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PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

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The Council met at 14:00.

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

NOTICES OF MOTION

Mr O S TERBLANCHE: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

That the Council —

- (1) notes the unfortunate announcement yesterday by Stats SA that South Africa's real gross domestic product contracted by 0,7% in the second quarter of 2018, resulting in the South African economy falling into a recession;

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- (2) debates the urgent restructuring of the South African economy; and Encourage the government, the private sector, organized labour and all other concerned organisations to engage in talks to restructure the economy, reinstate investor confidence and avert further suffering and violence for all South Africans and specifically the 10 million people unemployed.

I so move.

Mr M KHAWULA: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the IFP:

That the Council —

- (1) notes the continued decline of the economy of the country as reflected in the recent unexpected slump into a recession;
- (2) further notes that this economic slump has raised fears of another round of credit-rating downgrade which could see a sell-off in local currency bonds;

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- (3) acknowledge that these negative economic developments in the country's economy are putting more strain and subjecting more citizens to the dungeons of unemployment;
- (4) debates measures which can bring relief to the coffers of the state including the reduction of the country's bloated executive which is consuming more than what the country can afford;
- (5) calls on our government to resort back to the noble principle of doing more with less.

I so move.

**FORMER DA COUNCILLOR GETS SUSPENDED SENTENCE FOR FRAUD**

(Draft Resolution)

Ms E PRINS: Chairperson, I move without notice:

That the Council –

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- (1) notes that former DA Councillor, Wilma Brady, was sentenced by the Bellville Commercial Crimes Court to 10 years wholly suspended, 24 months correctional supervision and a R10 000 fine;
- (2) further notes that the convicted fraudster was a DA ward councillor and a chairperson of the Oostenberg subcouncil when she falsely claimed that she was acting on behalf of the Western Cape government in appointing Lelethu Properties and Developers to build RDP houses;
- (3) also note that the former DA councillor was found guilty on one count of fraud and of contravening the Public Finance Management Act last month;
- (4) call on the DA to publicly apologise to the defrauded company and the people that were promised houses and stop their councillors from using the people's housing needs to garner support.

Not agreed to.

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Mr J M MTHETHWA: Chairperson, I rise on a point of order. This is embarrassing. When a Councillor made a fraud and the DA rejects that motion. It's embarrassing in South Africa.

**AN ALLEGED HIT LIST RUMOURS LEAVE COUNCILLORS AND EMPLOYEES OF  
EMALAHLENI MUNICIPALITY LIVING IN FEAR**

(Draft Resolution)

Mr F ESSACK: Chairperson, I move without notice - and hope that hon Mthimunye will special attention:

That the Council -

- (1) notes the employees and Councillors of eMalahleni Local Municipality in Mpumalanga are living in fear after rumours of an alleged "Hit List" that has names of those who are speaking out against corrupt activities in the municipality and who disagree with the Executive Director of Corporate Services, Mandla Vilane;
- (2) further notes that the Executive Mayor Cllr. Linah Malatjie has been asked by the employees to investigate;

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- (3) the DA takes these allegations of a rumoured "Hit List" seriously especially when one considers the province's history of assassinations of politicians and government employees who are vocal against corruption; and
- (4) calls on the MEC of Co-Operative Governance and Traditional Affairs, Cogta, Speedy Mashilo, to very speedily get in the SA Police and the Hawks to investigate the existence of an alleged "Hit List";
- (5) the DA will not allow for this municipality to be governed in a manner that threatens employees and Councillors, who are working tirelessly to root out corruption in eMalahleni, in Mpumalanga.

Not agreed to.

**DEPUTY MINISTER OF HIGHER EDUCATION AND TRAINING PLEASED WITH NSFAS**

**PROGRESS**

(Draft Resolution)

Ms L L ZWANE: Chairpeson, I move without notice:

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That the Council –

- (1) notes that the Deputy Minister of Higher Education and Training, Bhuti Manamela, was very happy with the progress made by the National Student Financial Aid Scheme, NSFAS, in resolving the backlog of students who had not been paid their allowances;
- (2) further notes that the administrator of NSFAS, Dr Randall Carollisen, indicated that they have received 500 000 applications and have already processed 430 000 as a priority in his first 10 days in the job;
- (3) also notes that the newly improved online applications system for 2019 has opened on Monday and allows each applicant to be considered with great care and enormous attention;
- (4) congratulate NSFAS and the new administrator and hope that they will do everything in their power to wipe out the backlog of payments to students, and make sure that all systems are ready for ensuing year. I so move.

Agreed to.

**INITIATIVE FOR POSSIBLE REVIEW OF SECTION 25 WELCOME**

(Draft Resolution)

Dr H E MATEME: Chairperson, I move without notice:

That the Council –

- (1) notes and welcome the initiative by the Joint Constitutional Review Committee to hold oral presentations by stakeholders on the possible review of Section 25 of the Constitution to make way for the expropriation of land without compensation;
- (2) further notes that the presentations which took place at Parliament's Old Assembly Chamber emanate from written submissions by different stakeholders, following the conclusion of public hearings conducted by the committee in all the provinces of our country last month;
- (3) also notes that the committee was instructed by the National Assembly and the National Council of Provinces to establish whether a review of Section 25 of the Constitution and other clauses was necessary to make it possible for the state to

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expropriate land in the public interest without compensation and propose the necessary constitutional amendments where necessary;

(4) notes that this exercise clearly demonstrates the intent of inclusivity, in- depth and broad consultation to promote maximum cooperation to all South Africans on the issue of land reforms;

(5) best wishes to those endeavours. I so move.

Agreed to.

**FALSE TESTIMONY GIVEN TO THE ZONDO STATE CAPTURE INQUIRY**

(Draft Resolution)

Mr J W W JULIUS: Chairperson, just note that we did not object. The others, the ANC, must just do likewise. Chairperson, I move without notice:

That the House -

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- (1) notes the claims by ANC Chairperson, Gwede Mantashe, that Vytjie Mentor gave a false testimony to the Zondo state capture inquiry and it is extremely concerning and must be condemned in the harshest forms;
- (2) also notes that Mantashe allegedly tried to silence the state capture investigation inside the ANC before it started;
- (3) further notes that Mantashe also suggested, at the time, that it was very problematic to put South Africa ahead of the ANC, basically saying that they were putting the ANC before the people of South Africa;
- (4) recognises that this clearly shows the length that the ANC will go to keep corruption amongst themselves a secret, only to keep the ANC united; and
- (5) further recognises that, instead of supporting and testifying in the state capture commission, the ANC and its chairperson are attacking witnesses in public.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, before I can say whether we object or not on this one, there is a strong possibility

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that we will have the outcome of the report brought to the House to deal with it. So, it has some serious implications. So, that is why we are not going to ... [Inaudible.] ... today.

Mr J W W JULIUS: Chair, on a point of order: ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): The Rule that I am using is Rule 49(2) - In determining whether an address to the Council is out of order on the ground of anticipation, the officer presiding must consider whether it is probable that the matter anticipated will be discussed in the Council within a reasonable time.

Mr J W W JULIUS: Chairperson, this commission can take years. It is not within a reasonable time. [Interjections.] It can take years and years before it gets here. That is why the ANC did it. They want to prolong the outcome of corruption.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Take your seat. The two of you, take your seats. Take your seat, and then I will deal with you. Hon members, I have made a ruling. If hon members have a problem with the ruling, there is a procedure of dealing with a wrong ruling. I am not going to review my ruling. You must rise on a different matter.

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Ms C LABUSCHAGNE: Chairperson, on a point of order: With all due respect, the Rule of anticipation is Rule 49(1) and (2). Rule 49(1) states that when it is on the Order Paper for discussion ... and then Rule 49(2) states that the Chair could then rule when it will be discussed in reasonable time. As far as I know, nothing on that adhoc committee is on the Order Paper. It cannot be on the Order Paper. There is no determination when it will be finished, so there is no reasonable time. The end of this term is in two weeks. That committee will not be finalised. So, I think your ruling is really not a fair ruling for the open democratic process in this House.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Labuschagne, I told the House that if any member has a view of the ruling, there is a procedure. So, we will not discuss the ruling.

**WARD 37 IN SOSHANGUVE**

(Draft Resolution)

Mr E MAKUE: Chairperson, I move without notice:

That the House ...

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Mr J W W JULIUS: Hon House Chairperson, I think you are deliberately doing this. You know in your heart that the ruling is wrong. A Rule was read out and instead of putting it to ... [Interjections.] Members have the right to object.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Julius, I have been patient enough and gave you enough time. They have given me the Rule and I have read it to you and you are challenging the Rule. Take your seat.

Mr J W W JULIUS: Reading the Rule does not make it right.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you take your seat?

Mr J W W JULIUS: I can read anything.

The HOUSE CHAIRPERSON (Mr A J Nyambi): There is a procedure. There is a procedure in dealing with the wrong ruling.

**WARD 37 IN SOSHANGUVE**

(Draft Resolution)

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Mr E MAKUE: Chairperson, I move without notice:

That the House-

- (1) notes that the residents of Ward 37 in Soshanguve in Tshwane are expected to head to the voting stations on ...

Mr J W W JULIUS: House Chairperson, on a point of order: Rule of anticipation. This is on the Order Paper. We will discuss local government and provinces now. That is why the Minister's Deputy Minister is here. Can you please rule on the Rule of anticipation? Can you please rule on that one?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Let me hear the notice first and then I will make the ruling. Let me hear it. [Interjections.] Hon Julius, when it was your turn, I allowed you to read and finish it. So, allow me to listen to it.

**WARD 37 IN SOSHANGUVE**

(Draft Resolution)

Mr E MAKUE: Chairperson, I move without notice:

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That the House -

- (1) notes that the residents of Ward 37 in Soshanguve in Tshwane are expected to head to the voting stations for a by-election, to elect a new councillor after the ANC Siphwe Montla was gunned down in May this year;
- (2) also notes that Montla, who had been the ward's councillor since 2011 was shot in Block GG after attending an ANC meeting;
- (3) further notes that the ward had 17 078 registered voters and in the 2016 local government elections, the ANC won 67% of the votes, followed by the EFF with 23% and DA with 9%;
- (4) conveys its deepest condolences to the bereaved family;
- (5) recognises that Montla's death left a big void in the hearts of those he served and his colleagues; and
- (6) calls on the people in Ward 37 to vote in honour of the fallen servant, Siphwe Montla, and let their ward be in good hands.

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In light of the objection, the motion without notice will become a notice of a motion.

**CONSIDERATION OF ANNUAL REPORT OF JOINT STANDING COMMITTEE ON  
INTELLIGENCE FOR THE FINANCIAL YEAR ENDING 31 MARCH 2017**

Mr J P PARKIES: Hon Chair, hon members and special guests, allow me to present and submit the report of the Joint Standing Committee on Intelligence. The committee hereby report on the matters of its activities since April 2016 to March 2017. The Standing Committee on Intelligence engaged in various activities which include the protestation of the annual report of defence intelligence, crime intelligence and state security and dealt with the issues that relate to the financial audit statement by the Auditor-General. The committee has also engaged in the period under review with the Financial Intelligence and the committee managed in the period under review to finalise the appointment of the Inspector-General of Intelligence. Part of its activities included the oversight visit to the O R Tambo.

It is our view that as a committee the developments in the geopolitics of the world make it necessary for consistence process of review of the laws and regulations that relate to the practice of

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intelligence. The span of our democracy is a long period of time over which it has become necessary for the committee to look at all influences at home and abroad that may necessitate the strengthening of our laws to meet the challenges that relate to the new arena of crime and criminality that include international terrorism.

The committee having interacted with the intelligence community during the period under review, it is of the view that in order for our intelligence services to discharge their functions in accordance with the dictates of their mandates, they should be assisted with adequate resources.

One of our absolute demands of the work of the intelligence in South Africa is the proper training and skilling of all intelligence officers and the building of formidable networks of underground agents.

What the committee has discussed with the relevant Ministers is that their strategic orientation must be a small contingent of intelligence officers at national and provincial headquarters of the intelligence community but officers who will be highly capable and highly trained. I therefore submit the report, hon Chair. Thank you.

[Applause.]

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON SECURITY AND JUSTICE  
- WITHHOLDING OF REMUNERATION OF MAGISTRATE MS V T GQIBA, A CHIEF  
MAGISTRATE AT EAST LONDON, TABLED IN TERMS OF SECTION 13(4A) (B) OF  
THE MAGISTRATES ACT, 1993 (ACT NO. 90 OF 1993)**

Mr S G MTHIMUNYE: House Chair, the Select Committee on Security and Justice, considered the Magistrates Commission's report dated 8 February 2018, as tabled by the Minister for Justice and Correctional Services, on their determination to withhold the remuneration of magistrate Ms V T Gqiba, a chief magistrate at East London. The committee reports as follows.

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The Magistrates Commission resolved to charge Ms Gqiba with the following counts of misconduct. In charge one she was charged and found guilty of misconduct in terms of regulation 25(i) of the Regulations: Judicial Officers in Lower Courts, regulation 361 of 11 March 1994, read with regulation 26(17) of the regulations and section 16 of the Magistrates Act, Act No 90 1993, in that on or about 23 March 2015 at or near East London she made a false or incorrect statement knowing it to be false or incorrect with a view to obtain any privilege or advantage in relation to her official position or her duties to the prejudice of the administration of justice.

Alternative charge to charge one is that she was charged and found guilty of misconduct in terms of regulation 25(b) of the said regulation read with paragraphs 1 and or paragraph 4 of the Code of Conduct for Magistrates as published in schedule E to the said regulations in that on or about 23 March 2015 and at or near East London she failed to act with integrity and or failed to act at all times in a manner which upholds and promotes the good name, dignity and esteem of the office of magistrate and the administration of justice.

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Charge two, she was charged and found guilty of misconduct in terms of regulation 25(i) of the said regulations in that on or about 24 March 2015 and at or near East London she submitted and or presented to the Department of Justice and Correctional Services a subsistence and a travel claim for travel and subsistence expenses, purportedly relating to an official trip to Pretoria on 23 March 2015, well knowing that in truth and in fact the claim she submitted was false in that she travelled to Pretoria to further her personal interests and or private business

Alternative charge to charge two, she was charged and found guilty of misconduct in terms of regulation 25(b) of the said regulations read with paragraphs 1 and or 4 of the Code of Conduct for Magistrates as published in schedule E to the said regulations, in that on or about 24 March 2015 and at or near East London she submitted and presented to the Department of Justice and Correctional Services a subsistence claim and a travel claim purportedly relating to an official trip to Pretoria. I suppose that is a repetition, Chair.

The presiding officer of the ethics committee of the Magistrates Commission having considered the evidence presented to it at the hearing or inquiry and having been addressed by both parties on the

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merits of the evidence presented to the tribunal, the presiding officer, on 26 April 2017, found Ms Gqiba guilty on both the main counts of misconduct against her. The presiding officer on 02 June 2017, recommended in terms of regulation 26(17)(b) of the regulations that Ms Gqiba be removed from office as contemplated in section 13(4) of the Act.

The commission, on 25 August 2017, considered the documents as required by regulation 26(2) read with regulation 26(19) of the regulations and resolved to recommend to the Minister for Justice and Correctional Services that the recommendation of the presiding officer in terms of regulation 26(17)(b) of the Regulations for Judicial Officers in the Lower Courts, 1994 be accepted and that Ms Gqiba be removed from office on the grounds of misconduct in terms of section 13(4)(a)(i) of the Act.

On 13 September 2017 the Minister for Justice and Correctional Services acted on the recommendation of the Magistrates Commission and suspended Ms Gqiba from office in terms of section 13(4)(a)(i) of the Act with immediate effect and tabled the required report in terms of section 13(4)(b) of the Act to Parliament the following day. Ms Gqiba was informed via her cluster head accordingly advised on 14 September 2017.

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On 13 November 2017, Ms Gqiba filed a notice of motion in the Gauteng division of the High Court. The Minister, the Magistrates Commission, regional magistrate Patterson, who was acting as a the presiding officer on this matter and the Portfolio Committee on Justice and Correctional Services of the Parliament of the Republic of South Africa were cited on the notice of motion as first, second, third and fourth respondents respectively. The notice of motion applied for orders, reviewing and setting aside the sanction which the third respondent, the presiding officer, imposed on 02 June 2017; directing that the sanction imposed by the presiding officer, namely, a recommendation to the Magistrates Commission that she be removed from office, was procedurally and substantively unfair; and the staying of the enforcement of the sanctions imposed pending her review application.

Arrangements have been made for the office of the State Attorney to oppose the application on behalf of the Magistrates Commission, the Minister and the presiding officer filed and served a notice to abide by the decision of the court. The NCOP acting on legal advice, that since the NCOP was not mentioned in the notice of motion, that it could proceed with a resolution on the matter. Any decision by the High Court regarding the notice of motion would automatically

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rescind any resolution passed by the NCOP or confirm the decision of the NCOP. On 28 November 2017 the NCOP passed a resolution not to restore Ms Gqiba to the office of magistrate. The National Assembly is yet to pass a resolution in this regard.

On 1 December 2017, Ms Gqiba was invited to show cause why the commission should not determine to withhold her remuneration in terms of section 13(a) of the Act, pending Parliament's resolution to either restore or not to restore her to office. It should be noted that only the National Assembly has to pass a resolution since the NCOP already decided on the matter. Her attorney filed her representations on her behalf with the commission on 08 December 2017. After reviewing Ms Gqiba's representation the commission is of the opinion that, in line with its previous resolutions to recommend to remove magistrate Gqiba from office and with reference to the Constitutional Court's judgment in the *Van Rooyen and Others v The State and Others, 2002(8)*, where the Constitutional Court held that if good reasons exists for the suspension of a magistrate, the withholding of salary during the suspension is not necessarily disproportionate, it is the Magistrates Commission's view that Ms Gqiba's suspension from office without remuneration is at this stage justified. Given the circumstances as set out above, there seems to be no reason why Ms Gqiba, who is suspended from office pending the

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National Assembly's decision to pass a resolution whether or not to restore her to the office of magistrate, should still receive remuneration.

If the commission determines that the remuneration of a magistrate shall be reduced or withheld, a report regarding that determination and the reason therefore must be tabled in Parliament by the Minister within seven days of such determination if Parliament is then in session, or, if Parliament is not then in session, within seven days after the commencement of its next ensuing session in terms of section 13(a) of the Act. Parliament must as soon as is reasonably possible consider that report and pass a resolution as to whether or not the determination concerned is confirmed either with or without amendment or set aside in terms of section 13(4)(c) of the Act.

Therefore the Select Committee on Security and Justice, having considered the Minister's report on the Magistrates Commission's determination to withhold the remuneration of magistrate Ms V T Gqiba, a chief magistrate at East London, tabled by the Minister for Justice and Correctional Services, in terms of section 13(a)(b) of the Magistrates Act, Act 90 of 1993, recommends that the NCOP

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confirms the determination of the Magistrates Commission. I therefore table the report on behalf of the select committee to the House for consideration.

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON FINANCE - THE  
PROVINCIAL TREASURY'S PRELIMINARY BUDGET OUTCOMES FOR THE 2017-18  
FINANCIAL YEAR**

Mr C J DE BEER: Hon Chairperson, hon the Deputy Minister, welcome, hon members. Since the beginning of the fifth term of Parliament, the Select Committee on Finance has embarked on a process of intensifying fiscal oversight over the provincial treasury

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departments and their respective public entities, to enhance fiscal sustainability.

The committee has had engagements with the MECs of Finance from all nine provinces between May and June 2018, in Parliament, where provinces presented progress made with implementation of their economic growth and development strategies, fiscal positions and the overall budget outcomes. The objective is good governance, sound financial management, and value for money spent and accountability.

It became evident from the engagements that more than two thirds of the provincial economic activity remains highly concentrated in Gauteng, KwaZulu-Natal and the Western Cape provinces.

The rates of unemployment differed significantly per province and are worsening with the challenging economic environment. In terms of the fiscal positions, the majority of provinces had sufficient cash to pay for their immediate commitments.

On budget spending, the provinces on aggregate have been able to spend over 98% of their allocated budgets in the 2017-18 financial year. However, Chairperson nine provinces returned R6,2 billion back to the National Treasury at the end of the financial year 2017-18.

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While the challenging domestic economic environment continues to put pressure on the national and provincial fiscus, we remain encouraged that the majority of the provinces are currently implementing growth and development strategies, which are aimed at stimulating economic growth to create job opportunities and earn much needed revenue.

In the next engagements, the MECs of Finance in each province have to report progress made, in terms of the returns on investment, on budgets spent; contribution to the GDP growth; number of jobs created; value of investment attracted and the revenue generated in order to ascertain whether these strategies are achieving the intended objectives.

It has been observed over time that some of the implementing agencies are heavily dependent on government grant funding. The committee has thus urged the MECs of Finance to enhance fiscal oversight over the public entities to reduce reliance on government financial support and become self-sustainable.

The committee noted with appreciation the own revenue generation efforts made by some provinces, which reduces over reliance on equitable share transfers from the National Treasury and creates

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adequate fiscal space, which is likely to cushion the provinces against unforeseen circumstances such as drought.

Provinces should therefore continue to identify alternative sources of own revenue. The provincial departments of health in particular, should remove constraints to revenue collection and improve their IT systems.

Some of the key challenges experienced by the provincial departments include poor audit outcomes, the poor spending on capital infrastructure, the failure to pay invoices in time, the high Medico-legal claims, unfunded mandates and the poor monitoring of transfers by departments to the implementing agencies, particularly, the Departments of Public Works and its entities.

In order to address these challenges, the committee recommended that the provinces should maintain positive fiscal positions. In the light of sluggish growth it is imperative that the provinces should ensure efficient and effective management of public resources.

Affected provinces should report progress made in implementing action plans to address the Auditor-Generals' findings. Report on steps taken to implement consequence management; pay suppliers

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within the prescribed 30 days' time and ensure that accruals are cash backed and are not escalating.

Report on measures taken to holistically address the Medico-legal claims challenge. Then, very important hon Chairperson, improve planning, budgeting, credible reporting, monitoring and evaluation, controls and oversight to improve governance; in other words, to have a hands on approach.

The provincial oversight bodies are urged to take appropriate action to ensure that irregular, wasteful and fruitless expenditure is properly investigated and that there is consequence management.

With regards to noncompliance with legislation, the committee is encouraged that currently the reviewed Public Audit Amendment Bill that was passed by the National Assembly and this House will assist the provincial government to better implement the Public Finance Management Act and hold those guilty of financial misconduct accountable.

In conclusion Chair, the committee is generally is satisfied with progress made by the provincial departments in improving their fiscal position to ensure continued delivery of services to the

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people. The people come first. Despite the challenges alluded to, the provincial government is at work to grow their economies to create jobs and generate much needed revenue. Monitoring, evaluation, control and oversight have to improve.

The provinces through the advanced practice providers, APPs, remain committed to make a difference in people's lives, through access to basic services, improving education and health outcomes, ensuring good governance, amongst other things, and improving the quality of the life of the people.

Lastly, Chair, success is the continuous investing in excellence. I move that the House consider this report. Thank you, Chair.

[Applause.]

Debate concluded.

Question put: That the Report be adopted.

The HOUSE CHAIRPERSON (Mr A J Nyambi): There is a declaration of vote for Mpumalanga! Are you doing a declaration of vote on behalf of Mpumalanga? I'm recognising you. No, hon Essack there is a special delegate leading Mpumalanga. Are you that delegate?

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Mr F ESSACK: I'm not a special delegate but I'm doing the declaration. I come from ... [Interjections.]

Mr L V MAGWEBU: On a point of order Chair - leading Mpumalanga.

Mr F ESSACK: What about the special delegate?

Mr L V MAGWEBU: He is leading Mpumalanga, eh, so ....  
[Interjections.]

Mr F ESSACK: You recognised me. You said you have recognised me I'm here. There seems like you are in a bit of cash twenty-two, Chair. You have recognised me, I'm here.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order! Hon members, hon members, hon members, I thought there is something that - no, let me assist. Hon Essack?

Mr F ESSACK: Yes Sir.

The HOUSE CHAIRPERSON (Mr A J Nyambi): In terms of the procedure of the NCOP, we have got the provincial whip that is leading the

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delegation. There is no way that you can have hon Prince replacing hon Labuschagne ... [Interjections.]

Mr F ESSACK: That's not a problem.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Right now we have got a special delegate that is leading the delegations. So, I thought you are raising a point of order. Can you go and take your seat?

Mr F ESSACK: Chairperson, with due respect; may I say something before I go?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Go and take your seat.

Mr F ESSACK: Chair, will you allow me to speak to you before I go, if you don't mind? With due respect, you recognised me Chairperson, and I'm here; and I'm a member of the Mpumalanga province - the province with the sunrises.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you go there, can you go there.

Mr F ESSACK: I would like to do the declaration Sir.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Let us not debate it.

Mr F ESSACK: Now, you are in cash twenty-two... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you go and seat hon  
Essack?

Mr F ESSACK: I will wrap it to go and seat Chair. [Laughter.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you go and seat.

Mr F ESSACK: [Laughter.]

Ms N P KONI: This matter was ... Chairperson. [Interjections.]

Ms T J MOKWELE: Open here, on a point of order Chair! On a point of  
order Chair!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Yes.

Ms T J MOKWELE: I would like the presiding officer to rule according  
to the Rules of this House, in terms of declarations by provinces.  
So, I expect that the Chair must not just do overall rulings. He

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must refer to the Rule Book to say in terms of this Rule, a member from a province can't stand up and deliver the declaration. Thank you, Chair.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Ja, let me deal with the first one, I will recognise you. Hon Mokwele that is not a point of order - that is why I said, we know in this House, we have got provincial whips that are in charge of the delegations. I'm not recognising you. Hon Labuschagne, you are recognised?

Ms C LABUSCHAGNE: Hon Chair, I agree with you on that with regard to the NCOP, the provincial whip is the head of the delegation, but according to Rule 73A(2), in the absence of the head of the provincial delegation, a member may vote on behalf of the province.

When it comes to legislation you have to vote according to Rule 73(1) on the process that is laid out in the main acting Act; and that is according to specific process. But we are not voting on legislation. This is a question put to the House. The head of the delegation is not here, a member of that province can vote on behalf of the province. I would like us to get, I would like us to get ... [Interjections.] On a point of order ... [Interjections.]

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Ms T J MOKWELE: [Inaudible.]

AN HON MEMBER: Who told you that? ... [Interjections.]

Ms C LABUSCHAGNE: Joo!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Labuschagne! Hon Labuschagne, let me assist you. Can you take your seat? Hon Mokwele, don't go out. Hon members! Hon members, let me assist you with the Rule. In the Council of provinces, NCOP - well we are towards the end of the term I don't know why you want me to teach you the rules today.

Rule 15(2), when the premier of a province designate a member of a delegation to head the delegation on the premier's behalf, the designation must be substantiated by an official communication to the secretary on behalf of the premier. That was done so we know there is a provincial whip; and if we have got a special delegate there is communication. That is why we allocated them the seats accordingly. It is not an issue that can be debated then ...  
[Interjections.]

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Ms T J MOKWELE: Thank the constitutionality of this House. We understand it very well, that's what you are reading there. We understand it.

The HOUSE CHAIRPERSON (Mr A J Nyambi): I'm reading Rules. I am reading a Rules book.

Ms T J MOKWELE: But now go to the rules and tell us where the rule does say a member from a province cannot deliver the declaration. Go there and refer us there. Refer us to the rule that says as a member from a province, you can't deliver the declaration, and then we will take it from there. Thank you very much.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Let me assist. Hon members, we have got ... hon Stock! [Interjections.] We have got a constitutional provision that is very clear and we have got our rules. Then from the constitutional provision and our rules, we have got the conversion of how we run things in the NCOP.

We are towards the end of the term and we have been trained according to how we have to use the Rules book; and I have referred you to the Rules book. I was reading the Rule Book not even the Constitution.

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If I go to the Constitution it is very clear. You can go to section 90 of the Constitution and you will get that. It is very clear. I'm done with that part hon Faber. Any other issue relating to this one we are done with it.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF SC ON SECURITY AND JUSTICE (ATCS, 3 SEPTEMBER 2018, P 6) PROVISIONAL SUSPENSION FROM THE OFFICE OF MAGISTRATE OF MS L B FREEMAN, SENIOR MAGISTRATE, MOSSEL BAY, TABLED IN TERMS OF SECTION 13(3)(B) OF THE MAGISTRATES ACT, 1993 (ACT NO 90 OF 1993)**

Mr S G MTHIMUNYE: Hon House Chair, the Select Committee on Security and Justice, having considered the Magistrates Commission's report dated 27 March 2018, as tabled by the Minister for Justice and Correctional Service, on the provisional suspension from office of Ms L B Freeman, the Senior Magistrate at Mossel Bay, pending the

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outcome of a misconduct hearing into her fitness to hold the office of magistrate, as is required by section 13(3)(b) of the Magistrates Act, 90 of 1993.

Ms Freeman is a Senior Magistrate and the Judicial Head of Office at the Mossel Bay District Court. She is 42 years of age and has been appointed to the Lower Court bench on 24 October 2006. She was appointed a Senior Magistrate at Mossel Bay on 01 May 2017.

The Ethics Division of the Magistrates Court conducted a preliminary investigation and the Magistrates Commission considered the preliminary investigation report submitted to it in this regard. The Magistrates Commission resolved to charge Ms Freeman with misconduct. A charge sheet dated 17 November 2017, containing 24 counts of misconduct was personally served on Ms Freeman on 23 November 2017.

During the period 2015 to 2017 she made numerous false and incorrect statements knowing them to be false and or incorrect in that she submitted transport and travel claims to the Department of Justice and Correctional Services for payment in respect of kilometres travelled in excess of the actual distances she was entitled to. On

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10 August 2017, Ms Freeman submitted a transport claim for payment, claiming that she on 09 June 2017 conducted an inspection in loco whilst in truth and in fact, no such inspection in loco took place.

According to a transport claim dated 29 November 2016, falsely or incorrectly claimed that she on 08 and 15 November 2016 travelled with an Audi A4 motor vehicle with an engine capacity of 2000cc, whilst in truth and in fact she travelled with a Uno, which motor vehicle has a lower engine capacity than the Audi A4. On 26 May 2016, when completing her application form for an appointment as Senior Magistrate, on a request to list all directorships she holds and or any other interests in business, failed to disclose the fact that she has been registered as an active director and founding member of the Southern Cape Fish Co-operative Limited. In the aforementioned application form stated that she had never been convicted of a criminal offence, whilst in truth and in fact she was convicted of theft and sentenced by a Court of law. The Magistrates Commission has reported the matter to the SA Police Service for investigation.

On 13 October 2017, Ms Freeman was, in compliance with the rules of natural justice, invited to furnish the Magistrates Commission with representations why the Magistrates Commission should not recommend

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that she be provisionally suspended from office and why the Magistrates Commission should not determine to withhold her remuneration. Ms Freeman provided representation on 24 October 2017. The Magistrates Commission, after considering the serious nature of the allegations, the information at hand and Ms Freeman's representations, resolved to recommend that Ms Freeman be provisionally suspended from office in terms section 13(3)(a) of the Magistrates Act, 90 of 1993.

The Commission is of the view that the existing evidence against Ms Freeman is of such a serious nature as to make it inappropriate for her to perform the functions of a magistrate while the allegations are being investigated. Without anticipating the outcome of the investigation into her fitness to hold the office of Magistrate, the existing evidence against Ms Freeman is of such a serious nature that it would justify her removal from office, should she be found guilty of the misconduct charges.

In terms of section 13(3)(a) of the Magistrates Act, 90 of 1993, the Minister, on the advice of the Magistrates Commission, may provisionally suspend a magistrate from office if the Commission, after affording the magistrate a reasonable opportunity to be heard regarding the desirability of such provisional suspension, is satisfied that reliable evidence exists indicating that an

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allegation against that magistrate is of such a serious nature as to make it inappropriate for the magistrate to perform the functions of a magistrate while the allegation is being investigated.

An investigation has been instituted by the Commission into such magistrate's fitness to hold office. A report which provisionally suspend and the reasons thereof are made known and be tabled before Parliament by the Minister within seven days of such suspension if Parliament is then in session, or if Parliament is not in session, within seven days after the commencement of the next ensuing session.

Parliament must as soon as is reasonably possible, pass a resolution as to whether or not the provisional suspension of the magistrate is confirmed in terms of section 13(3)(c) of the Act. If Parliament passes a resolution as contemplated in paragraph (c) that the provisional suspension is not confirmed, the suspension lapses in terms of section 13(3)(d) of the Act.

The select committee noted with concern that the fraud charges relating to the travel reimbursement system was not picked up immediately and that this abuse of the travel reimbursement system may be prevalent amongst magistrates. The select committee further

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noted that the current travel reimbursement system in place for magistrates was flawed in that it relied heavily on magistrates to conduct themselves ethically. The current system was open to abuse and the Select committee recommended the Magistrates Commission consider instituting a flat rate per kilometre irrespective of the vehicle driven to curb the temptation to abuse the system.

The select committee therefore, having considered the Magistrates Commission's report dated 27 March 2018, as tabled by the Minister for Justice and Correctional Services, on the provisional suspension from office of Ms L B Freeman, the Senior Magistrate at Mossel Bay, pending the outcome of a misconduct hearing into her fitness to hold the office of magistrate, as is required by section 13(3)(b) of the Magistrates Act, 90 of 1993, recommends the National Council of Provinces confirm Ms L B Freeman's provisional suspension from the office of Magistrate.

Hon House Chair, on behalf of the Select Committee on Security and Justice, I therefore table the Report to the House for consideration. I thank you.

Question put: That the Report be adopted.

VOTING

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IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON SECURITY AND JUSTICE  
- OVERSIGHT VISIT TO THE FREE-STATE PROVINCE TO CONDUCT OVERSIGHT OF  
THE PHUTHADITJHABA POLICE STOCK THEFT UNIT IN QWAQWA, THE MANAGEMENT  
OF BORDER OPERATIONS WITH THE SANDF AND TO DETERMINE THE  
EFFECTIVENESS OF THE RURAL SAFETY POLICING STRATEGY IN QWAQWA, HELD  
ON 1 AUGUST 2018**

Mr S G MTHIMUNYE: Hon House Chair, the Select Committee on Security and Justice, as part of its mandate to provide national forum for the public consideration of issues affecting the provinces, conducted an oversight visit to Phuthaditjhaba Police Station following observations by the select committee to ensure the SA Police Services, Saps, are equipped and resourced to reduce the incidence of crime in rural areas.

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The objectives of the select committee included the stock theft operations of Phuthaditjhaba unit and the cross border operations of the SA National Defence Force, Sandf, to patrol the Lesotho border. The Select Committee met with Lieutenant Colonel Zimu, the cluster commander and his team who presented the Phuthaditjhaba cluster statistics.

The Phuthaditjhaba cluster covers the towns of Phuthaditjhaba, Harrismith, Makwane, Namahadi, Tseseng, Tseki, Kestell, Verkykersdorp, Warden, Vrede and Memel. In total the cluster covers 2623 farms and 88 cattle posts. The cluster has three stock theft units situated at Phuthaditjhaba, Kestell and Vrede with Phuthaditjhaba bordered by KwaZulu-Natal Province and the East of Lesotho to the South.

Concerning vehicle resources, the following challenges were observed: There are three stock theft units in the Phuthaditjhaba cluster and they are resourced with seven vehicles at the Phuthaditjhaba stock theft unit. The Vrede stock theft unit has five vehicles and the Kestell stock theft unit has eight vehicles. The units are resourced as per the police allocation ratios but during discussions the following matters were highlighted:

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Many of the vehicles were either old or are used quite regularly and have high mileage, with some in excess of half of a million kilometres, that is 500 000km. They wear and tear results in many of the vehicles requiring maintenance or repairs in the event of breakdowns. The books might indicate the stock theft units are well resourced but operationally they often only have 50% of the vehicles on the road.

The cluster reported that in certain circumstances the incorrect vehicles are utilised for the job. The transportation of recovered livestock to the pound requires a truck with an appropriate load bay to transport livestock to the impound yard situated 250km away. At present, the stock theft unit has to transport stock via trailer hitched by a 4x4 vehicle.

The trailer is small and many trips must be made to transport all the livestock, and this impact negatively on the lifespan of the vehicle. If the 4x4 vehicle is not operational, the unit must then use the 4x2 vehicles and this places additional strain on this vehicle's engine. The cluster reported a lack of mechanisms to curb the costs incurred when impounding stock.

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Depending on the amount of livestock recovered, the cost to transport the livestock, house, feed and provide veterinary care can be exorbitant. The co-operation between the Saps and famers in the area is vital to ensure that cases are reported on time and followed up immediately. The cluster noted that, while they have active Rural Safety chairpersons to convey the requirements, each farmer must follow up in terms of the Animal Identification Act and the cluster itself hosts information sessions. Despite this, challenges still exist.

Chairperson, in respect of the SA National Defence Force and border operations, Colonel Motlounq and Colonel Mda presented the details of Operation Corona and its objectives in protecting the international borders of South Africa. The SA National Defence Force ensures the territorial integrity of South Africa by enforcing government authority on South Africa's international border areas through focussing on the following activities:

Apprehension of undocumented persons; smuggling of contraband and narcotics; anti-stock theft; stolen vehicles; illegal weapons; rhino poaching; and illegal grazing. Chairperson, SA National Defence Force units and support elements such as the landward light mobile units in identified mission areas are a challenge.

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The force structure elements are self-supported and sustained and are able to conduct the operational functions for periods of up to 72 hours before being rotated and replaced. The total land border of South Africa amounts to 4 471 km, the total maritime border amounts to 2 798 km and the total air border amounts to 7 660 km.

The SA National Defence Force conducts regular cross-border management duties with the Saps and in Phuthaditjhaba area has recovered livestock. The Sandf is deployed to do vehicle and foot patrols, vehicle control points, standing patrols and cordon and search operations. We have also tabled statistics on which I will not dwell into details. Narcotics found in Phuthaditjhaba area is mainly dagga and is handed over to Saps.

Chairperson, I will now table the recommendations of the committee. There have been challenges of intelligence in the past and there was a level of intelligence collection to some extent. However, that is still being nationalised. Therefore, the committee recommends that the intelligence functions be redeployed to the border control areas.

Debate concluded.

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Question put: That the Report be adopted.

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Hon members, maybe I was not that clear. Let me assist before I even award you the opportunity. Section 60(3) of the Constitution states that, if a premier is not available, a member of a province delegation designated by the Premier has a delegation, and when we were starting our term, the Rule of how are we going to be doing this was clarified:

We have a provincial Whip who is in charge of the delegation and if we happen to have a special delegate coming to the NCOP, the special delegate would take the position of a provincial Whip and represent the premier through voting. The Rule is direct response to how the Constitution is structured. So, there is no way that as a special delegate you can just assume that you have been delegated by a Premier. It is a conditional matter and it's against the Rules of the House. [Interjections.]

You are out of order, you can't be doing that! Take your seat! Let's start with voting! Eastern Cape!

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Ms P MPUSHE: As mandated, Chairperson, EFF must first get votes and rule the provinces.

[Take in from Minutes.]

Report accordingly adopted in accordance with section 65 of the Constitution.

The HOUSE CHAIRPERSON (Mr. A J Nyambi): Hon Koni, why are you standing? What's your point of order?

*Setswana:*

Moh N P KONI: Potso ya ntlha ke gore, ke rata go itsi gore, fa o sa nneye tshono ya go bua moNtlong eno, o batla ke bue fa kae? Ntlha ya bobedi ke gore, nna le motl Stock re dumalane gore tlhagiso e diriwe ke nna gonne bone jaaka maloko a ANC, ga ba ise ba e dire ka letsatsi lepe moNtlong eno.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Take your seat!

*Setswana:*

Moh N P KONI: Ke kopa gore o arabe potso ya ntlha, o tswe o latedise ka go araba ya bobedi. Rre Stock o a tshega gonne o itsi se ke se buang.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Oliphant, let me deal with hon Koni's point of order; she might be having a point. Hon Stock, can you confirm in the house whether you're having an arrangement with hon Koni to represent you.

Mr D STOCK: Hon Chair, I think that I must bring this matter to its logical conclusion. I've never had any conversation or agreement with hon Koni to represent me in the House. I've not even received the message from hon Koni regarding this matter. In terms of my record as I've just checked my phone now, the last time I checked, she was in the Eastern Cape, I now happen to see her in the House. So, we have never spoken. Thank you very much, hon Chair.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you hon Stock. Hon members, making a statement in the House that you know you are misleading the House, is unparliamentary. Refrain from doing that! Hon members, before we proceed, I would like to take this opportunity to welcome our hon special delegates from the provinces that we are representing in this august House called NCOP, and to our Deputy Minister of Cooperative Governance and Traditional Affairs, you are welcome in the NCOP. [Applause.]

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We will now deal with the subject as printed in the Order Paper. Hon Julius, even on the very subject, told the House - it is exactly like what was said by him - that we are dealing with Local Government. The subject matter as printed in the Order Paper is: The successes and failures of provincial government in South Africa since the start of the start of the 5th Parliament in 2014, and not Local Government. So, allow me to take this opportunity to invite hon Londt. Over to you, sir!

**THE SUCCESSES AND FAILURES OF PROVINCIAL GOVERNMENTS IN SOUTH AFRICA  
SINCE THE START OF THE FIFTH PARLIAMENT IN 2014**

Mr J J LONDT: Harold S Geneen once said that "leadership is practised not so much in words as it is in attitude and actions." In the final leg of this fifth democratically-elected Parliament, it is incumbent on us as lawmakers to honestly reflect, not only on what we have done as a collective, but more importantly as individuals on whether our actions delivered on the promises we made prior to our election.

It would be easy to let this debate degenerate into a finger pointing exercise. Nonetheless, that will not help anyone of us or the South African people who voted for us and expect us, as public

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representatives, to deliver what we promised and get paid by the taxpayers to do.

The successes must be celebrated and should be communicated to the nation as well as duplicated to ensure that we deliver on all promises that were made. Importantly, even in successes there are often mistakes that gets overlooked and forgotten when we celebrate the completion or implementation of projects. Examples of this include the supply of bulk water and the recent drought that we have faced in many of the provinces across the country. When the good rains come we often forget what brought us into this situation.

As provinces, it is incumbent up on us to say what has worked and what hasn't worked in our province and make sure that we hold those departments that are responsible for the supply of bulk water accountable. We cannot, year in year out, face the same situation and not address that.

However, I am concerned; concerned that that we celebrate successes as if it is a special achievement that only occasionally comes along. By no means do I wish to take away celebration from such achievements, but colleagues, delivering on our promises is what we are paid to do - that is what is expected of us.

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It is like celebrating a bird when it flies or a cheetah when it runs - it is beautiful and must be appreciated, yet that is what they were born to do. So, delivering on our promises is what we were elected to do. Similarly, we, as the NCOP, are in a unique situation where we are one half of Parliament but at the same time represent our Provinces. We need to ask ourselves what are we doing, representing our provinces, that is sometimes difficult and in conflict with what national government is doing. That is what leadership is about. If there is something that is important to your province and in conflict with national government, you stand up and speak out, irrespective of whether you come from the same party.

My question is: How many of the colleagues have done this during the Fifth Parliament? One of the very first things in our Bills of Rights in our Constitution is the right to freedom and security. Wherever you go in South Africa, rampant crime is a concern that affects every single South African. It is therefore a non-brainer that, from across the board, this should be an issue that we drive as a collective.

Government has a duty to protect its citizens from crime and the criminals that commit it. The South African Police Service falls

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under the national Minister of Police. It is a national mandate with provincial governments only having an oversight role.

Colleagues, what are you doing to ensure that you, as provincial delegates, fight for a safer environment? That we have well trained, better equipped and fully resourced police stations and officers of excellence to protect our citizens?

Crime should not be politicised, yet it appears that some regions in the country get better resources than others – a person living in the Free State is just as important as a person living in Mpumalanga and they are just as important as someone living in Mahikeng, Sandton, Putsonderwater, Khayelitsha, Mitchells Plain, Mannenberg, Nyanga and many others.

Why is it acceptable, hon members, that we do not speak up when the average in South Africa is 369 people per police officer, yet in Nyanga 628 people must share one police officer? That is almost double the national average. You keep quiet when the VIPs – the inner circle – in this country get a VIP protection of 81 protection officers per VIP. Why is that that the VIPs or inner circle in this country get more protection than the ordinary people in South Africa? [Applause.]

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To the hon Ximbi and the hon Prins, why are you not supporting a call to protect the people in your province - the province that you are representing - for the temporary deployment of the army to supplement SA Police Service, SAPS? This has been done elsewhere in the country - they are not taking over the role of the SAPS but they are there to ensure that the SAPS gets help to enforce the law and order so that they can focus more on their job.

If we start fighting to get better resources for those hardworking men and women in blue across the country, it will help address the spiralling crime rate and enable businesses and people to focus more energy and attention on creating jobs that we so desperately need. When I wrote this, two or three days ago, I could say that the South African economy remains stuck in a low growth trap. Now, unfortunately, I regret to say that our economy is in recession, offering no hope to the 10 million unemployed South Africans.

Job creation should be a top priority of every single government, not by government providing the jobs, but by government creating an enabling environment for established businesses to grow and for new entrants to enter into the job market.

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The successes of Limpopo, Mpumalanga and the North West will also be the success of Gauteng. Similarly, the successes of the Free State and the Eastern Cape will also be the success of the Western Cape and Northern Cape. The failures in those provinces have the same effect; the failure in the Eastern Cape or the Free State or KwaZulu-Natal they are also failures of the other provinces because we all serve all South Africans in this House.

That is what is so frustrating when we, hon members, don't speak up and speak out when things are going wrong in the country but rather defend what is going wrong. This House was at fault to do this in this Fifth Parliament. We are now at the end of this Fifth Parliament and it seems that we are starting to move in a right direction but we are not there yet.

It is critically important to learn from the governments who have been successful in creating such an enabling environment that boosts investor confidence therefore creating more jobs. In the Western Cape, the provincial government has led the way in creating sustainable jobs over an extended period. Instead of criticising or trying to shoot down the performance, provinces should learn from each other's successes and duplicate them where they are from.

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In the Western Cape, employment grew between 60% and 100% faster than that of the nation employment growth. The Western Cape created 40% of the country's jobs over the past year, despite only contributing 15% towards the national economy. The Statistics SA Quarterly Labour Force Survey for the period April to June 2018 indicates that 77 000 of the total 188 000 new jobs in the country over the past year were created in this province.

It is easy to take snapshots and shoot them down or lift them up. What I am trying illustrate here is that there is a continuous trend over an extended period of time that shows the same picture. I am going to use a few examples:

Project Khulisa is being rolled out and is being communicated but it has actually achieved the success in this province; sectors such as tourism, agri-processing, oil and gas, have the highest potential to accelerate growth; wine exports to China has doubled; 1,5 million new airline seats were sold coming in to Cape Town; new cycle routes and the Madiba heritage route has also been implemented to expand tourism; Red Tape Reduction unit was established to make it easier to do business and this has saved an estimated R600. If we can get this rolled out elsewhere it would help small businesses across the country.

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By governing in an open and transparent manner with a zero tolerance for corruption, you can secure better investments. In this first quarter alone, R1,3 billion in investments was secured. The Western Cape also provided financial and non financial support to Small, Medium and Macro Enterprises, SMMEs, and entrepreneurs so that they also grow their businesses. Over 2000 businesses have received such support.

We are now in very important but also very emotional debate around land. We also need to look at where it is being done successfully and unsuccessfully. In the Western Cape there is a 62% success rate in land reform projects. This needs to be rolled out across the country.

In addition to creating a safer environment and one that entices investor confidence and creates jobs, we need to address the schooling of our learners. I am glad that last week we had a very constructive and very positive debate where we were on the same page about that.

Just to reiterate very quickly, we need to just focus on two areas: The first is to get learners to the further education and training

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phase, ensuring that the foundation is solid; and to equip learners with the specific, usable knowledge and skills for employment, starting a business, or specialising into their chosen fields of study. That is something that provinces need to ensure it happens where they are. We cannot sit with 75% to 80% of our learners who are unable to read with comprehension. We are failing our future.

Getting South Africans to and from work is a horror story for many. With the ever-increasing fuel prices, an unreliable rail network and the history of our country's spatial development framework, workers and work seekers spend billions every year commuting for countless hours just to make ends meet. What we, as lawmakers from all provinces, must do is to come together and ensure that the backbone of our country's public transport network gets back on track.

There have been four suggestions by my colleague in the NA. The problem is that, quite often, we just shoot down good suggestions because they come from somebody who is from a different party and that needs to stop.

The few suggestions were that: We need to stabilise and modernise the current rail system; focus on upgrading of the current signal system and phase out the manual signal to prevent further crashes

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and derailment. This is very topical. It happened now recently. This is something that we must all take up and drive. We need to merge Transnet and PRASA under the Department of Transport.

We also need to make sure that, slowly but surely, metropolitan governments take over Metrorail functions so that there is an integrated public transportation systems and better governance. We further need to start diversifying ownership - while the state should retain ownership of the infrastructure, we must make sure that there is gradual privatisation of some railway operations. This will increase competition and choice for transportation in the rail sector.

The above is but some of the successes and suggestions. However, what we need to do is realise that the status quo is currently not working for the majority of South Africans. My hope is that we can learn from one another to ensure better services to all South Africans.

House Chairperson, unfortunately, this is my last day in the NCOP. I hope that this last debate can be a constructive one. Colleagues, I hope to see you soon in the next term. Thank you. [Applause.]

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hopefully hon members will have an opportunity to bid him farewell as we were working as a family.

The DEPUTY MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (Mr A NEL): Chairperson, a very good afternoon to all hon members. Thank you also to Mr Londt for putting on the agenda of this National Council of Provinces: A very important and I would say also a timely issue for discussion as we near the end of 2014-19 electoral mandate.

Our starting point is that the South African Constitution emphasises the unitary nature of our state by referring to, "One, sovereign, democratic state". I think that's an important point of departure, because it is important that we contextualise this discussion around the successes and challenges of provincial government properly.

To frame the question as an assessment from 2014 to 2019 is unnecessarily limiting, and I think it will lead us to wrong conclusions. We need to put it in its proper historical context. A historical context of 300 years of colonialism, half a century of apartheid and policies which set out to divide or fragment our country along the lines of race. So, at the macro level, our country

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was divided into homelands. Homelands that still up to this date constitute the poorest least developed parts of our country.

Many of the provinces that our Constitution provides for coincide exactly with the boundaries of those homelands. Those homelands were established on the back of the dispossession of the land of African people of this country: Both through wars of conquest; but later on in terms of statutes, such as the 1913 Land Act.

Those homelands also -and before them, under colonialism reserves - constituted reserves of cheap labour that was buttressed by a system of pass laws and system of migrant labour. They were in turn complimented by the way that apartheid cities and towns were fragmented through instruments like the Group Areas Act - a legacy of apartheid spatial planning that persists and is with us until today.

Therefore, when we talk about the successes and the failures of provinces, we need to locate them in that historical context: Both because that history informs the strengths and the weaknesses of our system of provincial government; but is also constitutes the fundamental challenge that our system of co-operative governance needs to deal with. That legacy of colonialism of a special type.

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So, in that context, our Constitution then provides for a system of cooperative government consisting of three spheres of government: National, provincial and local. It goes on to say that these three spheres are distinctive, interdependent and interrelated. Each sphere has distinctive powers and functions but forms part of a single coherent system of government for the country. This system of government is founded on a core commitment to co-operative government and state action that promotes basic human rights.

Cooperative government is premised on the three spheres having concurrent or overlapping authority for most service delivery functions, a right to an equitable share of revenue, and an obligation to cooperate with each as a single system of government for the country. Within this framework, national government has extensive powers to regulate the other two spheres. Provinces and municipalities must exercise their powers within the limits of the Constitution, just as national government does, and national government's regulatory authority.

The co-operative government model is thus based on strong national government, limited provincial and local autonomy and strong bonds of interdependence between all three spheres. Given the

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interdependence of the three spheres of government in South Africa, it is a challenge to evaluate the performance of the provincial sphere of government on its own.

Mr Londt has correctly cautioned us against approaching this debate as if it were a beauty contest of provinces. It is an approach that would be short sighted, misleading and ultimately self-defeating. [Applause.] What is evident, however, is that the way in which the three spheres of government work together to achieve common goals should be reviewed to improve the achievement of the National Development Plan and the realisation of the vision of our Constitution.

There is a growing realisation that the system of co-operative government is not working optimally. There is a need for greater co-ordination and cohesion between and across the three spheres of government, and also between government and the people. The past 24 years' practice of co-operative government has showed the following: Firstly, there is instability and uncertainty in the core roles and functions of the spheres; secondly, the system of intergovernmental relations is evolving, but there are weaknesses in the institutional framework; and thirdly, the current regulatory framework for planning, spatial development and land use is ineffective.

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Provincial government has three core mandates: Providing representative, participatory and accountable government in a province and representing provincial interests in the National Council of Provinces; providing public services and promoting provincial development; and contributing to cooperative governance in the country.

Provincial governments must provide social services and infrastructure to their resident populations and promote the growth and development of their territories. School education, primary health care and social welfare services are the three main service delivery responsibilities of provincial government, accounting for the major share of the annual provincial budget.

Provincial public expenditure should seek to promote redistribution to poor, historically excluded and vulnerable sectors of society in line with national policy objectives for reconstruction and development of the country. Previous reviews on performance of provincial government have identified the positive contribution the provinces have made in providing resources and access to social services, but they have also found that there is inconsistency in the delivery and quality of those services.

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Legislative confusion about the division of powers and functions is further aggravated by the enactment of sector legislation, impacting on health, housing and transport services for example, with poorly defined delegations inviting either fiscal 'gaps' or unfunded mandates. Another kind of pressure arises as a consequence of uncertainty about which sphere of government is, or should be, accountable for delivering a particular service.

Here the issue is not the way a sphere exercises its responsibility, but the proper location of that responsibility. Pressure has also been created by apartheid spatial patterns, which have distorted the national space economy and left highly fragmented human settlements in our towns, cities and rural areas.

There is growing pressure on all levels of government to become adept at spatial development planning and to respond to space strategically and efficiently. These are matters that we are addressing through the implementation of the Integrated Urban Development Framework.

Provinces have an important role in terms of local government support and supervision. The 1998 Local Government White Paper

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outlines seven key roles that provinces should to play in terms of local government. Firstly, a developmental role in terms of which the provincial government should ensure that the integrated development plans of the municipalities combine to form a viable development framework across the province and are vertically integrated with provincial growth and development strategies.

Secondly, an intergovernmental role whereby local government is included in provincial decision-making and province guides the horizontal co-operation and co-ordination between municipalities in the province. Thirdly, a regulatory role in terms of section 155(7) of the Constitution, in relation to the exercise of municipalities' authority on Schedule 4B and Schedule 5B matters.

Fourthly, an institutional development and capacity-building role in terms of section 155(6) of the Constitution, whereby a province promotes the development of local governments' capacity in order for municipalities to perform their own functions and manage their own affairs. Fifth, a fiscal role in terms of which provinces should monitor the financial status and financial performance of municipalities.

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Sixth, a monitoring role, in terms of which provinces monitor local government's execution of their Constitutional mandate. Seventh, an intervention role in terms of section 139 of the Constitution, in terms of which provincial government intervenes in a municipality.

Provinces have the constitutional obligation to monitor, support and strengthen the municipality to perform their functions, especially under section 154 of the Constitution. Provincial governments are justifiably under the spotlight following the findings of the municipal assessments preceding the development of the government's Back to Basics programme.

The question that could be asked is: Would municipalities be in the state of distress as evidenced if provinces had been executing their role to support, oversee and intervene timorously and appropriately, in municipalities? There seem to be indications of uneven provincial capacity in terms of support to local government and the building of such capacity in provincial governments. This is a core elements of government's Back to Basics programme.

I think members here are very familiar with Back to Basics based on a conclusion that one third of our municipalities are functioning well: One third of them are getting many of the basics right; and

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one third are dysfunctional. Back to Basics premised on five pillars, saying: Putting people first; delivering basic services; practicing good governance; sound financial management; and building strong capable resilient developmental local government.

It is seeking to move that bottom third of dysfunctional municipalities out of the state of dysfunctionality. Back to Basics has been adopted by government as a whole. It has been adopted at intergovernmental level and through the President's Co-ordinating Council, PCC. Premiers are leading and reporting at each PCC meeting on the implementation of Back to Basics.

Cogta has put in place district support teams consisting of engineers, town planners, governance and financial experts to support those distressed and dysfunctional municipalities. Also from a national level in Co-operative Governance and Traditional Affairs, Cogta, we are visiting each and every province. In fact, this Friday and I will be visiting Gauteng.

Last week, we were visiting Mpumalanga. Before that we visited Limpopo, and it was the Free State and the Eastern Cape before that. So, we are going province by province, working with other national

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government departments, working with provincial government, to intervene in those municipalities.

In terms of the relationship between national government and provinces, in addition to that support and engagement we have had to intervene. During the period 2014 to now, ten provincial departments were placed under Section 100 interventions. The most recent intervention has been in North West. I think members are familiar with it; I am not going to go into the details of that.

[Interjections.] What? [Interjections.]

Do you want details? Okay, the members want details, I will gladly give them. So, ten departments within the North West province have been put under various forms of section 100 intervention. Eight municipalities have been put under section 139(1)(b) interventions, and also section 137 of the Municipal Finance Management Act.

Premier Job Mokgoro has indicated that the executive council has resolved that all the 22 municipalities in the province would require constant monitoring and support. So, we are working very closely with the province in that regard.

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Moving towards conclusion, we want to make the point that South Africa's Constitution has sought to turn the apartheid patchwork of different tiers of government into a coherent system, devolving appropriate functions to provincial and local levels, including districts, municipalities and metropolitan areas.

This is in line with our constitutional commitment to build a united, nonracial, nonsexist, democratic, and prosperous South Africa. There is a wide agreement, both inside and outside South Africa, that decentralisation makes government more accountable and in tune with citizens' needs. But, decentralisation is no panacea; it requires commitment and capacity to work effectively!

Going forward, the role of provincial government in the state must be better defined. Serious consideration must be given to promoting greater stability, coordination and integration by introducing comprehensive framework legislation on provincial government. Many stakeholders, including several provinces, have expressed support for such national legislation.

Legislation could define the role of provinces in a number of respects: Firstly, it would clarify the role of provinces in planning service delivery and concurrency; secondly, define its

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supervisory relationship in relation to local government; and thirdly, provide statutory or set indicators for provincial performance.

The following elements could be considered going forward into the new review process: Defining the role and functions of 'developmental provincial government' in national legislation; providing a framework for establishing provincial departments; defining concurrency in the context of national priorities, provincial service delivery, planning and development; clarifying the relationship with traditional leadership; setting indicators for provincial government performance and norms and standards; defining national government's responsibility to support and intervene in provinces; introducing a national capacity-building programme for provinces; the supporting, monitoring and intervention roles of provinces in respect of local government; and reviewing the assignment on the centralisation or decentralisation framework for powers and functions between the three spheres of government.

Those are some of the important areas that are also identified in our National Development Plan. We are very thankful - as we said - that the NCOP has engaged in this matter and we are confident that the NCOP will be able to make valuable contributions to such a

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review. Thus, strengthening our system of co-operative governance and dealing decisively with the painful legacy of apartheid. Thank you very much. [Applause.]

Mr L V MAGWEBU: Hon House Chair, hon members and fellow South Africans, on 18 May 2002, at the celebration of the life of the stalwart, Walter Sisulu, former President Nelson Mandela said:

What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of life we led.

As we ponder the successes and failures of provincial governments, hon Chairperson, I would like the members to ponder these words of Tata Nelson Mandela that he said on 18 May, especially the ANC leaders in the Eastern Cape. They should ponder and reflect upon these words because Eastern Cape has produced many distinguished leaders.

Hon Chairperson, each time I go home to the Eastern Cape, as I land in East London, where I live, I am always greeted by huge billboards proclaiming the Eastern Cape as the home of legends. Whilst this is a fact and that indeed the Eastern Cape has produced great leaders

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like Nelson Mandela, Oliver Tambo, Walter Sisulu, Govan Mbeki, Chris Hanani and Alfred Nzo, and the list goes on. Sadly, today, this home of legends has now been turned into a den of thieves; the home of legends has now been turned into a laughing stock; a home of legends has been turned into a house of pain by the ANC government.

Instead of building on the legacy of their predecessors, the ANC leaders have destroyed that legacy. When one looks at this beautiful province called Eastern Cape, with its beautiful people, all one can now see today is a shell of its former glory.

It is now a province characterised by the following: High levels of corruption and bad governance; leaders like Phumlani Mkolo, who is facing fraud and corruption charges related to the funeral of former President Mandela has since been elected as regional Chairperson. Shame on you ANC!

In the 2017-18 financial year, municipalities adopted unfunded budgets in the Eastern Cape. Again, shame on you! According to recent audit outcomes, municipalities are now in the red; namely; Mngquma and Walter Sisulu municipality, which is now under administration.

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The housing backlog in the Eastern Cape is sitting at high levels with the official estimate of 400 000. Recent audit results revealed that the Eastern Cape still lack basic services with 1 598 out of 3 157 schools still using pit toilets. Hundred and five schools have no electricity in the Eastern Cape as we speak. Forty-nine schools have no water and 25 schools have no form of sanitation at all. Shame on you!

Hon Chairperson, please tell me or at least tell fellow South Africans as to how are the Eastern Cape children expected to realise their constitutional right to basic education under these hardships? How are these children expected to be ready for the 4th Industrial Revolution when they are not even being prepared for it? What kind of leaders go to sleep when our children's futures are being destroyed?

The Eastern Cape Department of Education continues to kill our children. It remains the worst performing province in matric results and the worst performing school is still in the Eastern Cape, today. There isn't much to celebrate in the Eastern Cape but there are so many failures you can talk about.

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Hon Chairperson, as evident recently, the desire to steal and loot public funds and that desire has intensified. Those who are calling themselves leaders, yet rogue elements, have tried to steal and hijack Nelson Mandela Bay by ousting executive mayor, Athol Trollip, and the DA-led coalition which was democratically elected. These are rogue elements masquerading as leaders and must be exposed. The question then is: Why are all these failures in this province been allowed? Well, I will tell you ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Magwebu, sorry, can you take your seat, please? Let me take hon Wana. Hon Wana, why are you standing?

Ms T WANA: House Chairperson, can the speaker take a question?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Magwebu, are you ready to take a question from hon Wana?

Mr L V MAGWEBU: Hon House Chairperson, I debate my equal share, the rest I teach. I will teach hon Wana. I am not taking a question, no.

The HOUSE CHAIRPERSON (Mr A J Nyambi): He is not ready to take a question, hon Wana. Continue hon Magwebu.

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Mr L V MAGWEBU: ... why? In the ANC there is a deeply rooted culture of impunity. Leaders in the ANC are not held accountable for their wrongdoing. As expected, the ANC will come to this podium and give us excuses, just like the Minister said. The excuse being that let's look at the historical context. Minister, I understand the historical context. I have lived half of my life under apartheid. I know the hardships of apartheid but I beg to ask you a question. Why is there so much expenditure on VIP protection? R2,6 billion spent on VIP protection, when our children don't have schools, when our mothers don't have homes to live in. So, there is no excuse. The money is there but it is being abused, resources are being abused and misplaced. Typical of the ANC, self-serving, so, there is no excuse today.

In Nelson Mandela, where we govern as the DA, we want to tell the people that there is still hope in the midst of the confusion and chaos in the Eastern Cape caused by the ANC. I will give you an example; hon Chairperson, in Nelson Mandela Bay, the city is now financially sound. After 24 months when the DA took over, we have made sure that there is almost R2 billion in the bank. Nelson Mandela Bay has received AAA credit ratings; and that should be celebrated because the DA has leaders of virtue, unlike the ANC government.

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We have employed the first ever metro police for city with 135 fully trained police, who have already attended to 25 000 crime fighting interactions.

Hon House Chairperson and fellow members, there is hope. We have demonstrated that as the DA that we are a party for all South Africans. The only hope can never be the ANC. All they can do now is to give us excuses. We are ready to govern. The DA is the party for the future.

*IsiXhosa*

Enkosi Sihlalo, mandibulele.

Mr S P D SKHOSANA KA MAHLANGU: Hon Chair, thank you very much, well, I was at a place called Qoboqobo in the Eastern Cape in the past weekend, a song was sung which I couldn't understand at the time - it's in isiXhosa. It says ...

*IsiXhosa:*

... nokuba ungathetha ngeelwimi zonke kodwa xa ungenalo ulwazi ufana nje nentsimbi ekhenkcezayo. [Kwaqhwatywa.]

*English:*

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Thank you very much hon Londt, I am sorry that this House will be losing you. Not many like you would come here and tell us what we need to know or what South Africa needs to know.

*IsiXhosa:*

Awufani nentsimbi khenkcezayo.

*English:*

Hon Chair, Deputy Minister, MEC Ndou, special delegates, as we draw inspiration for ...

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Hon Skhosana! Hon Skhosana, can you take your seat. Let me take hon Smit.

Mr C F B SMIT: My apologies, hon House Chair, the translation services are not coming through, it's now two times that I have tried to listen on the days.

The HOUSE CHAIRPERSON (Mr.A J Nyambi): Okay, can we be assisted and have the translation so that members must not miss when we are speaking other languages. I have requested them to attend to that hon Smit. Can you continue, hon Skhosana.

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Mr S P D SHOSANA KA MAHLANGU: Chair, as we draw inspiration from Ho Chi Minh one of the greatest revolutionaries of the 20th Century who ruled as a leader, a teacher, a journalist, a strategist, an internationalist, a unifier, a negotiator, a poet, a creative thinker, an economist, a gorilla fighter who endured decades of exile prison, torture and decades of war when he said and I quote: "remember that the storm is a good opportunity for pine and cypress to show their strength and their stability."

Having survived worst storms of economic hardships in recent years, allow me hon Chair in this august House to provide you with a depth of successes of the province of Mpumalanga. This is in the context of what the people's programme of the government of Mpumalanga has delivered over the past 24 years of democracy. This is also in line with the preferred words by the gorilla economies leader who lived with his comrade in the most bear conditions in the caves of Cao Bang province in Vietnam, often having to forage for food. And yet, his dedication to the causes of Vietnamese independence, unification, economics stimulation and global socialism never faltered. As a gorilla leader who later became president of the Democratic Republic of Vietnam hon Chi Minh fought against French, Japanese and United States colonialism with relentless energy,

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profound intelligence and undying passion. Like our very own Oliver Tambo, Ho Chi Minh led his people through ups and down from the early 1920 up until his death in 1969 his undying spirit still lives on today.

Ho Chi Minh provided major inspiration and strategic vision for the Vietnamese revolutions, provided and built massive national unity against imperialism, bringing peasantry, working class, intellectuals and patriotic capitalist elements together in order to struggle against imperialism. He led the work of inspiring, organising and educating the masses of Vietnamese people for their struggles against imperialism and socialism.

The successes of the province of Mpumalanga have afforded us an opportunity to analyse the prevailing economic challenges. Adjust the sails and weather the storms and alter the course. The recent downgrades by rating agencies and the economic recession required us to roll our sleeves, implement pragmatic solutions that weather the storms and deliver growing economy and be able to realise the "Thuma Mina" mantra as presented by our President Cyril Ramaphosa during 2018 state of the nation address.

More than ever before, the Mpumalanga government and its people were required from today to strive for prudent and sound financial

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management when delivering on the commitments of the electoral mandate. As we were no longer spectators towards the issues of service delivery were realised, we managed amongst others to deliver in the following areas, hon Chair. On education, as a province, we managed to eradicate mud schools, particularly in the farming places and replaced them with the state of the art school for our learners in those areas. We also managed to continuously provide learner and teacher support material in good time. We managed to provide school nutrition to all deserving school children. We managed to provide bursaries to deserving applicants. We managed to maximise the international relations by sending our kids to the Republic of Russia who are studying for Medicine.

The coal haulage network has been a priority in the province, particularly at Gert Sibande in Nkangala District respectively. We managed also to prioritise provincial roads for easy accessibility and usability. We managed to build public amenities for our people. We managed to build more clinics, schools and community centres. This includes the new Sabie Hospital and the Middelburg Hospital whilst the other hospitals are upgraded to the required standards. On integrated human settlements, the apartheid patterns of human settlements are going to be a thing of the past. As we move towards integrated human settlements a case in point is a Klarinet

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eMalahleni Municipality where low cost housing, clinics, schools and community halls were built within the integrated human settlement programme. The low cost housing programme has been on increase in building houses for the poor.

We continued with the support for individual, small and emerging commercial farmers. Support through Fetsa Tlala, Phezu Komkhono Mlimi and the Comprehensive Agricultural Support Programme, the Casp. We have provided funding for Marapyane Agricultural College, which has reopened its doors to for training. Mpumalanga International Fresh Produce Market, Agri Habs and Dr JS Moroka Municipality and Bushbuckridge which will be a feeder to the international fresh produce market.

Hon Chair, on sound financial management, the issues of irregular and unauthorised expenditure being addressed rigorously through all committees of all legislatures, and consequence management is the main area of consideration in these days. The people's purse must be protected from unscrupulous individuals. We cannot and will not accept such behaviour. Government procurement and service delivery programmes have been monitored to ensure that the above are eliminated at all costs so that with the limited purse we do more and move the province and the country forward. Our oversight

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machinery has spent more time in resources in ensuring that we eliminate challenges of irregular fruitless and wasteful expenditure across all levels and sectors.

Remember, the storm is a good opportunity for the pine and cypress to grow their strength and their ability of the workers in our province. The growth of our cypress means the growth of our provincial economy through infrastructure development and maintenance. Mining, agriculture, Nkomazi Special Economic Zone, energy manufacturing - all of these ingredients are a key to the cypress growth in the province and we will surely eliminate the triple challenges facing our province of inequality, poverty and unemployment by delivering more sustainable jobs, reducing inequality and eliminating poverty.

Hon Chair, the United Nations Agency has awarded Makhonjwa Mountain the Status of World Heritage Site in July 2013. Again, this will be a contributing factor to the Tourism industry and our provincial economy as we contribute to the growth of the economy and the international branding of our province in the country.

Our investment in the health sector should also deliver a healthy, productive nation that performs beyond the call of duty so that we

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have a strong and stable economy in the province of Mpumalanga. However, we have a blind spot in the fact that the Umbaba Estate has been a thorny point in our province. We have not been able to deal with this very decisively hence this has been elevated to a point where we want to see the land without expropriation so that the matter could be dealt with decisively. Finally, our people have been pulled out of a job, we are speaking about over a thousand people just because of one and just one individual who refuses to cooperate with government in that regard. Indeed, even though our economy is experiencing turbulences Ho Chi Minh reminds us that the storm is a good opportunity for the pine and the cypress to show strength and stability. The aggressive radical second phase of our national democratic revolution and the inspiration of our National Development Plan, the NDP, requires the partnership of a stronger and achieving administration that we need to accelerate service delivery in our communities and deepen transformation across all sectors. This will be the realisation of the dream and aspirations of our leader and commander O R Tambo. Remember, the storm is a good opportunity of the pine and cypress to show the strength and the stability. Mpumalanga, we are strong. Mpumalanga, we are stable. Thank you very much. [Applause.]

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Mr M KHAWULA: Hon Chairperson and hon Deputy Minister, the performance of our provincial governments is of an interest of a different nature, and also bears significance to the IFP irrespective of which political party is in control of which province. This is so because provinces in South Africa are a brainchild of the IFP. Were it not for the IFP at Codesa, South Africa would not be having provinces and provincial governments in their very current form as we have them today. Therefore, provinces are very close to our hearts and their performance is always a matter of value to us as the IFP. If provinces do well, we say to ourselves, "We told you so." If provinces perform badly, there are those who threaten to overhaul the Constitution in order to do away with provinces. South Africa is a *de jure* unitary state and a *de facto* federal state because of the IFP contribution.

In the words of our NCOP Chairperson, Mme Thandi Modise, "South Africa is a unitary state with very strong federal principles." It would have been a mammoth task to sit here at the NCOP and pass judgement on the successes and failures of provinces without being subjective. However, institutions like the Auditor-General and other Chapter 9 institutions provide valuable objective data in this regard. When one looks at the competences of the provinces, one can

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conclude that there have been some relative successes and some failures in the provinces.

Because of the pressure of time, let me just say that governance has prevailed in almost all our provinces except one, the North West, where national government has had to intervene through section 100 (1) (a) and (1) (b) of the Constitution. There has been relative stability except in the North West where circumstances have warranted intervention. There has been relative delivery of services, of course in varying degrees

The handling of the country's finances by provinces, as reflected in the audit outcomes of the Auditor-General, does not show a good picture at all. This is what the Auditor-General has had to say about how our provinces are handling the finances. The AG said:

The Western Cape and Gauteng have continued to produce the best results. This is due to the leadership emphasizing a culture of accountability in these two provinces. There were relative improvements in the Eastern Cape and Limpopo. These positive trends may be attributed to the leadership roles of provincial treasury and premiers of these two provinces, respectively.

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In contrast, outcomes in Mpumalanga, the Northern Cape and KwaZulu-Natal were erratic over the past four years, caused by a lack of urgency at the leadership in responding to the root causes of the audit outcomes in these provinces. In North West and Free State, lack of accountability and commitment towards clean administration appeared as factors that influenced the poor showing of these two provinces.

No wonder, whilst the country is suffering so much of the evil of corruption, in these two provinces, North West and Free State, it appears to be worse. Whilst the country is generally suffering poor delivery of services, in these two provinces, it appears to be worse. Whilst the country has been continually suffering from the clutches of the capture by the Guptas and their associates, in these two provinces, it was worse. Actually, these two provinces were the springboard of the Guptarisation of South Africa.

The audit comments above are not the IFP conclusion of the state of finances of our provinces, but they are the findings of the Auditor-General of SA. So, if any of you has faith in the AG like we do in the IFP, the logical conclusion is that only two provinces have tried to implement a clean handling of the finances of the country

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over the past four years. That is the Western Cape and Gauteng. The others are suffering financial illnesses in varying degrees.

*English:*

Some of the other defects that the NCOP has experienced over the past four years during Taking Parliament to the People and other oversight programmes include: The drastic lack of effective oversight by provincial legislatures over their provincial executives; the drastic lack of accountability by provincial executives; high levels of partisanship and favouritism by provincial administrations in the execution of their responsibilities; obsession by some premiers to centralise power to the detriment and sometimes to near collapse of some provincial departments; factionalism which undermines quality deployment of personnel; and lack of effective opposition. I thank you, Chairperson. [Time expired.]

*IsiZulu:*

Bengifuna ukufika lapho nje.

Mr A J D NDOU (Limpopo): Madam Chairperson, Deputy Minister, esteemed members of the NCOP, colleagues from provincial legislatures, Limpopo is honoured by this special opportunity to

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share with the nation our perspective and the work we have been doing in our province since the start of the Fifth Parliament.

This debate is taking place just a few months before the end of the term for this Fifth Parliament and the inauguration of the Sixth Parliament. There can be no denying that this has been a very eventful and hectic term of administration. In this context, much ground has been covered with regard to the work of taking services to the people and breathe life to the ideal of a better life for all.

In the past five years, we have seen various governments at work to deliver on the promise of a better life for all. We have seen deliberate and focused efforts to grow and develop provincial economies. We have seen concerted efforts to improve social and economic infrastructure as part of the programme to stimulate the growth of the economy and create much-needed jobs for our people.

We have also seen governments accelerating on the delivery of basic services such as water, sanitation and electricity. Whilst there is a visible success of the work done by us, there are clearly some strategic failures that require urgent attention by us. Such failures should not be bequeathed into the sixth administration.

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Madam Chairperson, Limpopo has also been a province at work. As a provincial government, there are significant milestones that we have traversed in the past four years. These milestones are also largely owed to the support and quality oversight work of the NCOP. Without any fear of being contradicted, we are able to say that Parliament and the NCOP in particular, have indeed done its best to ensure that provincial governments fulfil their obligations to the people. You have looked at and critiqued our work, highlighted our shortcomings and commended our efforts.

Indeed, our province has notable strides in job creation initiatives. This includes our all-round efforts to reduce the levels of unemployment and fighting poverty. To ensure a focused attention on our employment-creation initiatives, we have adopted a five-year master plan. The main essence of this plan is to reduce poverty, fight unemployment and reduce the unacceptable levels of inequality.

This plan represents a policy framework that articulates issues related to both economic growth and social development. The plan is focused on economic development and transformation, infrastructure

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development, building a developmental state, as well as fostering social cohesion and transformation.

With regard to economic development and transformation, our focus has been on mining, agriculture, tourism, manufacturing, and empowering SMMEs and cooperatives. We are also working hard to strengthen our support towards identified growth point areas. We are of the understanding that a sustainable infrastructure delivery will serve as a catalyst for economic development and poverty reduction.

Without doubt, reliable infrastructure network plays an important role in terms of attracting private sector investment. The most important navigator for the province's infrastructure roll-out strategy has been this master plan which is adapted from the National Development Plan, NDP.

The plan's high level targets are largely infrastructure based or depend on the adequate roll-out of both social and economic infrastructure. Part of these high level targets includes: the growth of the economy at a rate of 3%; reducing unemployment from the current 20,8 to 14%; creating 428 000 jobs; and improving access to basic services such as water, electricity supply and sanitation. It is clear that for these targets to be attained, it would require

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a deliberate and focused investment in both social and economic infrastructure.

Limpopo continues to do well with regard to employment creation in comparison to national trends. According to Statistics SA, Limpopo recorded second largest employment increase with 83 000 new jobs created in the first quarter of 2018. One of the key drivers of employment creation in the province is the government's deliberate investment in infrastructure projects. By the end of the 2017-18 financial year, the provincial infrastructure expenditure stood at R5,3 billion, representing 97% of the total infrastructure budget. In the current financial year, we look forward to spending the allocated R5,5 billion on capital infrastructure projects which would help to stimulate the economy and create jobs for the people of the province.

Significant progress has been recorded with regard to the delivery of certain key projects in this province which we can be proud of. The Musina-Makhado Special Economic Zone, SEZ programme has begun to take shape. This SEZ initiative is expected to revitalize Limpopo's industrial economy by utilising our own mineral resources and integrating the industrial chains of both the upstream and

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downstream. Several plants will be constructed under this SEZ project.

These include coal washery, coal-fired power plant, coking plant, stainless steel plant, high-carbon ferrochrome plant and silico-manganese. Supporting administrative services such as houses, hotels, shopping malls, health care facilities and schools will also be constructed. This project is expected to create no less than 20 000 jobs for the people of the province.

About two months ago, our hon Premier Chupu Mathabatha led a mission to the People's Republic of China. This mission was aimed at giving impetus to the Musina-Makhado SEZ programme. Through this mission, the province was able to attract a total investment commitment of R100 billion to the province. This will go a long way in creating much-needed jobs and other economic opportunities, especially for our youth.

Limpopo has done admirably well with regard to the provision of basic services such as roads, electricity and sanitation. For example, in Limpopo we have managed to exceed 50% connection of households with decent sanitation facilities. We have also done significantly well when it comes to connecting households with

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electricity. In this regard, we are able to report that Limpopo has connected over 90% of the households to the electricity grid. It is, however, important to note that there are still critical challenges with regard to the delivery of potable water to households. We have focused on this challenge and it is receiving serious attention.

As Limpopo, we believe that today is better than yesterday, and tomorrow will be better than today. Madam Speaker, once again, thank you very much for the privilege to speak to this House through this platform. We thank you. [Applause.]

*Setswana:*

Moh N P KONI: Modulasetilo, e re ke tseye tshono eno go dumedisa balwa ntwA Aforika Borwa ka bophara.

*English:*

Since 2014 provinces across this country have collapsed, all of them. Corruption, mismanagement, state capture, and cadre deployment is the reason why we are in a mess today.

Provincial governments are central to service delivery. They are responsible for healthcare, education and human settlements - you can repeat the chain again. These are all basic services which are

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essential to our people's survival, but provinces governed by the ANC and the DA are failing to provide these services both in quantity and quality. And DA, don't tell me about the roads, we have a crisis in Nyanga, there are problems in Khayelitsha, there's Gugulethu, there's Kayamandi, there's plenty.

Every province has been unable to deliver services in the past four years and it is our people who are suffering, the poor of the poorest.

In the Eastern Cape, for example, we have an education department that is failing the children of that province and denying them a future. We still have mud schools with learners studying in the same schools and under the same conditions their parents studied under during Apartheid; 24 years after our first democratic elections.

We still have over one thousands schools built from materials containing asbestos, which are poisoning our children, particularly poor black children.

It has been two years since the deadline for every school in the country to have had access to power supply, water supply and proper sanitation. But today in the Eastern Cape, you will still find that

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there are 37 schools that do not have any toilets and over 1900 that only have pit latrines.

But while the Eastern Cape is probably the worst province when it comes to basic education, it is not unique, as many other provinces experience similar problems. In KwaZulu-Natal you have over 3000 schools without computer labs and backlog of over 300 special schools which still need to be built to meet the demand. So, ANC, keep quiet and listen.

Healthcare, like education, is service provided by the provinces, but across the country the public healthcare system is in a permanent state of crisis - and it's very unfortunate that you're denying these things that I'm saying here today, but you claim leaders of this country and yet your own children are exposed to this situation on a daily basis; but because they are the children that were not carried by you for nine months, you don't care; I don't have a problem when you shout, you can howl as much as you want, my hon member from the Northern Cape.

In the North West it has reached a point where we had to see the army being called in to do the duties of Department of Health officials, doctors and nurses.

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Hon Oliphant, you know, we are exposed to this nonsense in the Northern Cape, and so I don't even have to spell it to you.

And now the department has had to be placed under administration by national government, as per section 100 of the Constitution. But what we do not understand is why other provinces have also not been placed under administration - it couldn't be that it's only the North West that is under administration, actually the Eastern Cape should have followed ... [Interjection.]

Ms T WANA: House Chairperson, I would like to humbly that language must be considered. The speaker cannot say nonsense to hon Oliphant. Is it parliamentary to say it's nonsense?

Ms N P KONI: It's something that does not make sense, it's a none sense thing.

The HOUSE CHAIRPERSON (Ms M C Dikgale): take your seat hon Wana. There's nothing wrong in the word nonsense. As long as you read how it is been used. Continue hon Koni.

Ms N P KONI: House Chairperson, but nonsense is something that does not make sense ... [Interjection.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Koni, I've ruled on the matter. Continue with the debate.

Ms N P KONI: Okay Chairperson. In Mpumalanga you can't be treated for dental or oral health problems after hours, hon Dlamini. In the Western Cape incubators remain broken for months. In KwaZulu-Natal half the ambulances are dysfunctional. In Limpopo there is not a single radiation oncologist in the province. While in Gauteng people can wait for six months to a year to receive surgery.

This is why the EFF took the decision to declare 2018 as the year of public healthcare because of the state of our public healthcare system which is collapsing in every province. In the same Gauteng, where you have a surgery waiting list stretching into the thousands, you also have a housing waiting list of over 1,1 million people.

Our people need land and they need housing, and provinces are failing to provide either of these. Instead, our people are evicted and brutalised by land invasion units. Like in the Western Cape, where everyday coloured and black families, often majority of women, are evicted off the land that was stolen from them by white settlers over hundreds of years.

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The numbers show that provincial government in this country is failing. Instead of providing services, provinces have become centres of corruption and mismanagement, used to serve the financial interests of governing parties and private capital at the expense of our people.

In the last four years our provinces have gone from bad to worse. The only hope and the only logical way forward is for the EFF to govern in 2019. I thank you.

Dr H E MATEME: Hon House Chairperson, members of this august House, the Deputy Minister of the Department of Co-operative Governance and Traditional Affairs, lest we forget where we come from.

[Interjections.]

For the Deputy Minister has reminded us that development in this country is not a beauty contest of provinces. [Interjections.]

I would really like to congratulate the hon Londt. Hon Londt, how I wish the hon Van Lingen was still here. May her soul rest in peace. Indeed when you were at the podium, I heard a South African citizen

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debating, not a member of a party. I heard a member and a South African citizen debating and so, you are doing us proud as you go the other side go and show them what this House is made of. South African citizens. [Interjections.]

Hon Chairperson, when Comrade Fidel Castro visited our countries I think during our first term of office, he reminded us that actually a South Africa, we are two countries in one. Now, as this journey of development advances, let us not forget that those who are further down the ladder of development are expected to keep pace with those who started high up there. That is a reality of this country.

Only yesterday, I think the Minister of Basic Education reminded us why some of our children need a second chance. We do not have to forget so quickly. They need a second chance because, they have to catch up with those people who started high up there and they coming from the rural areas. Hon Londt, I wish I could take you to Mafarafara in Limpopo which in English is an area you would call the "middle of nowhere."

Let us consider this issue of toilets. Sometimes the ruling party is being sjambokked not based on facts. Have we considered the topography? I was there in Bizana. [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Magwebu, please do not drown the speaker.

Dr H E MATEME: I was there in Bizana where the little one fell in the pit latrine toilet. How far is our bulk water supply? If we want to give our people toilets like in the First World, flushing toilets, etc. How far is our bulk water supply, the infrastructure, the backlog, etc? Lest we forget, hon members. All in all, I think this country, if we are to view the development as proper South Africans.

Chair, last Saturday I went home to my province, as we approached the Cape Town International Airport on the left side, I asked the driver: Driver is this also still part of Cape Town? The driver of the shuttle said to me, "Yes Ma'am, there is the airport; this is part of Cape Town." When you go to the airport next time hon member, just look on your left. Look on the left and see those shacks over there and therefore I agree with the Minister that development of provinces is not like a beauty contest.

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When you read and hear from the media, that yet another child has died in the Cape Flats because of gang violence my heart bleeds, because it is a South African life that is being lost.

Chairperson, delivering the Budget Speech on 12 March 1997, former Minister of Finance, the hon Trevor Manuel stated and I quote, "The national Budget allocates a global amount to each province which then has the responsibility of developing its own Budget within the constraints of an agreed framework." And that framework is unique to each province. Surely the North West is not the same as the Western Cape. May we also remember the triangle. South African development, during the apartheid era was a triangle. It is Johannesburg, Durban and Cape Town. That is where the development was.

Now, when we develop and play the catch up game, you do not take from those that are developed, you pick up those that are behind, enable them to perform at the level of the higher people.

I am focussing on the resources, on how money is being given to the provinces. The equitable share formula recognises that provinces have different demographic and economic profiles, markedly different levels of economic development and significant variations in socioeconomic circumstances.

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The levels of wealth or income within a province are important determinants of demand for social services, particularly primary health care, education and income support. Provinces and municipalities are assigned service delivery functions such as education, health, social development, housing, roads, provision of electricity and water, and municipal infrastructure. So, is the focus. Each province decides on its own focus.

The MEC from my province has just indicated that as Limpopo, the current focus is infrastructure. And indeed if you come there, you will realise oh, it is a matter of time we will soon become a metropolitan and we will rival some of the best developed areas in the country.

Provinces have significant autonomy to allocate resources to meet basic needs, respond to provincial and local priorities, while giving effect to national objectives. The redistributive nature of the equitable share formula assists all provinces to provide basic services for all South Africans. Section 214(1) of the Constitution requires that every year a Division of Revenue Act determine the equitable division of nationally raised revenue between national

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government, the nine provinces and 257 municipalities. They were reduced from 278 in the 2016 local government elections.

The division of revenue is strongly redistributive, shifting resources from taxes raised mainly in wealthier areas to services benefiting poor South Africans in every province and municipality. The Deputy Minister has just reminded us that South Africa remains a unitary state. However, the efficacy of spending in many provincial departments and municipalities responsible for frontline services fall well below the required standard.

House Chairperson, lest people forget, those who believe that there are people stealing, I think the hon Magwebu has clearly made this point, there are people who are stealing, there are thieves, corrupt people, let us not forget. [Interjections.]

Mr L V MAGWEBU: What?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, hon Magwebu, order!

Dr H E MATEME: The Zondo Commission is waiting! [Laughter.] Let us not forget. Those who are information technology, IT, literate - Dr Maphela Ramphela has written something on the Zondo Commission; she

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likens it with the spring cleaning of our country. So, those of us who are aware of any wrongdoing anywhere, please he is waiting!

[Interjections.]

Yes. Judge Zondo is waiting. Take the wrongdoers with evidence and tell him. He knows what to do.

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon Dr Mateme, your time has expired.

Dr H E MATEME: In conclusion. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): You have zero, zero time mama.

Dr H E MATEME: I thank you, Chairperson. [Applause.]

*IsiXhosa:*

Mnu L B GAHLER: Bendifuna ukuthetha phambi kwakho ke mama, kuba bendiyazi ukuba uzakuhamba ungena pha naphaya uhamba ubhadula nje.

*English:*

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Hon House Chairperson, the UDM, welcomes the 2016-17 Eastern Cape provincial government audit outcomes which demonstrated an improvement of 39% over a period of four years. Chairperson, can you please help me? I need protection, please. Ms Dlamini is disturbing me.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): You are protected, hon Gaebler. Hon Dlamini, please.

Mr L B GAEHLER: Given the rural nature of the province, the improved accountability and governance showed by the Department of Rural Development is encouraging. However, the South Africa's worst-performing provincial education department is in the Eastern Cape. This department has made Eastern Cape Province a home to the lowest matric pass rate in the country.

Both the political and administrative leadership of this department, has eroded a culture of teaching and learning. It has been over years, noncompliant on a number of policy imperatives, with low staff morale and dysfunctional schooling system.

Furthermore, over the last three years, the Eastern Cape Department Education has dismally failed to spend on its school infrastructure

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Budget. This has resulted to mud schools remaining the order of the day. The young poor kids falling and dying in pit toilets and unwarranted over-crowding that undermine the quality of the black child. For instance, in the Eastern Cape, for the financial year 2016-17 half a billion of direct infrastructure grants had to be returned to the national fiscus.

In the 2017-18, R415 million in direct grants were once again returned to the fiscus. It is our view that the Eastern Cape government, with regard to its actions on school infrastructure is in violation of the Constitution, in particular, the human rights under sections 10.24, 27, 28 and 29.

We call on the Department of Basic Education to drastically and urgently improve its planning, implementation, monitoring and evaluation capacity. It is clear that the department lacks proper project management skills and capacity or it cannot decide which comrade will get the tender, thereby delaying the spending of the Budget.

The second failure of the Eastern Cape government is the fact that over or no less than four years; it has presided over the horrific capital under-expenditure by both its provincial departments and

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local authorities. Despite the glaring and desperate need for decent services and proper infrastructure across the province, Mnquma, Sakhisizwe, Amathole, Makana, Senqu and Port St Johns municipalities have under spent on their Budget

The Eastern Cape, as a collective, during the 5th Parliament has failed the people of the province. As a consequence of its failure, unemployment, inequality and poverty are on the rise. The potholes or dams in the roads are fashionable in the Eastern Cape, putting more life at danger.

The hospitals are either collapsing or have a shortage of trained doctors, or best with no facilities like oxygen and water. The worst of all, about a month back, we visited OR Tambo region, we have seen the worst failure bulk infrastructure. The dams that you are talking about, monies, inferior work, monies have been spent but services are not done. They have been building for years and frivolous variation orders have been done. There is no monitoring by Eastern Cape government, neither by the Water and Sanitation department and the Department of Cooperative Governance and Traditional Affairs, Cogta. Billions of monies have been wasted on those dams. We call upon Cogta to send the Hawks to investigate those monies that are

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wasted in those bulk infrastructures and it is billions that has been wasted.

The variation orders, over payments, poor construction are the order of the day in the OR Tambo region. I thank you but we say these glorified homelands which are provinces must be reduced because people's monies are being wasted on these glorified homelands. I thank you. [Time Expired.]

Mr M MNQASELA: Hon House Chairperson, hon Deputy Minister Nel, MEC Ndou, hon members and special guests, it is encouraging to stand up and speak. It is also encouraging to sit down and listen. This is what Sir Winston Churchill once said and he further said that history will be kind to me because I intend to write it.

Now, I want to say that we need in these country progressive, ethical and honest leaders. We need leaders of integrity and leaders that will lead by example. Now, when I listen because listen is a skill which I have learnt over the years but when you listen and try to understand what is being said.

Firstly, let me appreciate hon Londt for sponsoring this debate and the DA speakers who spoke so eloquently in this debate. When you

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listen here, we are being told that the question of land and the question of agriculture is something that black people are not used to be doing. When I grew up, I grew up in a village and I grew up in a farm but when you listen here, we are told that the fertile land is the land that has not been occupied by black people. That is the missed opportunity because what we should be doing is how we make the land that is in the hands of black people and the hands of the state work better.

The land in the Eastern Cape, Northern Cape, KZN and the vast rural land in many rural provinces remains the most productive if you look at the quality of land but what is the government doing is nothing but the obsession with violating our Constitution. Now, colonialism and apartheid can't be blamed for every crime committed under this democratic government.

Ms N P KONI: On a point of order, House Chairperson.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): The hon Mngasela. Hon member! Chairperson! Hon member on the podium, please take your seat. Hon Koni, why are you standing?

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Ms N P KONI: On a point of order, House Chairperson. Thank you very much.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): What is the point of order?

Ms N P KONI: House Chairperson, the point of order is that the speaker on the podium is on a proper debate, right? The subject that he is on is about the land but I think the people he should be educating are on the right and I think he should call a federal meeting and then that is where he can go and conscientise those people but here I think we are clear. We don't need any reminders. Thank you Chairperson

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Can I rule on the matter, hon member? Take your seat. Hon Koni, please allow the speaker to continue with the debate and you are not allowed to debate from where you are now. Take your seat hon member. That is not a point of order at all.

Mr M MNQASELA: House Chairperson, I thought you will protect me from this frivolous useless point of order.

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The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon member, Mnqasela, I want you to withdraw the statement that you just said now because I am protecting you. I am following the procedure of the House.

Mr M MANQASELA: Chairperson, which one must I withdraw?

The HOUSE CHAIRPERSON (Ms. M C Dikgale): The comment that you have just made now.

Mr M MANQASELA: No, House Chairperson, I appreciate I am saying I appreciate that you are protecting me against those. I actually appreciate that, Chairperson. You are doing a good job. Thank you Chairperson.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Oh okay.

Mr M MANQASELA: I need to make this point that provinces are at the forefront of providing services to our communities and obviously supporting municipalities in achieving basic services to our communities but when one sits and listens and obviously being told that Limpopo is a great example. Let me be very honest here and I said we need to have honest leadership. In Limpopo, we have the leader of the EFF ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Mngasela! Hon Mngasela!  
Thank you. Hon Koni, you are standing.

Ms N P KONI: House Chairperson, I want to ascertain with the member if he said, I am useless or the factual statement that I applied was useless. I just want clarity on that because the statement that I made was about the land. Now, if when I speak about the land I become very useless, then so be it but I need him to clarify me if he was referring to me as useless or the factual statement that I just made.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Okay, take your seat, hon member. I didn't hear him mentioning your name. Can we please continue?

Mr L V MAGWEBU: Hon Mngasela, my apologies for interrupting a good speech but here is my point of order. Is it parliamentary for a member when we are debating matters of national importance to play candy crash? Please rule, hon Chairperson.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Are you done hon member?

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Mr L V MAGWEBU: Thank you.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Okay, thank you very much. Take your seat. [Laughter.] Hon member, because I didn't see the hon member playing candy crush I will have to ascertain if ever indeed she is doing that. Who is the hon member? Who is the member who was playing?

Mr L V MAGWEBU: Chairperson, hon Wana next to me is playing candy crush here.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Okay.

Mr L V MAGWEBU: We can go to the video footage or Hansard. You can defer your ruling.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Take your seat, hon member. Take your seat. I only wanted the name. Hon Wana, are you really playing candy crush?

Ms T WANA: [Inaudible.]

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Thank you very much.

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Mr M MNQASELA: Chairperson, I would like to establish ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Order, hon Magwebu. Allow the hon member to continue with the debate. Order!

Mr M MNQASELA: I would like to establish how much time I have. I have been disturbed here many times.

The HOUSE CHAIRPERSON (Ms M C Dikgale): You are still remaining with six minutes.

Mr M MNQASELA: Alright. I would like to state here for the record that when we are being told that we must not compare provinces because is not a beauty contest, it is fact but wrongness of that statement is that we are dealing here with provinces and the motion was clear that we are debating. The subject matter says what have we achieved as provinces between 2014 and now? So, why do you invite me here and now you say let us not compare successes or failures because we need to deal with the root cause of the problem in order to cure the sickness.

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Limpopo as a province was brought down to a deficit of more than R2 billion by Julius Malema and Casell Mathale who were then promoted to this Parliament by the electorate but the ANC's nature of promoting failed Ministers in their provinces and failed mayors. It hurts our provinces because our provinces must remain the beacons of hope. They must say to us even in the bleak of times, it is possible but when you have all the provinces that are under the ANC failing like the North West today. We know what is happening in the North West. It is a state under disaster and now we are told not to compare.

We will compare because when you fail, the whole of South Africa fails because provinces can't be left to fail and we are told don't compare. It is important to know the Minister weekend special was appointed having failed in Merafong Municipality to be the Minister of Finance.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mngasela! Hon Mngasela on the podium! Hon Member! Hon Mngasela! Please, take your seat. Can you please listen to the Chairperson when she is chairing, hon Chairperson? Hon Mngasela. Please, listen to the Chairperson. If I request you to stop debating, please do so. Thank you very much.

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Ms P MPUSHE: Chairperson, I rise on a point of order.

The HOUSE CHAIRPERSON (Ms M C Dikgale): What is the point of order ma'am?

Ms P MPUSHE: It is not parliamentary for a member to be making reference of members who are not members of Parliament with regard to comrade Casell.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Hon members! It is true if the member is not in the House. We don't have to mention his or her name because he or she is not here to respond for herself or himself. Can I request that we keep the House in order, hon Members?

Mr M MNQASELA (Western Cape) Chairperson (cont): Standing Committee - Local Government: Alright. Thank you, hon Chairperson. Let me just highlight that as the NCOP we must guard against failed MECs and failed premiers being dumped here and in the National Assembly, because it reduces the value of this august House. It's very important and we cannot downplay that. What Cassel Mathale and Julius Malema did in Limpopo cannot be taken lightly when people need jobs in Limpopo. [Interjections.] That is corruption. That is corruption. [Interjections.]

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I must also state here that in 2014 the people of the Western Cape gave the DA a resounding mandate of almost 60%; a clear vote of confidence following our first mandate to lead the province in 2009. [Interjections.] In 2019 the people of this province will continue to say the DA must lead because ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Order! Hon Mngasela! Hon members, hon members, hon members, are you giving him a standing ovation because all of you are standing? [Applause.] Why are you all standing then?

Okay, let me request all other members to take their seats and I will start with you, hon Labuschagne. You will follow. Hon Labuschagne? Take your seats, hon members. [Interjections.] What is the problem? [Interjections.]

I am the one who is chairing. Can hon members please take their seats? I recognise hon Labuschagne. Then you will follow. You will follow. Hon Dlamini you will be the third one. Please take your seat. You will be the third one. She is the fourth.

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Ms C LABUSCHAGNE: Hon Chair, on a point of order: There is a rule that says that we can heckle but we cannot drown out the speaker. Can you please rule on that?

*Setswana:*

Moh T J MOKWELE: Modulasitilo, ke kopa gore o reetse.

*English:*

I don't have any problem ...

*Setswana:*

... gore o umaka

*English:*

... my commander in chief. What I'm asking from him is that he must go now ...

*Setswana:*

... gore a tsamaye a ye kwa kgolegong go ya go tlalea ...

*English:*

... because it was clear that Limpopo was put under administration. We are still waiting. Some of us can give you information. Your

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members of the DA are involved in that. So, if he wants ... if he wants ... if he wants and if he continues ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Labuschagne, you cannot do that. Hon Labuschagne! Hon Labuschagne! Hon Mokwele, please give me a chance. Hon Labuschagne, you can't do that. You know you have to raise your hand if you want to be recognised. The hon member is on the podium and you are standing. Take your seat, hon Labuschagne. [Interjections.]

Ms T J MOKWELE: ... [Inaudible.] ... on the ground. Chair, I demand that case number. I demand that case number today or tomorrow morning. He must come here and give us the case number of hon Sello Julius Malema and hon Cassel Mathale. You must remember that those people are hon members. The other person is a Deputy Minister. You must not just mention them as if they are ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much. You see hon members, we cannot allow the House to degenerate like this. Hon Mokwele's point of order does not carry weight. This is a point of debate. The hon member is debating. I am now going to allow hon Koni to speak on a different matter please, otherwise we continue with the debate.

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Ms N P KONI: Thank you, Chairperson. Members of this Parliament are referred to as hon members. Hon Sello Julius Malema is a member of this Parliament. Hon Cassel is a member of this Parliament. So I would request the hon member on the podium to address them as such.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you, hon Koni.

Ms N P KONI: No, I'm not done. [Interjections.] I'm not done. Can you protect me from ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): You are protected. Hon Faber, you can't say that. Continue hon member.

Ms N P KONI: Number two ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Faber! [Interjections.]

Ms N P KONI: Number two ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Continue hon Koni. Please don't waste our time.

Ms N P KONI: Number two; I'm not opening a debate. [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Don't listen to them. Just continue with your point of order.

Ms N P KONI: It's very difficult not to. Hon ... [Inaudible.] ... is making it very difficult for me to be able to hear myself.

The HOUSE CHAIRPERSON (Ms M C Dikgale): You are protected. Continue hon Koni.

Ms N P KONI: It's very difficult. I'm trying; believe you me.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Continue hon Koni.

Ms N P KONI: Chairperson, number two; if a member of this House has a problem with another member or feels that another member wronged the Constitution or the loss of this country, they are more than welcome to go and open a case against that member, rather than come here to grandstand, and waste time and resources.

The HOUSE CHAIRPERSON (Ms M C Dikgale): That a repetition, hon member. We have dealt with the matter. [Interjections.] Your number two is ... Okay, hon Mngasela, the hon Julius and hon Mathale are members of this Parliament. Now, because you are debating today, I

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will request you to address them as such. You are still seated. Hon Dlamini? You are still seated, hon Mngasela. [Interjections.] No, no, no, no, hon Wana, you can't say that.

Ms L C DLAMINI: Thank you very much, hon Chair. I'm covered on the first part. I was going to ask him to refer to hon members as hon members.

On the second part, these members are not sitting on their seats.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you, hon Dlamini. They are seated on their province's side. There's no problem with that. Hon Khawula, are you still in the queue? [Interjections.] Continue hon Khawula.

Mr M KHAWULA: Thanks, hon Chairperson.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Hon Faber, order!

Mr M KHAWULA: I was asking for your indulgence in your ruling that people who are not in the House cannot be mentioned in our speeches. I wanted to ascertain whether the ruling was that we really cannot

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mention them because it's setting precedence. So I want to understand it properly so that in future I'm assisted.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Well, he is debating. I said he must continue with the debate. However, if you want to accuse a member who is not in the House we cannot allow that. The member is debating and I gave him a chance to continue with the debate. Continue with the debate, hon Mngasela. Don't worry about your time. When there is a point of order the watch is immediately stopped. Continue.

Mr M MNQASELA (Western Cape) Chairperson: Standing Committee - Local Government: Thank you, hon Chairperson. [Interjections.] No, this is a speech. It's a very long speech. Let me thank you once again for the mere fact that this debate takes place at this time, because we are going through a process now as individual political parties to elect members who must come here and be honourable. I hope that process will render a significant exercise that will practically assist us to respond to some of these salient and quite pertinent issues that affect our communities. You cannot wishy-washy the cancer of corruption because it suits you now. South Africa is painfully awaiting us to address the whole question of corruption, not this manga manga [lies] thing here of the so-called commissions

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which are factional and are fighting factional battles. We need to deal with the whole culture of corruption in South Africa.

In this province – because we said let us come and boast here about successes and address failures – I think the major failure, hon Deputy Minister, is that it cuts across. You know, the question of tenders and the fact that senior officials who are in the employ – sections 56 and 57 – don't declare. They don't declare their relations with those who bid for jobs but equally so, tenderers don't declare that they actually have a relationship with Masizole who is a senior employee here. That is a serious problem because, as we sit here, in this country the Auditor-General says 1 440 of such cases, which represents 67% of all procurement cases that we have in South Africa ... It is a serious conundrum and we have got to address it. I have faith in you. You have been the longest in that position and I have faith in you. I can't say anything about all those who have been brought for you to deputise, even the weekend special that failed as mayor in Merafong Municipality and became Minister of Local Government which is Co-operative Governance and Traditional Affairs. That was a serious disaster for South Africa.

The other issue which I really, really wish to ask the NCOP to help us with, is when there is corruption in a municipality, please help

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us. Let us go together. Let us make this noise because municipalities like Oudtshoorn in this province, Kannaland, George is one of them, that is under us ... We have a problem which we need to address because people get used to positions and they steal. But Kannaland was an ANC municipality. Oudtshoorn was an ANC municipality and Beaufort West was an ANC municipality, as well as Bitou. We need your help.

It does not matter the t-shirts that you are wearing. We need to go in and root out corruption so that we are able to deal with it and create an environment that will enable South Africans to enjoy quality services wherever they live. The DA is coming. In 2019 we will be there in every province and deal with this corruption.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Point of order hon member! Hon member! Hon Mnqasela! Well, I don't know whether you don't listen to the Chair in the legislature. In the NCOP we do listen. Thank you very much. The hon member is on her feet.

Ms L L ZWANE: Thank you, Chair. I'm rising on a point of order: I listened very carefully to the speaker. There is a point where he casts aspersions on the integrity of the Zondo Commission when he

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says the commission is factional. I don't think that is correct. He said the commission is factional ... the Zondo Commission.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, hon Zwane, let me come back on that one. Let me refer to Hansard because I did not get that very well. If he did not mention the name of the commission we will come back on that one. Hon Mngasela, unfortunately your time had expired when you took your seat. Thank you very much for the debate. [Applause.] Order hon members!

I think I need to address the point of order that was mentioned by hon Dlamini, about hon members sitting where they are not supposed to be seated, once and for all. It's not the prerogative or responsibility of the presiding officer, but you need to address that with the leaders of delegations; not us. This keeps on coming up every now and then. I am sure it is clear today. Thank you very much. We continue with the debate. Hon P Mpushe is the Eastern Cape chairperson of Public Works. Over to you, ma.

Ms P MPUSHE (Eastern Cape): House Chair, hon Deputy Minister, Cogta-hon Nel, special delegates like me, hon members of the NCOP, there is no one in the gallery; I greet you this afternoon in the glorious Name ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Faber, the hon members on the podium are protected; please don't drown them! [Laughter.]

Ms P MPUSHE (Eastern Cape): ... the glorious Name of Jesus Christ and that of the ANC. It is an honour for me to be debating on behalf of my province the home of legends during the year we celebrate the life and times of Mama Sisulu and Tata Madiba whom would be 100 years had they been alive - had it not been through their struggles to bring down colonial oppression and apartheid we wouldn't be where we are today as a nation.

Indeed, we have made strides and we appreciate the debate which has been sponsored by hon Londt on the successes and failures of our government as we are gunning towards 2019 elections. It is an opportunity for us to fast-track improvement in the service delivery.

As the Eastern Cape we have identified the following priorities: Promotion of quality education and skills development; improved health profile; stimulation of rural development, land reform and food security; transformation of the economy to create jobs and sustainable livelihoods; intensify fight the against crime;

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integrated human settlements, viable communities and social cohesion; strengthen the developmental state and good governance.

On a lighter note - because this not what I had prepared on the issue that was raised in terms of intensification of the fight against crime - I must say that there are some ongoing investigations. Members must not pre-empt the outcomes and must wait for the outcomes at the time and trust the credibility of the structures that are dealing with the corrupt practises in our government. Therefore, they must forward evidence so as to assist the process of catching the criminals. The hon member ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, Hon Mpushe! Please take your seat. Hon Essack you are standing?

Mr F ESSACK: Chairperson, the hon member on the podium has just admitted to corruption, would she take a simple question?

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Essack, I don't agree with your first sentence that she has admitted to corruption ...

[Interjections.] yes, let me ascertain first. Hon Mpushe are you ready to take a question.

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Ms P MPUSHE (Eastern Cape): No, hon House Chairperson.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Take your seat with your simple question, she is not ready; take your seat hon Essack.

Ms P MPUSHE (Eastern Cape): Chair, the hon member from the DA who is a fellow traveller in our province who is claiming that he is from the Eastern Cape; he must allow the investigation outcomes in terms of the ANC processes and not come here and lament on the things that are taking place in our glorious movement.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Magwebu, for the last time, you are allowed to hackle but you are not allowed to drown the speaker on the podium, please! Hon Chetty, you cannot join him. You cont join him hon Chetty!

AN HON MEMEBR: Why not?

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Chetty! You can't do that!

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Ms P MPUSHE (Eastern Cape): I have not defended any one. I said you must allow the processes. Hon House Chair, it is worth noting ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Point of order? Hon Mpushe, take your seat.

Mr C F B SMIT: Thank you, hon House Chair. I believe it's a standard order of this House that a member on the podium may not address a member within the House directly but through you - if you can remind hon member. Thank you.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Thank you very much, point of order taken. Continue hon member, and address the members through the Chair.

Ms P MPUSHE (Eastern Cape): Hon House Chair, allow me to boast about the fact that we take pride on the struggles that were waged by Tata Mandela and Mama Sisulu. We wouldn't have the Constitution that we enjoy today, which was opposed by the liberals, conservatives and the rightwing forces of different modes. It is also worth noting that we have made strides as ANC-led government, even though we had inherited a huge backlog from the previous amalgamated

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administration of the former homelands and the Transkei and what was previously part of the Cape Province.

The rural character, geographical distribution of poverty and historical backlogs make it more difficult and expensive to provide services in the province. High poverty level compounded by the global economic crisis has resulted in the reduction of provincial government revenue which in turn has reduced available resources required to meet the needs of the province.

While there is a general spread of poverty, the spatial disparities continue to show as districts of Alfred Nzo and O R Tambo experience high percentages of citizens living below the poverty line. The unemployment challenge in the province mostly impacts the youth as 39% unemployment, among the highest in the country.

Stagnant population growth ... [Interjections.] ... and high outward migration are affecting the Eastern Cape share of the national budget allocation. Therefore, the hon Magwebu is also with other members of the DA contributing to the fact that. [Interjections.]

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Essack! Hon Essack, you know you cannot ask a question like that. You would need permission

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first. Don't disturb the hon member. No, hon Essack; ah, ah; yes hon Julius - order, hon Magwebu.

Mr J W W JULIUS: I am sorry to disturb the beautiful lady there.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Don't be sorry, sir.

Mr J W W JULIUS: I think, when you make a ruling don't interfere with the heckling, that wasn't loud. [Interjections.] It was a question; the members are not supposed to listen to the member. She was not supposed to listen to it she must just do the debate. You can't protect her like that. You can protect the rules when they drown her but that wasn't drowning.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Essack, you are the one who is out of order. You are out of order. Hon Julius, you are out of order. I will never allow hon Faber and hon Essack to drown the speaker, I will never do that! Continue hon member.

Ms P MPUSHE (Eastern Cape): Hon Mpushe, please take your seat, hon Smit is on floor.

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Mr C F B SMIT: Hon House Chair, I believe it is a standard rule of this House that while, say you have a point of order, and the hon member must sit down, if you can remind her about that rule as well.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member, you are out of order, that is what I did. I reminded them. Started with hon Mnxasana from the DA, I have been asking them to take their seats. You are out of order, hon Smit.

Ms P MPUSHE (Eastern Cape): House Chair, as the province we regard education as one of our apex priorities; hence the promotion of quality education and skills development. The province has up to 5 332 schools and services is up to 1,6 million learners in public ordinary schools.

The situation in education has shown stability in the leadership and government since 2014, with the implementation of the education transformation plan since 2015. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order!

Ms P MPUSHE (Eastern Cape): Social infrastructure ...

[Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon members from the Eastern Cape. Order! Hon Essack, you are standing, take your seat, hon Mpushe.

Mr F ESSACK: House Chairperson, with absolute due respect to the House and fellow South Africans out there, the speaker at the podium is totally misleading South Africans. We have been to the Eastern Cape some three weeks ago and the point is that the issue of infrastructure in schools that the member has referred to in the House is absolutely incorrect. [Interjections.] ... but I am addressing you, Chairperson.

The HOUSE CHAIRPERSON (Ms M C Dikgale): I am listening.

Mr F ESSACK: ... and then with due respect, I want to just check before I sit down. Is there a typing error here or is it correct? Is this the Chairperson of the public works from the Eastern Cape? Is it correct?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Are you done, hon Essack?

Mr F ESSACK: No, I am just checking, is it correct?

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Are you done?

Mr F ESSACK: Yes, I am done, but she does not need to mislead South Africans. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): If you are done take your seat. Hon Essack, please you know that you cannot debate from the floor. That is a point of debate. You will get a chance at the podium and debate the issue that have put forward now. Hon member, that is not a point of order, you are totally out of order.

Ms P MPUSHE (Eastern Cape): House Chair, I have not misled the House, the stability in leadership has nothing to do with challenges that you concerned with of infrastructure. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Essack you are drowning the speaker.

Ms P MPUSHE (Eastern Cape): Social infrastructure in terms of department of education has been consistently utilising the bulk of the infrastructure allocations for the 2014-15; 2015-16; 2016-17; 2017-18 financial years, achieving spending of 90%; 125%; 97% and 100% respectively.

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However the reflections in 2015-16 financial year reflects over spending as the budget of the department of education was reduced to R1,156 billion due to the department withholding R530 million for the infrastructure grant with the assumption that the department will under-spend by R530 million. In addition the department has an amount of R4,6 billion allocated for infrastructure over the midterm expenditure framework.

Areas that have shown good progress are the access to Grade R where there has been a marked increase of learners in Grade 1 learners with Grade R experience. Up to 71% learners in Grade 1 had prior Grade R exposure. This is the critical milestone towards the end of the term. Public education has been maintained as many as 1,6 million learners.

Accelerated school infrastructure development was implemented in the term focusing on the improvement of especially mud schools as part of dignity to rural education. The Eastern Cape completed eradicated ... [Time expired.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! [Interjections.]

Order, hon Faber. Order, order, members!

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Mr J M MTHETHWA: House Chair, Chief Whip, Deputy Minister, my colleagues, let me start by thanking the hon Londt for coming up a wonderful debate ... [Interjections.] ... a very positive one. You indeed spoke like a South African. Our achievement of political democracy in this country in 1994 has afforded us the opportunity to construct a government based on the will of the people, people-centred and people-driven in its principles and given the opportunity to pursue economic growth, development and redistribution to achieve a better life for all South Africans. As the ANC, we have identified the challenges of poverty, inequality and unemployment as the enemies of our freedom. The ANC and its alliance partners adopted the Reconstruction and Development Programme, RDP, in 1994 to reorient and reunite society towards a common purpose, that of a socially coherent and economically equitable society. The RDP identifies meeting of the basic needs of all citizens through more effective service delivery, as one of its five key programmes. The basic needs of our people are characterised by the need for job creation, land and agrarian reform, housing, water and sanitation, energy, transport, nutrition, education, health, a conducive environment, social security and personal safety.

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The ANC-led government identified institutional transformation and reform both as a pillar of the National Democratic Revolution, NDR, as well as a programme to drive the implementation of the RDP. With this in mind, the introduction of the Public Service Act of 1994 was largely shaped in character by this theory. All evidence based research informs us that significant progress has been made since 1994, notably through the extension of access to basic services to our people. Despite dramatic expansion, access to quality services remains uneven. This is caused by among others, an unevenness in capacity, tensions in the political-administrative interface, instability of the administrative leadership, skills deficits, the erosion of accountability and authority, poor organisational design and low staff morale.

To address these challenges, the ANC identified that the main goal of state transformation as articulated in the ANC's Strategy and Tactics document, is the building of a developmental state that provides effective basic services and with capabilities to take forward a far-reaching agenda of national economic development, whilst at the same time placing people and their involvement at the centre of this process.

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The construction of a capable developmental state is outlined in the National Development Plan, NDP. The achievement of the NDP objectives are premised on collaboration between all sectors of society, an active citizenry, strong and effective government leadership. Stabilising the relationship between political leaders and the administrative leadership is central to deepening the professionalisation of the public service. Deepening professionalisation within the public service must be linked to measures to strengthen accountability.

The ANC believes that a more coherent and capable state that is supported by a quality, professional and meritocratic bureaucracy, which actively places people at the centre of the solutions to their needs and as their own liberators focused on their needs. Such a state focuses on working with government to achieve developmental objectives. Over the years the ANC-led government has progressed in establishing various people-centred participatory initiatives such as the Integrated Development Plans public hearings, ward committees, participatory lawmaking, Presidential Imbizo's and Operation Phakisa.

Over and above these initiatives, the ANC-led government has promoted popular participation in the public service and its

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administration, through policy and various pieces of legislation. This includes Batho Pele principles, the Municipal Systems Act and the Promotion of Administrative Justice Act. The impact of these participatory initiatives has led to free schooling, school feeding schemes, the student financial aid scheme, RDP housing, government employment schemes; Expanded Public Works Programme, EPWP, and Community Work Programme, CWP, expansion of social grants and expanded health care.

To deal with the triple challenges of poverty, unemployment and social inequality, a capable and developmental state requires committed state officials and public servants who demonstrate accountable leadership, have the capacity to drive transformation and place people at the centre of problem-solving and solutions to the challenges they face. This requires professional public servants with the necessary attributes, skills and competencies.

The ANC, at its 54th National Conference on December 2017 resolved that the merit principle must apply in the deployment of senior appointments based on legislated prescripts and in line with the minimum competency standards. The ANC-led government has over the past years, also restructured the administration and introduced various administrative procedures and measures to strengthen the

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delivery capacity of the state. In particular, the delivery arm had ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mthethwa, please take your seat, sir. [Interjections.] Hon Essack, why are you standing?

Mr F ESSACK: Yes, through you House Chairperson, the hon member at the podium alluded to administrations within the provinces. Will he take a simple question on administrations within the provinces?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mthethwa, are you ready to take a simple question from the hon Essack?

Mr F ESSACK: No, no, no.

The HOUSE CHAIRPERSON (Ms M C Dikgale): He is not ready. Continue with the debate.

Mr J M MTHETHWA: The ANC 2014 five-year manifesto and governments Medium-Term Strategic Framework 2014-2019 has become the indicator and benchmark for both programmes and financing of these programmes. The implementation of these programmes has improved the quality of life of our people and moved us closer to attaining the goal of a truly united, nonracial, nonsexist and democratic South Africa.

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, order, order, hon Mthethwa. Please take your seat. Hon Smit, why are you standing?

Mr C F B SMIT: Hon House Chair, in light that the hon member do not want to take an easy question, will he take a difficult question from me - from Limpopo?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Let's ascertain ...

Mr J M MTHETHWA: No, no, no.

The HOUSE CHAIRPERSON (Ms M C Dikgale): He is not ready, hon Smit.

Mr J M MTHETHWA: All evidence-based research findings prove that there has been massive extension of basic services to the people as many more and more South Africans have access to housing, water and electricity. We have also further expanded access to education and health care, whilst laying the foundation for greater growth through the massive infrastructure development strategy programme.

[Interjections.]

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While there has been factual and undeniable progress, any revolution is never driven in a straight line and classically there will be a situation of two steps forward and one back. Struggle is a dialectical process and the ANC acknowledges that planning alone is insufficient and must be joined by policy coherence and leadership in our public sector who have the capabilities to drive long-term goals and aspirations. [Time expired.] I thank you.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Mthethwa!

[Interjections.] Thank you.

Mr J W W JULIUS: House Chairperson, members and fellow South Africans, yes I agree with hon Mngasela, that indeed the success and failures of provinces in the Fifth Parliament will be best described by the effect that corruption had on their effectiveness.

We all know that corruption is rife in South African provinces; and it is also a known fact that corruption is hampering services to the people. It is thus impossible to have a debate on the success of provinces without looking at the effect that corruption and greed has had on our provinces lately.

We recognise the injustices of the past, but Hon Nel and Hon Mateme are not here now. Let me just paraphrase Nelson Mandela. In 2003, he

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basically said that you cannot blame apartheid for tardiness. In 2003, 15 years after that, a Deputy Minister still comes and blames apartheid for things that were not done in our country. There are certain effects that apartheid still has on our society but we cannot blame apartheid for tardiness or lack of services in all instances of tardiness.

Hon Mpushe, you said that there is corruption in your province and I am glad that you are actually acknowledging it, but the fact is that, it is an ANC province. Just like the Zondo Commission, it is ANC people implicated there; and it means that the ANC cannot trust themselves with the people's money. Why should you ask people to vote for you if you can't even trust yourself with the people's money?

In my province, hon House Chair, in the Life Esidimeni tragedy, 144 psychiatric patients died when they were moved to unregistered and ill-equipped NGOs. May their souls rest in peace! Hon Nel, this was not because of apartheid but because of tardiness, corruption and maladministration by the ANC in Gauteng. [Interjections.] The saddest part of this is that no one in political office was held accountable.

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Premier Makhura must have known about the removal of these patients because he sat in the Sittings in the Gauteng Legislature where this issue was raised before it got out of hand. This is typical ANC style; they protect their comrades against the will of the people.

Hon Mateme and hon Londt, thank you for the debate today. I think you brought an interesting topic and your debate was also very helpful. I can't say the same about the ANC members today. I think it was really again another way of shifting the blame. You could have done better by saying: it is us that failed. You still hold eight provinces; eight of the worst provinces in this country.

They have a total disregard for the feelings of our people. We are better than this, and the people of Gauteng deserve better. Then you get to Brian Hlongwa, the current Chief Whip of the ANC in the Gauteng Legislature who is still there and was appointed by the ANC together with various officials. He was implicated by the Special Investigating Unit, SIU report in R1,2 billion corruption scandal.

According to this report, he built a house of R7,2 million from the proceeds of corruption. What makes matters worse is that he is still a member of the legislature appointed by the ANC. You do not want to take action against your allegedly corrupt members. You still

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protect them just as you are now protecting the other one in the NA where the ANC came out yesterday and said, "We are standing behind our comrade." The people deserve better.

The Gauteng premier promised every year to cancel or do something about the taxing e-tolls that our people do not want. Guess what? These e-tolls are still there after years. The Gauteng people said, long ago, that they will not pay for these e-tolls but the ANC does not want to listen. Where the DA is in government in Gauteng municipalities, we do our best to root out corruption. For instance, in Tshwane, Mayor Solly Msimanga, the best in Gauteng, stabilised the city's finances by strengthening controls over supply chain processes, slashing unauthorised and unnecessary expenditure, and extricating the city from unlawful contracts of more than R2 billion.

Mayor Msimanga also found 900 political appointments that were approved by the previous ANC administration in the Mayor's office. They drew salaries from the city. Corruption, I can guarantee you, has no place in the DA-led administration. We are dealing with it and we will deal with those 900 appointments of the ANC.

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Chairperson and South Africans, there are enough of us who are tired of corruption, maladministration and poor services in our country. We can vote the corrupt out. We are enough. I thank you. [Applause.]

Ms L C DLAMINI: Hon Chair, Deputy Minister, special delegates from provinces ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Hon Dlamini, please wait ... Uh-uh! Uh-uh! You can't do that hon Faber ... go to your seat silently please; the hon member wants to continue this debate. Go to your seat silently. Thank you very much. Continue hon Dlamini.

Ms L C DLAMINI: ... my fellow students who are also hon members, you are welcome, I would want to start off by ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon Mokwele! Order! [Interjections.]

Ms L C DLAMINI: ... you know indeed that I always prepare my speeches, here it is, very long, in fact I was not going to finish it but sometimes I have to start somewhere. I would want to start with the last part, hon Julius, on corruption, as the ANC we are very clear on that matter that we are against corruption and we are

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dealing with corruption. [Interjections.] The DA has missed an opportunity today. You were supposed to clarify yourselves, come clean, about the alleged corruption in Tshwane Metropolitan Municipality whereby ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order!

Ms L C DLAMINI: ... the executive mayor was given a motion of no confidence based on the R12 billion tender that he is aware of. I thought you were going to use this platform to clarify yourselves, that you are clean; you are not corrupt as a party. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon member Dlamini, please take your seat. Hon Essack! Hon Essack, I am giving you attention, look at me please.

Mr F ESSACK: Hon Chairperson, on a point of order: With due respect, the member on the podium is casting aspersions with absolutely no facts and misleading South Africans. Can you correct her to quote facts and not cast aspersions? [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Essack, allow the hon member to continue the debate ... [Interjections.] That is not a point of order. [Interjections.]

Ms L C DLAMINI: Also I do not know whether I can stand on a point of order. He is saying ...

*IsiZulu:*

... ngikhuluma amanga ...

*English:*

... is it parliamentary ... [Inaudible.]? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): I did not get that one. It is not parliamentary if ever he said so. Please hon Essack ... [Interjections.] Hon Essack! Hon Essack, the hon member is protected. Continue hon Dlamini.

Ms L C DLAMINI: The second matter was open, the issue of hon Patricia de Lille, and corruption matters. I thought you would come out clear, clean, as the DA, addressing the public about this matter as to where you stand. Is she corrupt? She was representing you there as a member ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Faber!

Ms L C DLAMINI: ... so I thought you would come out clean instead of talking about corruption in the ANC leaving out corruption in the DA. You had an opportunity to clear yourselves in that matter.

[Interjections.] The other matter ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon Oliphant!

Ms L C DLAMINI: ... which I had wanted to address, hon Mngqasela ...

*IsiZulu:*

... Mngqasela! Mngqasela! Ngikhuluma iSiswati ...

*English:*

... I'm used to the "nca" sound. Hon Mngqasela, you are saying the government is supposed to, instead of talking about expropriation of land without compensation, is supposed to concentrate on the state-owned land and land that is under the custodianship of traditional leaders. Are you saying the people of Nyanga, Langa, Cape Flats, all the concentrated areas where black people are staying, who were removed from town and you have some farm owners who are owning one farm occupying a 1 000 hectares. These people from these areas where

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black and coloured people are staying you are saying they should go back to the traditional leaders. That is what you are saying. In fact, you are repeating what Zille said. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Hon Dlamini, please take your seat.

Mr F ESSACK: Hon Chairperson, on a point of order: Yes, the hon member on the podium, based on the topic of successes and failures of provincial governments in South Africa, I just want to just check if she would take a simple question on land reform because that is what she is now debating.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Dlamini, are you ready to take the hon member's question? Take a seat hon Essack.

Ms L C DLAMINI: When I am done responding on the DA issues ...  
[Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Not now hon Essack.

Ms L C DLAMINI: ... when I'm done with the DA issues. So you are these people should go back to traditional leaders because,

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according to the DA, they do not belong in Cape Town because it is reserved for the selected few, is that what you are saying. Who are you representing as the DA? [Interjections.] It is not for the first time that this is being said, it was also said by hon Zille at some stage that these people are migrant people in the Western Cape, so you are repeating and confirming that. No, you are making a mistake. We are going to continue doing that ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon Dlamini! Take your seat, the hon Julius is standing.

Mr J W W JULIUS: House Chair, on a point of anticipation: We are going to Gauteng where we have migration as a topic, as a theme. So we recognise migration there and not here. But on anticipation, can you rule on that? Thank you.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Julius! Hon Julius, you are debating. That is not a point of order, continue hon Dlamini. [Interjections.]

Ms L C DLAMINI: Also ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order!

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Ms L C DLAMINI: ... hon Julius is saying we cannot blame apartheid, I agree with you because you benefited, as the DA, from apartheid. [Laughter.] You benefited from apartheid.

Mr J W W JULIUS: Now it's a point of order!

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Order hon Dlamini ... hon Julius!

Mr J W W JULIUS: Point of order!

The HOUSE CHAIRPERSON (Ms M C Dikgale): What is the point of order?

Mr J W W JULIUS: Chairperson, I have a point of order. Please allow me a fair opportunity. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): I am giving you a chance in case it is a point of order.

Mr J W W JULIUS: My point of order is that the member is casting aspersions on my character. I am not a beneficiary of apartheid, I am not. I request that you rule on that and that the member will withdraw, please.

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The HOUSE CHAIRPERSON (Ms M C Dikgale): I heard you. Can you please take your seat? The hon member is still on track, she is debating. She did not refer to the hon member Julius but she is referring to an organisation. You will get a chance to come here and respond to what she is saying. [Interjections.] She is intact. I am going to allow her to continue. Continue hon Dlamini. [Interjections.] Order hon Magwebu! Order hon Chetty!

Ms L C DLAMINI: Hon Chairperson ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon members! Order!

Ms L C DLAMINI: ... they benefited ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Essack! [Interjections.]

Ms L C DLAMINI: ... it is a fact and it cannot be hidden. Let me thank hon Londt for sponsoring this topic. Hon Londt, I do want to say to you, you spoke your mind today. Today you were the Londt that I got to know.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Order members!

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Ms L C DLAMINI: I fully agree with those who spoke before me that you were speaking like a South African. You spoke your mind today. We really appreciate that as, like others have said, I hope that you will go to where you are going, we will miss this input today, wherever you go, we know that you will represent us well.

*IsiZulu:*

Iningizimu Afrika ...

*English:*

... even though your members degraded your debate. They reduced it into a competition of provinces but you, as a person, you pitched your debate very high which we all wanted to participate in.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Point of order hon Dlamini.  
[Applause.]

Mr L V MAGWEBU: Chairperson ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon members!

Mr L V MAGWEBU: ... on a point of order: I thought I heard the member saying that we have degraded the debate that is casting

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aspersions on our integrity. We are contributors of this debate. We have the right to tell her what she does not want to hear. We are speaking the truth to power here. This is the Parliament of South Africa. So, it can never be correct to say that we are degrading the debate, we are contributing positively. She must withdraw.

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon member Magwebu, thank you very much. That is not a point of order. You could easily hear yourself that you were debating. Actually, you are trying to respond to the debate of hon Dlamini. That is not a point of order. Continue hon member.

Ms L C DLAMINI: hon Chair, I had forgotten about you hon Magwebu, now you have reminded me to come back to you. It is very much interesting ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Address the hon members through the Chair hon Dlamini.

Ms L C DLAMINI: ... you see this DA system of appointing people to be members is problematic. It makes people to speak against what they know. In fact, hon Magwebu was speaking as if he does not know where we are coming from. In fact, let me remind you, the four

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provinces - this also refers to hon Khawula - hon Khawula, provinces are not new, provinces did not come with Inkatha [IFP] they were there before. We had four provinces. It was Natal, Cape, Orange Free State and Transvaal, they were there. I do not know whether those were created by the IFP as you said. [Interjections.] I want to say, those provinces ... [Interjections.]

Mr M KHAWULA: Hon Chairperson, I rise on a point of order that the speaker on the podium is misleading the public by misquoting Khawula. Khawula said provinces in their current form. Listening is a skill.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you for that clarity hon Khawula, you are not Khawula but hon Khawula because you are a Member of Parliament. Continue hon Dlamini.

Ms L C DLAMINI: You are only adding now the current form. Hon Chairperson, it is only now that he is adding the current form because he did not say that before.

Hon Chairperson, I was at the point that it is very ...

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Mr M KHAWULA: Chair, I am really asking that you consult Hansard and come back with the ruling because the member is really putting words in my mouth.

HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Khawula, you cannot debate with the member who is on the podium. I am not going to consult any Hansard, I am going to allow the hon member to continue with the debate. Continue hon Dlamini.

Ms L C DLAMINI: Hon Magwebu has forgotten that Eastern Cape is an amalgamation of homelands, which the Deputy Minister referred to, which are very poor with no development. They were called the other name at the time by your party. There is no development, people's land was taken, wealth was accumulated and people were dispossessed. When you come here, hon Magwebu, you debate as if you don't know the history and the facts. Hon Julius, when you compare provinces, do so based on their ...

HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Dlamini, the last request from the Chair, please address the hon members through the Chair.

Ms L C DLAMINI: Through you Chairperson, they must compare provinces based on their historical background. Cape Town was never affected.

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Hon Minister, maybe when we look at the demarcation of provinces in the future, we should consider amalgamating Cape Town with Eastern Cape so that they can share what other provinces are sharing and see how ... [Laughter.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Dlamini, take your seat. Hon Julius, why are you standing?

Mr F ESSACK: Chairperson, again through you, seeing the member on the podium seems to be so well vested on the Eastern Cape ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon Essack. Hon Mokwele, you know that you cannot stand while the ... if you raise your hand I will see it.

Mr F ESSACK: Eish, you know this EFF and ANC coalition is a problem.

The HOUSE CHAIRPERSON: Hon Essack, no.

Mr F ESSACK: Anyway, seeing the member on the podium seems to be so vested on the Eastern Cape, will she just take a very diplomatic question about the Eastern Cape? She cannot comprehend simple ones and difficult ones.

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Dlamini, are you ready to take a diplomatic question from hon Essack? Take your seat hon Essack.

Mr F ESSACK: Say yes, yes, yes!

Ms L C DLAMINI: I see nothing about diplomacy. No Chairperson.

Ms T J MOKWELE: Chair, you know it is disappointing to see DA members disturbing their own motion. I think what needs to happen ... No, it is your motion. Listen to the contributors and then you are going to close. [Interjections.] Look at them. The reason why we are taking over Tshwane is this tendency of yours. Relax and listen.

HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Mokwele, hon Mokwele listen to the Chair. It is a point of order. Continue hon Dlamini.

Ms L C DLAMINI: Hon Chair, in fact the ANC has been consistent in promoting unity amongst South African people but DA has been consistent in trying to separate Western Cape from South Africa. You are treating Western Cape as a separate country from South Africa. In fact that mentality is divisive; it has an element of discrimination and exclusion. To us Western Cape is one of the nine

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provinces in this beautiful country of ours and we treat it like any other province. Owing to its advantages from the historical background, we take as one of the economic provinces like Gauteng, KwaZulu-Natal which are contributing to our economy. We are not dividing them.

Hon Chairperson, with all the challenges that ...

The HOUSE CHAIRPERSON: Order Hon Essack, allow the member to continue.

Ms L C DLAMINI: Hon Chairperson, with all the challenges that we had in these other provinces, we have been able to deliver on the infrastructure because for other provinces, before you can even think of service delivery, you have to think of infrastructure development since it was not there. In terms of water we have delivered, road infrastructure in all provinces, schools we have delivered including boarding schools, especially in Mpumalanga. We have built state of the art boarding school for farming communities. It is what we have done.

Ms N P KONI: Chairperson, I don't know if today you are too soft or too relaxed or what is happening, but I am telling you now, if it was hon Mokwele or hon Koni behaving in such a manner that hon

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Essack, hon Magwebu and hon Faber are behaving, we would have long been chased out. Maybe you will clarify me as to what is happening that these members are still in this House as we speak. It has been Essack left, right, even now before you recognise me, hon Essack was just disturbing the speaker on the podium.

*IsiXhosa:*

Sivile, sivile kuEssack

*English:*

Chairperson please, call him to order

HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much hon Koni. You heard that I have been trying to caution the members and they were listening to me. I am going to request that we continue ...hon Labuschagne, hon Labuschagne ...

Ms C LABUSCHAGNE: Hon Chair, can you please rule on the behaviour of hon Koni.

Ms N P KONI: Who are you to call me to order?

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon members, hon Koni, listen to me, please don't drown the House. I have ruled on the matter and I am going to request that we allow the hon member to continue. Order members! Hon Labuschagne, hon Labuschagne ...

Ms L C DLAMINI: Hon Chair, we built state of the art schools in Kamhlushwa Primary School if you are talking about Mpumalanga, we have new universities, Technical Vocational Education Training, TVET, colleges and Early Childhood Development, ECD, centres, electricity infrastructure, water treatment plant, resevoirs ...

Mr F ESSACK: I rise on a point of order that the individuals behind me are disrupting the House. Nevertheless, what I'm saying is that the topic is on successes and failures within provinces. Hon member is talking about a boarding house, I mean, if she can just explain to fellow South Africans in terms of what is the state of the province is like she is referring to Mpumalanga's roads, transport, education, finance, sanitation. Those are basic stuff not about the boarding house. What is the boarding house going to do?

HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Essack, hon Essack, we are not going to allow you to compromise the decorum of this House. This

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is your last chance, please allow the hon member to continue as you that you cannot debate from the floor. Continue hon Dlamini.

Ms T J MOKWELE: There are Rules. . . I don't care. Open or switch on is none of my business because English is not my mother-tongue.

*Setswana:*

Reetsa, Modulasetilo, seo ke batlang go se bua.

*English:*

There are Rules that you normally use on us when you think that we degenerating the House. Now, I'm asking with due respect ... I don't care, they are your Rules and you will tell which Rules

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Stock, please behave.

Ms T J MOKWELE: I am requesting Chair that Essack ...

*Setswana:*

... o emeletse mo Ntlong eno ...

*English:*

... more than 20 times addressing one speaker.

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*Setswana:*

Ka jalo, o tshwanetse o netefatse gore motl Essack o tswela kwa ntle ka gonne wa re tshwenya.

*English:*

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member Mokwele is out of order; I am the one who is chairing. Conclude your debate.

Ms L C DLAMINI: Hon Chairperson, I was saying in terms of houses we've built more than 4 million houses and these are some of the achievements. In terms of electricity, water and all services, there has been increase in all provinces including Western Cape. I have spoken about roads and everything and it is just that the member was not listening.

Hon Chairperson, having said that, there are challenges that we must still deal with because there are people who still have to fetch water from the rivers and those are the areas that we need to deal with. The issue of coordination as the Deputy Minister has said earlier, amongst the spheres of government, also support from the governance structures such as Cooperative Governance and Traditional Affairs, Cogta, Office of the Premier, Finance and Treasury; those are the areas we need to strengthen. Monitoring and oversight are

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areas we need to look at ... [Inaudible.] of provinces. Thank you very much. [Time Expired.]

Mr J J LONDT: Hon Chair, hon members and hon Deputy Minister, I want to thank most of the people who participated in the debate today, I think it went really well up to a point - and then unfortunately, it went a bit downwards from there. I do hope that you understand that it is not just us in this House who are watching these debates. There are people outside watching ... and then, we wonder why people often say listen, Parliament is degenerating into a circus.

Deputy Minister, and hon Mateme, I do agree with you and I actually said that in my original statement, that it's important to look at the holistic picture and that there is a historical framework to what we need to address in the country. However, we should also not fool ourselves to look at where we have come over the past five years - because that is the term that we have been elected to serve. And, if we are honest - some provinces made much more progress over the past five years than others. Some provinces ... I also would venture to say actually went backwards in their effective management and oversight in that municipality. The mismanagement of funds in this Fifth Parliament is shocking and it's worrying. Many of the members in this House defended this under the former President,

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Jacob Zuma. But, at the end of the day, I always say this, that voters are not stupid. Voters will judge each and every one of us on how we delivered the services.

Deputy Minister, I also agree with you in your words "the unequal provincial capacity". That is basically like comparing your local Under 9 soccer team to the Barcelona team. Some are just more capable of doing things than others. So, you won't ask your Under 9 soccer team to go and do something. Don't defend that Under 9 soccer team if they cannot do something, because you are the one that chose them.

Hon Khawula, I agree with most of what you said, and thank you for your inputs. I can also wish you well in the elections in KwaZulu-Natal. I promise you, we will be looking very closely and eagerly at what you guys are going to achieve there.

Hon Gaehler has left now, but the UDM lost all credibility when they put back a corrupt caucus to run the Nelson Mandela Bay. So, hon Gaehler has got zero credibility when it comes to this stage.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Hon Londt, hon Gaehler is still in the House and he is seated on the side of Mpumalanga and Northern Cape province.

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Mr L B GAEHLER: Are you prepared to take a question?

The HOUSE CHAIRPERSON (Ms. M C Dikgale): Order, order, hon Gaehler!  
Eh, eh.

Mr L B GAEHLER: Is the member prepared to take a question?

The HOUSE CHAIRPERSON (Ms. M C Dikgale): We need to ascertain first!  
You cannot just stand up and ask him. Hon Londt, are you prepared to  
take a question?

Mr J J LONDT: Not now.

The HOUSE CHAIRPERSON (Ms. M C Dikgale): He is not ready. Take your  
seat! He is not ready. Ah, ah, i-yho! Continue, sir.

Mr J J LONDT: Hon Gaehler, I only have two minutes left, I don't  
know if the Chair is going to be lenient with me in my last speech.  
So, I will push through and then see if I get extra time.

Hon Dlamini, shame, shame, shame, shame on you! You come to this  
podium and deliver such a speech telling blatant untruths. You  
should be ashamed of yourself. You know what, coloured voters also

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suffered. And by making it less... that is why coloured voters are punishing you - election in and election out. Because you do not value the contribution that they make, you do not value the struggles that they are also going through. Shame on you!

Hon Mateme, I want to thank you for your kind words. I have now been sent to the lower House from the upper House and unfortunately, there is a lot more people and a lot more senior people. So, I will be a very junior back bencher and not being able to say much in the other side. But hopefully, I will be able to see you in the NCOP in the next term.

Hon Mthethwa and hon Mpushe, we spoke last week about people having a basic grasp of reading to comprehend. Your speeches - it will show that over and over during the election campaigns, I am sure will win a lot of votes. Hon Mqasela - and I also had to practice Chair, he is from my region and I had to practice that "click" a few times. Thank you for your speech and the contribution. What you did, I think you added quite a lot of value to it and it is great coming with the good suggestions that you have put forward.

To the colleagues that I have worked with from the ANC, thank you for the four and half year term together. From the other parties,

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it's always good ... to the EFF, you have made it... to put sugarcoated, you have made it interesting [Laughter.] And, to my colleagues in the DA, it's been a pleasure working with you in the NCOP over the past four and half years. Thank you, Chair.

[Applause.]

Debate concluded.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much hon Londt, we wish you all the best as you will be going to the other part of the House. Thank you, hon member.

Order, hon members. Please take your seats. I have an announcement to make. The bus will be leaving five minutes after we would have adjourned the House. We requested the drivers to wait for the hon members and I want to take this opportunity and really thank our hon Minister and Deputy Minister for being with us in the House up until thus far. Hon Nel, thank you very much. Hon members, I want to thank you all and to request those who were disturbing the proceedings not to do it again. The Council has adjourned and members are requested to remain seated until the procession has left the Chamber.

The Council adjourned at 18:20.