the original question, it is especially about those who are providing essential services. That is the original question. So, all what I want to know is: Who are the people who are providing essential services? It is exactly a follow-up question to the original question posed to the Deputy Minister and the department. It is not a new question.

The DEPUTY CHAIRPERSON OF THE NCOP: What the Deputy Minister is saying hon Engelbrecht is that ... [Inaudible.]. I didn't want to

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get involved ... [Inaudible.] ... but what she is appealing for is that she is asking to be given some time to go ... probably she might also say that she will give you statistics - hard facts. For example, if you talk about nurses, and if you talk about firefighters, she will tell us how many there are and all those sort of things. So, can we just agree that we should give the Deputy Minister that opportunity to come back to the House later and give us that information. I would know what essential services are ... [Inaudible.] ... or members or employees that belong to the essential services, but I don't want to get involved in that. Hon members! Hon members, order! I am responding to a question that was posed ... [Inaudible.] ... I think we are agreeing on that. ... [Inaudible.] ... an opportunity to do exactly that, then we can proceed.

Question 191:

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Question 191 wants to know when the Ministerial Handbook be signed by the President. The response to that question is that the draft guide for Members of the Executive, which seeks to replace the Ministerial Handbook of 2007, has been finalised by the Inter-Ministerial Task Team and forwarded to the President. The President will sign and

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approve same once he has applied his mind to the contents thereof.
Thank you.

Ms B A ENGELBRECHT: Deputy Minister, the Ministerial Handbook is a very important part of the constitutional obligations of people in executive positions and it basically explains what Ministers and Mayors and other people in executive positions are allowed to spend. So, it is about the spending capability of people in executive power. Since 2007, your department has been telling us that the Ministerial Handbook has not been signed off and it is there for review. This shows the people of South Africa that your department is not interested in holding the executive to account. If it was, you would have made sure that this has been signed off after 2007. It is now how many years later? Nine, 10, 11 years later and it is still has been signed off. It is an indictment of the ANC which is not holding the executive to account.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon House Chairperson Nyambi...
[Inaudible.] ...maintaining order there. Hon... [Inaudible.]
...sounds more like a question to the President, but hon Deputy
Minister... [Inaudible.]

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The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon Chairperson, I think I must just note the comments because the response says the Handbook has been concluded and it is now in the office of the President and unfortunately, I am not in control of business of the Presidency. There is no other way I can actually assist because we just have to wait until the President has concluded the process.

The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Part of our responsibility as Presiding Officers is also to assist members. I am saying that the follow-up question sounds more like a question to the President like the Deputy Minister said it is in the Presidency. The question is very clear, when shall it be signed? Who must sign it? It is the President. My advice would be that in the next round of questions to the Presidency, whether it be the President or the Deputy President, probably this question might be relevant. I am saying that hon Engelbrecht withdraw it as it is a very important question. Can we then refer it to the Presidency?

Mr L V MAGWEBU: Thank you hon Minister for that response, but let's just explore this response. You say the Ministerial Handbook is now in the office of the President to sign?

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The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: It is not me.

Mr L V MAGWEBU: No, no, no. I am talking to her. The question is: When was it concluded because you started by saying it has been concluded? It is important to know when was it concluded so that we can know who is sitting with this Ministerial Handbook so that we can hold that person accountable. Give us the exact date, whether is it in 2014, 2015, 2016 or was it concluded last week? You should have an idea, ask your colleagues to help you there. Thank you.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Chairperson, we don't have the exact date but I think my colleagues are here and they can try and find the date if we can be in the position to find it before question session is concluded.

Mr C J DE BEER: I am Charel De Beer from the Northern Cape. I thank you hon Deputy Minister for your adequate response. I am pleased that the finalisation of the Ministerial Handbook will assist the government to address the issues that have been raised in the public regarding benefits for Members of the Cabinet and the Select Committee for Finance and Select Committee for Appropriations is

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calling the departments to come and account. We are following the money as that's the mandate of the NCOP. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Deputy Minister, I don't know if it was the comment ... [Inaudible.]

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Let me welcome the comments hon Chairperson. It is an accountability tool and it is now ready and I am sure future engagements will actually be based on the tool that has just been completed. Thank you.

Question 177:

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Thank you, Chairperson. The question is whether government has a list of all employees who have received government tenders since the promulgation of Public Administration Management Act, 2014. If so, what measures are in place to ensure corrective measures against the affected employees and what are the further relevant details?

In response to the question, it must be noted that Public Administration Management Act, 2014 is not yet effective as it will only be implemented once regulations are promulgated. Currently, Regulation 13(c) of the Public Service Regulations, 2016 prohibits

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public service employees from conducting business with an organ of state either in individual capacity or as a director of a private or public company.

Information received from the central database managed by National Treasury, indicates that 580 public service employees are possibly conducting business with an organ of state. These employees were identified by matching information from central supplier database with information on persal salary system. As information on persal is not regularly updated, the list of names still has to be verified by the respective departments as some of the employees may have resigned or may be conducting business with an organ of state in an official capacity.

Sometimes in an official capacity when some of them, for an example, are CEO of Chapter 9 institutions and they have to register assets like cars, and then they are required to provide their personal details at the traffic offices and to find that those cars are also registered in their names and ends up looking they are doing business with the state.

To address this, the Department of Public Service and Administration wrote letters to the departments requesting them to verify if

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employees listed on the central supply database are still their employees or still conducting business with an organ of state in an official capacity. The departments were also requested to take action against those employees who were conducting business with an organ of state in an individual capacity or as a director of a public or private company.

Only 10 national and 10 provincial departments provided feedback to the Department of Public Service and Administration and; indicated that 10 employees were conducting business with an organ of state in an official capacity. The Department of Public Service and Administration presented a progress report on the implementation of Regulation 13(c) to Cabinet in November 2017 and will do so again in September 2018.

The Department of Public Service and Administration is in the process of drafting regulations for section 8 of the Public Administration Management Act, 2014 to strengthen disciplinary action against transgressors. Section 8 also criminalises public service employees from conducting business with the state. Thank you Chairperson.

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Ms T WANA: Thank you, Chairperson. Thank you, Deputy Minister for the answer. By the look of things, the department is very slow in terms of implementing the promulgation. What I can say is that the ANC is very much interested in this programme because the issue which was identified as double dipping from the officials is not acceptable. When do you think this draft will be completed and when do you think the implementation of this will take place? Thank you.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Thank you very much, hon Wana. I think your comment is valid. Everybody is concerned about the finalisation of these regulations so that we can be in a position to fast track this process that will actually help us as public service to manage efficiently and effectively deal with public service employees who are doing business with government or who are getting tenders from government. So, we will take it upon ourselves as the Department of Public Service and Administration to fast track conclusion of the regulations so that the Act can manage to kick in effect. I thank you, Chairperson.

Ms B A ENGELBRECHT: Chairperson, thank you. Deputy Minister, I hear this is your maiden speech in the NCOP so I am very glad that you gave us this answer because it shows me that you don't know what is happening in your own department; because previously when you

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answered question 168 you spoke about 957 people, that 672 had given satisfactory explanations and 285 has had disciplinary hearing yet, a few seconds ago you spoke about 500 people doing business with the state. So you are contradicting yourself.

I think you need to check on your facts. The figure in terms of 2780 officials doing business with the government, that is the figure we got from National Treasury, so that is an accurate figure because I do not doubt National Treasury's figures. So Deputy Minister, I am getting back to the questions that I ask you previously, is of the 672 people that gave you satisfactory explanation, how can you justify that those explanations were satisfactory and no further disciplinary actions were taken? Thank you, Chair.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Thank you, Chairperson. I think the problem is that you are quoting figures but you are not saying what I have said to you because I made mention of the figure 780 and this figure refers to with regard to verification conducted in respect to 2016-17 financial year. Public service commission found that 718 SMS members did not disclose. So, this is the figure that I have given and I went to indicate that out of this number, 482 were found in national departments, 236 were found in provincial departments. And I went on to demonstrate the kind of

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action that was taken, both in national, yes of course, I am sure she was not really listening. Both in national ... [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Order!

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: ... and provincial departments. So you are busy coming up with calculations that are about your understanding of what I have said which is not accurate. Thank you, Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much. That was the only two follow up questions. You know, I am picking up something very interesting; can I bring it to your attention? The last questions are repetitive. That is why you find ... [Inaudible.] The questions are the same but I will allow the Deputy Minister because it's her responsibility to account. I will allow her if she wants.

Question 194:

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chairperson, Question 194 is whether the National Development Plan has been successful in reducing gender inequality in the public service, particularly the wage gap and underemployment of females in

general and at senior management level; if not, why not; and if so, how has this been achieved and what evidence substantiates such success?

The response is, there is no explicit gender-based wage gap in public service remuneration policy for the public service provides for male and female employees doing the same jobs and with the same personal profiles to receive similar remuneration. Progress towards parity for women in decision making positions has been erratic and slow, we agree. The target of 50% representation of women, especially at senior management service, SMS, level not actually ignoring the lower level is not specific in terms of what happens within various levels of SMS. The majority of women are concentrated at entry level 13, for example, and their numbers decreases as you move towards level 16 of director-general. Of the 145 director-general and heads of departments in public service, 71% are males and only 28,97% are females. Thank you, Deputy Chairperson.

Mr M M CHABANGU: Deputy Chair, Deputy Minister, my simple question will be, despite there be more women than men in South Africa, women still remain underrepresented in government, particularly in leadership structures. As the Department of Public Service and Administration, part of your responsibility, Deputy Minister, is

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ensuring that we have a public service that has a gender balance. How does the department learn to achieve this? Thank you.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Deputy Chairperson, indeed, it's very important for women to be well represented within or across government departments in line with the Cabinet decision that there should be across the board, 50/50% representation of men and women, not only in public service but also in the private sector. The weakness also is that, we don't currently have policy that actually helps to enforce this. This is one weakness that has actually been identified that needs to be rectified if we are serious about proper representation advancement of women within government departments in South Africa and maybe also in the private sector. If you also look at the private sector, you realise that the private sector also is still not having proper representation of women and not only are just black women, women across the board. The private sector is still white male dominated.

So, what is important is for us to actually have the policy document that will actually assist us and also to resuscitate gender focal points that lately are not really very highly operatively. We need to put more capacity in the gender focal points in all government departments to be sure that those gender focal points will actually

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actively participate in the gender mainstreaming of all government departments managing to put a lens on all operations to be sure that all the operations are representative of women. Even the budget itself, it should actually be made to be gender sensitive.

Of course, other areas that need to be looked at are other institutional mechanisms as to how they operate, like the Commission on Gender Equality, the National Gender Machinery and also conclusion of the Women Empowerment and Gender Equality Bill that is still hanging. I thank you, Deputy Chairperson.

Question 179:

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Chairperson, the question is whether government has reached its targets in mainstreaming gender within the public service; if not, why not and what plans are in place to realise the mainstreaming of gender within the public service; if so, what is the overall representation of women in the public service, particularly for directors-general and heads of department, HODs, in the provinces?

The response to the question is that there are no set targets yet, accept for a 50% representation of women, which was a Cabinet decision and not translated into policy or legislation. The

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implementation of the heads of department's 8-Principle Action Plan for Promoting Women Empowerment and Gender Equality monitors departments closely to ensure that there is compliance in terms of mainstreaming gender. Of course, I just mentioned earlier the importance of really having viable and well-capacitated gender focal points.

As at 30 June 2018, female employees constitute 62,34% of the public service and male employees constitute 37,65%. Of the 145 directors-general and HODs in the public service, 71,03% are male and only 28,97% are female, which means that women are highly underrepresented in the public service, especially in top positions. Thank you.

Dr H E MATEME: Chairperson, in so many words, the answer is satisfactory in the sense that it implies that it is work in progress. The issue of affirming women in this country is work in progress. It may differ according to the levels, but a beginning has been made. A beginning has been made. At the risk of being accused to smuggling in something else, I would say: Is it not time that we give those parties that are a bit slow in affirming ladies a gentle push? [Interjections.] It is work in progress. Thank you.

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The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Chair, hon Mateme, I made reference to the Women Empowerment and Gender Equality Bill and I think there is a clause that is trying to take care of that - to ensure that political parties in South Africa actually take women seriously, in terms of representation at all levels. However, it is important to conclude the Women Empowerment and Gender Equality Bill, so that it can be utilised as an enforcement mechanism to realise equality for women.

[Interjections.] I thank you.

The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Can we listen to hon Engelbrecht? Hon Julius.

Ms B A ENGELBRECHT: Chairperson, Deputy Minister, thank you for acknowledging that there are huge strides that still need to be made. What recruitment, training and development mechanisms are you busy putting in place or are in place to ensure that current female employees in government are adequately capacitated and empowered to be considered for those senior management positions?

[Interjections.] Thank you.

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Chairperson, in actual fact, when it comes to capacitating and

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training females in South Africa, it begins with the girl child. This government therefore, right from school level, tries to infuse issues of gender in the school curriculum to ensure that girl children are encouraged to get into professions and areas that traditionally were for males. The Department of Public Service and Administration tries to encourage youth to make the public service their career of choice. Once they come in, the National School of Government is utilised. Once we have made an audit of the skills that people have in relation to their jobs, we fill gaps that are found through the National School of Government. Thank you.

The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon members, that concludes ... You are already on your feet and I have not recognised you. Can you sit down and raise your hand? You may proceed, hon member.

Mr L V MAGWEBU: Chairperson, I appreciate it. Before we conclude, there is an outstanding response from the Deputy Minister. The question was: When was the ministerial handbook concluded by the department?

The DEPUTY CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: When?

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Mr L V MAGWEBU: When was the ministerial handbook concluded by the department? The answer was that it is with the President. We said that before we conclude the session, the answer must be readily available and she gave us that undertaking. The question is: When did the Department of Public Service conclude ...

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: We do have the question. Is the answer now available?

The DEPUTY MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I have a message here. I don't have the author of the message, but it is addressed to me. It says that the ministerial handbook draft was sent to the President this year, 2018. That means that it was concluded this year, 2018. I thank you. [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member, before we conclude the business, can you just withdraw that words that the Deputy Minister is lying.

Mr L V MAGWEBU: I withdraw, Chairperson. Are you happy now?

The Council adjourned at 17:46.