

**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

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***PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES***

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The Council met at 14:02

The HOUSE CHAIRPERSON: Committees, Oversight, Co-operative Government and Intergovernmental Relations took the Chair and requested members to observe a moment of silence for prayers or meditation.

Hon members, I would like to acknowledge the presence of the delegation from Rustenburg Local Municipality who are on a benchmarking exercise led by the Speaker, CllrS Mabale-Huma. You are welcome to the NCOP. [Applause.]

**NOTICES OF MOTION**

Ms B A ENGELBRECHT: House Chairperson, I hereby gave notice that on the next sitting day of the House I shall move on behalf of the DA:

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That this House -

1. condemns the blatant abuse of the ratepayers money by the Mayer of eThekweni Municipality who while residents suffer from increasing high costs of living and poor service delivery has been intent on wasting thousands of rands of ratepayers hard earned money, with almost R100 million approved and allocated to mayoral events;
2. further condemns the adjustment budget passed, where the following was approved: R100 million programme for mayoral events, R8 million for civic functions, R5,5 million for a mayoral imbizo, R1,5 million for mayoral Lekgotla, R2,4 million for mayoral cup and R35 million youth imbizos and that this House;
3. debates the way that money designed to assist the poorest of poor is being used and abused instead of assisting our needy residents with improved service delivery. I thank you.

**RESULTS OF THE BREEDE VALLEY LOCAL MUNICIPALITY WARD THREE BY  
ELECTIONS**

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(Draft Resolution)

Ms T G MPAMBO-SIBHUKWANA: House Chairperson, I hereby move without notice:

That this House -

1. notes the outcome of the Breede Valley Local Municipality ward three by election yesterday, that saw the DA retaining the ward, with 3% rise in votes since the 2016 Local Government Elections;
2. wishes to thank the farming community for putting their trust in the DA, by coming out in their numbers;
3. promises to uphold their pledge to put the people first and continue providing much needed services to the community in De Doorns and;
4. further notes that this bi-elections outcome is a clear mandate from the people of South Africa that they are ready for change in 2019. I so move.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Is there any objection to the motion? Yes. In light of the objection, the motion will not be proceeded with. The motion without notice will now become notice of a motion.

**MOTION OF CONDOLENCES**

(The late Mr Jabulani Tsambo - HHP)

Mr T C MOTLASHUPING: House Chairperson, I hereby move without notice:

That the Council -

1. notes with utmost sadness the tragic death of prolific hip hop artist and the pioneer of Motsoako, Jabulani Tsambo, who was popularly known as HHP and Jabs;
2. further notes that Tsambo who died at the age of 38, has been quiet open about his battle with depression for quiet some time and has tried that for two years, he admitted to attempting for suicide three times in 2015, and that he had visited an online

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suicide website, in an attempt to help him get information on how to end his life;

3. takes this opportunity to convey its heartfelt condolences to Tsambo's family, especially his wife and children. I so move.

Agreed to.

**VUYANI TOTOYI SENTENCED FOR FIVE YEARS FOR CORRUPTION**

(Draft Resolution)

Mr D L XIMBI: House Chairperson, I hereby move without notice:

That the Council -

1. notes the sentencing of Vuyani Totoyi who was found guilty of accepting a R400 bribe;
2. observes that Totoyi who was sentenced to five years imprisonment for corruption in the Port Elizabeth Specialised Commercial Crimes Court, yesterday, was a municipality traffic officer, in the Nelson Mandela Bay Metropolitan;

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3. further notes the sentencing of Sgt Zandisile Ruka and Cst Thulile Ruka from Bothasig Police Station in Cape Town, were found guilty of corruption, after tracking down the robbers who had stolen R45 000 and pocket the money and;
4. takes this opportunity to welcome these sentences as a clear message to those who continue to use the police services to further their personal greed and that corruption in the police service will not be tolerated and those who continue to steal and abuse the position of trust to serve and protect our people will face the full might of the law, for their ill deeds. I so move.

Agreed to.

Mr J W W JULIUS: Chairperson, no, I want to participate. It wasn't ... I listened attentively, and it sounded to me like the hon member said "400 bribes", I just wanted to get clarity before I vote on it. I do not know the ANC members, they just vote, they don't even listen or what, you just vote.

*Afrikaans:*

Soos skape! [Like sheep!]

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Mr D STOCK: House Chairperson, I hereby move motion without notice:

That the Council -

1. notes the implosion of the DA, after the resignation of the five Councillors including the chief whip of the Council, who resigned as a chief whip of the Council and their party in the City of Cape Town, in support of Patricia de Lille, well known as aunty Pat;
2. vows to make sure that people of Cape Town, know the true colours of DA, and do not vote for them in the 2019 election;
3. further notes that the DA chief whip in his resignation said "many senior leaders in the DA are racist and the same can be said for the party senior staff members" and therefore,
4. takes this opportunity to congratulate the DA councillors for their bravery and decisiveness, in finally telling the truth and distancing themselves from the party of the white privilege and encourage the people of Cape Town to join the ANC, the glorious movement, the parliament of the people and ensure that

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this great people's movement takes over government of Western Cape. I so move.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Is there any objection to the motion? Yes. In light of the objection, the motion will not be proceeded with. The motion without notice will now become notice of a motion.

Ms T K MAMPURU: House Chairperson, I hereby move without notice:

That the Council -

1. notes and welcomes with high appreciation that Minister of Health, Aaron Motsoaledi was honoured with two prestigious Kochon prizes, on Tuesday evening in the Hague, Netherlands, after he was recognised for his role and political leadership in the fight against Tuberculosis, TB globally,
2. Further notes that the Kochon prize was established in 2006, in honour of the late Chon-Ku Lee, founder and Chairperson of Chong Kun Dang Pharmaceutical Corporation and Kochon Foundation, who was committed throughout his career in

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improving access to low cost lifesaving antibiotic and anti TB drugs

3. appreciates that the Kochon prize, is awarded annually to individuals and organisations that have made a significant contribution to combating TB and therefore;
4. congratulates and thank our Minister for lifting the South African flag high in winning this prestigious prize. I so move.

Is there any objection to the motion? Yes. In light of the objection, the motion will not be proceeded with. The motion without notice will now become notice of a motion.

Mr J M MTHETHWA: House Chairperson, on behalf of ANC I hereby move without notice:

That the Council -

1. notes with utmost concern the brutal and senseless murder of an off duty officer who was shot dead by two men outside his home in KwaZulu-Natal;

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2. observes similar incidents in Port Elizabeth, where a police captain was accosted by unknown assailants, who shot him multiple times in the head before taking his service pistol and that in Johannesburg a member of elite Hawks crime fighting unit who was shot with a passenger in her car and robbed of their belongings;
3. takes this opportunity to condemn in the harshest possible terms the continuous criminal onslaught on our police and;
4. calls on the law enforcement agencies to wage a concerted battle against those who continue to show no regard of the lives of our law enforcement agencies and ensure that the perpetrators of this hideous crimes are brought to book. I so move.

Agreed to.

L ZWANE

Ms L L ZWANE: House Chairperson, on behalf of ANC I hereby move without notice:

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That the Council -

1. notes with profound concern and disdain that Islamic State of Iraq and Syria, ISIS activities are proving to be prevalent in our country;
2. further notes that Verulam Family Court in Durban, eThekweni has heard about an apparent Islamic State inspired group of people that have been reading magazines instructing them to carry out attacks in various areas in eThekweni;
3. detects that the search and seizure operations of South African Police Services, SAPS in Durban found copies of ISIS magazine Rumiya where a directive is given to carry out "financial jihad" by targeting the enemies of wealth through extortion, theft and fraud among others;
4. acknowledges that the reports of ISIS activities in our country, are intended to undermine our national efforts to work tirelessly to ensure that our people are safe and;

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5. calls on the intelligence and the law enforcement agencies to institute stronger and decisive measures to put an end to terrorist activities. I so move.

Agreed to

Mr E M MLAMBO: House Chairperson, on behalf of ANC I hereby move without notice:

That the Council -

1. notes that former apartheid Security Branch clerk Joao "Jan" Rodrigues who was charged with the premeditated murder of anti apartheid freedom fighter Ahmed Timol will finally stand trial in January 2019, decades after Timol's brutal death;
2. further notes that Jan Rodrigues had filed papers to apply for a permanent stay of prosecution on the basis of his age; and;
3. takes this opportunity to welcome the stern ruling made by Judge Monama that Rodrigues must face the full might of the law and stand trial for and the senseless brutal and

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heartless murder of Ahmed Timol who was a member of both the South African Communist Party (SACP) and Umkhonto we Sizwe and the and the first political detainee to die at the hands of the Security Police, at the notorious John Vorster Police Station. I so move.

Agreed to.

Mr L V MAGWEBU: House Chairperson, on behalf of DA I hereby move without notice:

That the House -

1. notes that the Isicathamiya group, Ladysmith Black Mambazo that was founded in 1964 by the legendary Joseph Shabalala, Umshengu, is at the University of Fort Hare in East London this week, with music students conducting master workshops concerned with exploring the complex origins of African Music, especially Isicathamiya, and they have recorded a song. Some of the Ladysmith Black Mambazo best songs include; Unomathemba, Abezizwe, Ngeke bayicede, Homeless, Diamond on the Soles of Her Shoes;

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2. recognises that Ladysmith Black Mambazo has won more Grammy awards than any other group or person on the African continent and;

3. congratulate Fort Hare University and Ladysmith Black Mambazo for their great initiative and express its appreciation for their endeavours in protecting and preserving our African heritage and the beautiful sounds of Africa, our motherland. I so move.

Agreed to.

**MAGASHULE, MAMIKI QABATHE AND MOSEBENZI ZWANE MANAGE TO EVADE  
ACCOUNTABILITY FOR THE ESTINA VREDE DAIRY PROJECT**

(Draft Resolution)

Mr G MICHALAKIS: House Chairperson, On behalf of the DA I hereby move without notice:

That the Council –

- (1) notes the decision by the Free State legislature that Messrs Ace Magashule, Mamiki Qabathe and Mosebenzi Zwane do not have to appear before a joint committee of enquiry on the looting of millions of rands from the provincial treasury in the Estina Vrede Dairy Project;
- (2) further notes that this decision has effectively prevented members ...

you would do well to listen, hon member

... further notes that this decision has effectively prevented members of the legislature from fulfilling their core mandate of holding the provincial executive to account. These members at the beginning of their term took an oath to uphold and defend the Constitution;

- (3) reminds the members of the legislature that President Ramaphosa has promised to deal decisively with state capture. However, the legislature's recent decision is in direct contrast with this commitment and it is a clear indication where the balance of power lies within the ANC. This is not serving South Africa; and

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(4) finally, that this Council, loyal to our own oath of office, encourages the legislature to reconsider its decision in the interest of justice, the Constitution and the country by aligning it to the commitment made by President Ramaphosa. I so move.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Is there an objection?

An HONOURABLE MEMBER: Yes!

The HOUSE CHAIRPERSON (Mr A J Nyambi): In light of the objection, the motion may not be proceeded with. The motion without notice will now become notice of a motion.

**2018 SOWETO DERBY**

(Draft Resolution)

Mr M M CHABANGU: House Chair, on behalf of the EFF I hereby move without a notice:

That the Council -

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- (1) notes that two South African teams Kaizer Chiefs and Orlando Pirates will do well on Saturday in their derby and entertain South Africa to the fullest as in the days of the late Ace Ntsoelengoe and Jomo Sono used to entertain South Africa to the fullest.

Motion agreed to in accordance with section 65 of the Constitution.

**OR TAMBO INTERNATIONAL AIRPORT WORKERS EXPLOITED BY BIDVEST**

(Draft Resolution)

Ms N P KONI: House Chairperson, on behalf of the EFF, I hereby move without notice:

That the Council –

- (1) notes the appalling working conditions of Bidvest workers at OR Tambo International Airport;
- (2) further notes that the Commander in Chief of the EFF on his way to Rwanda for the Pan African Parliament, was approached

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by the workers about the slave-like conditions under which they are forced to work;

- (3) acknowledges that they are abused by management and do not receive medical aid;
- (4) further acknowledges that some are paid R3 500 while others who have worked there for over 20 years only earn R7 000, while the very chefs asked to prepare the food are not even allowed to taste the food or even drink water;
- (5) notes that their working area is covered in cameras, with the workers being treated like prisoners, and when they sustain injuries they are only given R20. Bidvest is exploiting our people and treating them as slaves in the same way they were during apartheid;
- (6) requests that the Department of Labour institute an investigation into Bidvest's exploitative labour practices and act accordingly. I so move.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Is there any objection?

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An Honourable Member: Yes!

The HOUSE CHAIRPERSON (Mr A J Nyambi): In light of the objection, the motion may not be proceeded with. The motion without notice will now become notice of a motion.

**NATIONAL COUNCIL OF PROVINCES VISIT TO GAUTENG**

(Draft Resolution)

The CHIEF WHIP OF THE NATIONAL COUNCIL OF PROVINCES: House Chairperson, I move:

That, in terms of Rule 21(2) and, in the interest of enhancing public participation ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members! Hon Wana!

The CHIEF WHIP OF THE NATIONAL COUNCIL OF PROVINCES: Okay, House Chair, I move:

That in terms of Rule 21(2) and, in the interest of enhancing public participation conducting oversight and providing a platform

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for consideration of issues affecting provinces as provided for in section 42(4) and 72(1) of the Constitution of the Republic of South Africa, 1996 –

- (1) the Council resolves to, from 19 to 22 November 2018, conduct public hearings, hold meetings, conduct oversight visits and sit in plenary in the province of the Gauteng on 22 November 2018, at 10:00, until the conclusion of business on that day; and ... [Interjections.]

All of you have order papers and all of you should be able to read. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Chief Whip, you cannot be talking to members. You talk to me.

The CHIEF WHIP OF THE NATIONAL COUNCIL OF PROVINCES: My apology sir.

Just to conclude ...

- (1) the Council notes that the estimated cost of effecting the change in venue and maintaining it for the specified period will be approximately R10 million.

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

AGAINST: Northern Cape.

Motion accordingly agreed to in accordance with section 65 of the Constitution.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON EDUCATION AND RECREATION-REVISED ADDIS CONVENTION ON THE RECOGNITION OF STUDIES, CERTIFICATES, DIPLOMAS, DEGREES AND OTHER ACADEMIC QUALIFICATIONS IN HIGHER EDUCATION IN AFRICAN STATES, TABLED IN TERMS OF SECTION 231(2) OF THE CONSTITUTION.**

Ms L L ZWANE: Chairperson, may I present the statement regarding the revised convention on the recognition of studies, certificates, diplomas, degrees and other academic qualifications in higher education in the African states, dated 26 June 2018.

The convention had been conceived in Addis Ababa in December 2014 as a replacement for the Arusha Convention of 1981; however, South Africa had not been a signatory to the Arusha Convention. The purpose of the revised Addis Convention is for the recognition of

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studies in higher education in African States. The revised Addis Convention provides the general guidelines for the implementation and recognition of studies, certificates, diplomas, degrees, and other academic qualifications in higher education in African states. Signing the Addis Convention should strengthen and promote multilateralism and international cooperation; ensure credible and reliable recognition of qualifications achieved across countries on the continent, and safeguard those qualifications.

Furthermore, the convention should enhance South Africa as an educational destination in the continent. The Addis Convention was therefore presented by the Minister to Cabinet on 29 March 2017. With regard to consultation, the following bodies have been consulted; the South African Quality Authority; Quality Councils for Trade and Occupations; Council on Higher Education and Umalusi; education and training providers, both public and private; Sector Education and Training Authorities; the National Skills Authority comprising of government, organised business and labour, public and private education and training, and community constituencies; professional bodies and associations.

The following departments were involved: Department of Basic Education - by way of consultation; Department of International

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Relations and Cooperative Governance; The Department of Home Affairs and the Department of Justice and also, the office of the Chief State Law Advisor.

The objectives of the convention are as follows: to strengthen and promote inter-regional and international cooperation in the field of recognition of qualifications; define and put in place effective quality assurance and accreditation mechanisms at the national, regional and continental levels; to encourage and promote the most effective use of human resources available in Africa; to speed up the development of countries and to limit the African brain-drain; facilitate the exchange and greater mobility of students, teachers and researchers of the continent; set up high-level joint training and research programmes; improve and reinforce the collection and exchange of information and finally, to contribute to the harmonisation of qualifications, taking into account current global trends.

South Africa in signing this convention; ensures that credible and reliable recognition of qualifications achieved across countries on the continent and safeguards those qualifications and also provides a credible and accountable mechanism to manage the recognition of studies, certificates, diplomas, degrees and other academic

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qualifications in higher education between African states and South Africa.

The functions associated with the implementation of the convention financially, the provision has been made with the Department of Higher Education and Training should any further finances be needed for the purposes of implementation, Treasury will be approached. The legislative provisions are as follows: the Addis Convention has no self-executing provision, and therefore it was tabled for ratification in Parliament in terms of the section 231(4) of the Constitution to be elected into law. Furthermore, the National Qualifications Framework Act, section 13(1)(m) gives South African Qualifications Authority, SAQA the responsibility to verify qualifications and to evaluate foreign qualifications.

The Select Committee on Education and Recreation was unanimous that the convention is going to assist students across the continent and it will make South Africa the best destination for higher education. The committee therefore agreed to ratify the revised Addis Convention. Therefore, the committee submits the report before the NCOP for adoption.

Debate concluded.

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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.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Before we proceed, I will like to take this opportunity to welcome our special delegates present in the House.

**THE NEGATIVE IMPACT THAT THE HIGH COST OF DATA SERVICES HAS ON  
ORDINARY SOUTH AFRICANS, ESPECIALLY WORKERS, YOUTH, STUDENTS AND  
WOMEN**

(Subject for Discussion)

Ms T MOTARA: House Chairperson, Deputy Speaker, hon Qoboshiyane, hon special delegates, members, ladies and gentlemen, one of the immense challenges the ANC faces at the dawn of the political democracy in 1994, was to deal with skewed infrastructure development.

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Legislation was fast to correct the distortions between rural and urban economic infrastructure.

The reality was that, Information Technology, IT, predominantly was located in urban areas. The early initiatives to address IT infrastructure distortions can be found in reconstruction and development programme of 1994 which succinctly pointed out that:

The South African economy is characterised by excessive concentration of economic power in the hands of a tiny minority of the population through the pyramid system and the resultant control over a vast network of subsidiary companies, a small number of very large conglomerates now dominate the production, distribution and financial sectors. In addition, there is a high degree of monopolisation and blatant anticompetitive tendencies such as predatory pricing and interlocking directorships in certain industries.

There can be no contrary arguments that the IT industry has developed considerably into its current format where it plays a very prominent role in every sphere of our lives. It has made revolutionary changes in information gathering and dissemination as well as in global communication; it has created knowledge reportedly

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and knowledge sharing platforms, and enhanced the conducive environment for communication.

The aforementioned technology advantages are only possible when data is activated. The acquisition of data becomes crucial in determining whether these advantages can be accessed or not. Today, the impact of internet communication technology on individuals, has led to a huge increase in access to information and services that has accompanied the growth of the internet.

Education and the method of learning have been transformed as ICT becomes the tool for distance learning where the student accesses learning material. The financial sector has been transformed with transactions been digitised, and in general terms, our country has been opened up to the world, allowing greater participation in an ever widening network.

Despite these technological advances, the bottom-end of the spectrum, the less connected would depend on mobile connection of whom the majority are working class and the poor, are struggling to afford the price of data. This impedes on wider participation across sectors and in knowledge generation. Workers, students, women and

rural communities in this manner, do not reap the benefits that ICT can provide to growth and development.

Whilst the digitised economy multiplies, these groups develop in relative sense to this group. Uncomparative behaviour and the exorbitant price of data is the primary reason that denies citizens their basic right to access information. The ANC-led government sees infrastructural development in the country as the vehicle to deal with the myriad of problems emanating from the historical inequalities of apartheid and colonial spatial planning.

In response, policies to advance developmental trajectories have been introduced, which has involved reskilling and the development of new knowledge and understanding. As a sector, there has equally been a vast growth in employment. The National Development Plan, NDP, Vision 2030 outlines the commitment to an inclusive and prosperous society. In this context, ICT should play a vital role in facilitating the objectives of the NDP.

Accessibility key in this regard. The 2014 White Paper on National Integrated ICT Policy try to address challenges pertaining to the ICT industry and unlock its potential. It envisages that all South Africans must have affordable access to communication

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infrastructural services and means to access, create and distribute information, applications and content in the language of their choice.

The White Paper's objectives are rooted in the following: Firstly, that services, devices, infrastructure and content must be accessible to all sectors of the population, including persons with disabilities, so that all can equally enjoy and benefit from communication services. Secondly, that all South Africans must benefit from the ability of the ICT sector to facilitate social development and improve the quality of life for individuals and communities.

Thirdly, that policy must facilitate access by all South Africans to quality communication infrastructure and services to enable economic growth, employment and job creation. Fourthly, that policy must promote and stimulate domestic and foreign investment in ICT infrastructure, manufacturing, services, content, research and development. Lastly, that end-users, from the most disadvantaged individual to the largest corporate, must be at the centre of ICT sector related policies, with effective protection and empowerment of end-users

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In its submission as the communications forum to the recently concluded public hearings of the Competition Commission in data costs, the forum eluded that it believes that the high cost of data is staggering economic development and the international investors when looking at a country to invest in. Look at the cost of data as a factor in determining any investment decision. The forum is not alone in this observation.

The ANC January 2018 NEC Lekgotla observed that reducing the cost of data will be a catalyst for economic growth, unlocking economic opportunities that would lead to job creation. The high price of data is hampering economic growth and much needed job opportunities in South Africa. For the service providers, their view is that government should create enabling infrastructure environment and introduce wider spectrum which would allow data costs to be lowered.

ANC's 2017 54th National Conference resolved that, the high level of concentration of ownership in many sectors of our economy is dysfunctional to growth, blocks the entry of black South Africans in the economy and disregards effective competition. It called for effective legislative measures for competition and penalties to enforce compliance.

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The high cost of many spectrum auctions or sales can increase the cost of operation for mobile network operators, and in some cases, may prohibit the roll out of services as operators prioritise areas where costs can be recovered quickly. In response, the ANC-led government has had to facilitate the envisaged universal coverage. The ANC-led government is committed to the release of spectrum and international mobile telecommunications services and accelerate the roll out of broadband network in rural areas, in particular, the wholesale wireless open access network earmarked in the policy which has recently been presented for public comments.

This will contribute to the national integrated ICT policy, the overarching objective of the policies to charge wholesale rates data pricing, and allow competition within the communication industry. Mobicom Executive Director, Koketso Moeti, on the sidelines of the Competition Commission and Public Hearings, succinctly puts it that low-income earners are the most hit hardest by data prices, because they buy in small quantities as opposed to affluent families. The smaller quantities come with heavier charges. The underprivileged pay between 10 and 30% more than the affluent who buys in bulk.

The high cost of communication in South Africa is directly linked to an inadequacy of policy and implementation by government, and the

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lack of regulation and competition in the telecommunications industry. Essentially, this is a primary concern for the ANC. The ANC views this as the digital divide in South Africa, where the poor and underprivileged are consistently hammered by the exorbitant charges, whilst the affluent enjoy better conditions of services.

This objective reality stand in contrast to the spirit of the Constitution we speak of, an equal opportunity for all. The universal service and excess urgency of South Africa has been tasked with the responsibility of facilitating ICT services to the underserviced areas and thereby contributing to the reduction of poverty and unemployment in South Africa.

Its task includes removing bottlenecks in the roll out of broadband infrastructure and implementing a one stop shop or single window for all applications, to reduce associated costs. The lost of economic opportunities due to lack of data, has dire consequences on the poorest more than the affluent. With regard to the unemployed, the search for employment has to be done online. The scarcity of data means increasing the lack of chances for employment. Therefore, most rural youth and women will remain dislodged.

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To illustrate the point, Goldstuck, the founder of Worldwide Worx revealed that around 29 million South Africans have smartphones. In other words, a quarter of smartphones users has mechanism to access the internet, but cannot afford to do so. This highlights the real impact of the high cost of data. It's not merely about people finding data expensive; it's about the entire economy that is been held back.

In the 54th National Conference of the ANC, we made the following observations: The high level of concentration and ownership of many sectors of our economy is dysfunctional to grow. The blockade of entry for black South Africans into the economy and the effective competition legislation, are contributing factors to economic inequality. In essence, the evolution of monopolies in industries, especially in ICT industries, could pave the way to the establishment of small scale businesses, reduce poverty and inequality and create healthy competition.

The lack of competition and spectrum seems to be two of the main reasons why the price of data won't drop in South Africa, and with only four major mobile communications companies being MTN, Vodacom, Cell C and Telkom competing for customers, this is not likely to change soon. Informed by this, government should intensify

competition legislation, to encourage more competitors to enter into the market, and break the monopolies.

One of the five pillars of the RDP was to build the economy infrastructure and introduce competition with industries. The communication industry has a significant and growing impact on the GDP and it's a central part of the South Africa's micro economic growth givers as it provides opportunity for country to deal with current economic challenges.

In creating an inclusive economy, the communication industry has to ensure that small, micro and medium-sized enterprises, SMMEs, opportunities are created in the whole ICT value chain, and encourage black industrialist's participation so as to ensure local content of the industry. The reality is that, there is no adherence and implementation to govern policies on the inclusion of black economic empowerment in the sector.

The Department of Small Business Development has witnessed high business mortality rates, especially in the communications industry due to unaffordability of internet to service their businesses. This hampers the potential for economic stimulation, job creation and the Vision 2030 which calls for small businesses to create 90% of the

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envisaged 11 million jobs. Major technological developments are apparent. The telecommunications have invested considerably in infrastructure and in comparison to other African countries.

There are major improvements in recent past years in downloading and searching. Connections bid have been increased tremendously. To take advantage of the Fourth Industrial Revolution, ICT must play a critical role. Technology enablers will have direct impact on production. In this context, it is counter productive to sustain the current data regime in the competitive market.

With skill sharing and market exposure in a globalised world made possible through digital connection, the current high cost of data impacts negatively on taking advantage of technological innovation. To put in place a sustainable developmental trajectory, rural masses should not be left behind due to lack of infrastructure and poverty. The network service providers have to produce an amicable solution to cater for rural youth and women. The current network regime characterised by high pricing must be lowered and the provision for entrepreneurial advantages and up skilling of youth in the rural masses should be priorities for the growth of this country.

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The overarching thrust of the ANC stance is the development of an inclusive and prosperous society. Technological innovations and digital platforms could be used to stimulate the economy and develop a path to curb the high level of youth unemployment. Communication technology enables knowledge production and produces an informed society. It is upon this conviction that the ANC supports civil society in their call for DataMustFall because it resonates well with our vision of building equal opportunities for all. I thank you. [Applause.]

Ms T J MOKWELE: Chair, I rise on a point of privilege.

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

Ms T J MOKWELE: Chair, we are in the presence of the leadership of our region in the North West. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, hon Mokwele, hon Mokwele, hon Mokwele, hon Mokwele. [Interjections.]

Ms T J MOKWELE: The region of Bojanala. We have our regional secretary, fighter Fred Setshwane, with fighters Kgomotso and Joyce. All of them are the regional leadership, where I come from. I would

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like the House just to applaud for them. They are the incoming leadership. Thank you. [Applause.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, take your seat. Hon Mokwele, we have acknowledged the leadership of the Rustenburg Local Municipality. Can you continue hon Hattingh. [Interjections.]

Ms T J MOKWELE: Those are the leadership!

The HOUSE CHAIRPERSON (Mr A J Nyambi): The hon Julius.

Mr J W W JULIUS: Sorry, hon Hattingh. However, let it be noted that they are nothing to us. [Interjections.]

Ms T J MOKWELE: Those are the leadership! You must just relax!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members! [Interjections.]

Ms T J MOKWELE: They are the government in waiting!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members! Hon Chabangu, take your seat. Hon Chabangu, take your seat. Order, members! Hon Koni! [Interjections.]

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Mr T C MOTLASHUPING: Let them go outside!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you continue hon Hattingh!

[Interjections.]

Order members! Hon Koni, hon Koni, hon Koni, I have made a ruling. Can you respect the decorum of the House. Let us allow the hon Hattingh to continue with the debate. Can you continue hon Hattingh.

Mr C HATTINGH: Hon Chair, recently both Houses of Parliament debated the dawn of the Fourth Industrial Revolution, characterised by a fusion of technologies that is blurring the lines between the physical, digital and biological spheres, collectively referred to as cyber-physical systems.

It is marked by emerging technology breakthroughs in several fields ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry, hon Hattingh. Let me deal with this point of order. Why are you standing, hon Koni?

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Ms N P KONI: Hon Chair, I am standing on a point of order.

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

Ms N P KONI: Hon Chair, do not catch emotions. Allow me the opportunity to address you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): I do not have emotions; I am saying what the point of order is?

Ms N P KONI: My point of order is: You just ruled on me and you did not rule on the white madam there. So, Chairperson, you must be consistent and stop being biased. I have on a number of times told you about your biasness, Chairperson. [Interjections.]

Ms T J MOKWELE: Especially for white people.

Ms N P KONI: Especially when it comes to white people. So, please! [Interjections.]

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

Ms T G MPAMBO-SIBHUKWANA: On a point of order Chair.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Take your seat, let me deal with it. Hon Koni, you have referred to an hon member as a white madam. For me to be able to do ... hon Koni ... order members, allow me to make a ruling. Hon Koni, we know how we refer to each other. Let us respect each other and refer to each other appropriately. It is not appropriate to refer to an hon member ... [Interjections.]

No I am not dealing with you hon Mokwele, I am dealing with the hon Koni. [Interjections.]

Ms T G MPAMBO-SIBHUKWANA: Take them out, Chair. Take them out. They are being disruptive! [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, I was dealing with the hon Koni in making a ruling and if ever you are not satisfied with my ruling ... take a seat hon Engelbrecht, I am still dealing with it. "Ja," take your seat. I have made my ruling that refrain from referring to an hon member inappropriately. We know how we refer to each other. What you said is inappropriate and refrain from doing it. Never compromise the decorum of this House.

[Interjections.]

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Ms T G MPAMBO-SIBHUKWANA: She must withdraw!

Ms T J MOKWELE: Chair, may I address you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Address me.

Ms T J MOKWELE: Can you open the thing. May I address you, Chair on a ruling that you have just made. For me if we have to go to the *Oxford English Dictionary* and check what the meaning of madam is, and also check what the meaning of white in terms of race is, because I know that all races in South Africa are classified.  
[Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele! hon Mokwele! Can you switch it off. Can you switch it off! [Interjections.]

Ms T J MOKWELE: So, there is a white, black and coloured. There is no insult there. There is no insult there. But Chair, refer!

Ms N P KONI: Yes!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you switch her mic off.

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Ms T J MOKWELE: Just refer! [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Mokwele, hon Mokwele. Hon Mokwele, hon Mokwele, I have made a ruling and I was dealing with the hon Koni and anything that you say ... hon Chetty ... hon members, I will be very consistent, if you are not satisfied with my ruling, I am assaying, let us respect the decorum of this House. What was said by the hon Koni was inappropriate.

[Interjections.]

If you have a problem with it, there is a way of dealing with it. Can you continue hon Hattingh.

Mr C HATTINGH: Hon Chair, may I request that the time be reset again because of the interference of these people?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Yes, I will deal with it.

Mr C HATTINGH: Thank you, hon Chair. [Interjections.]

Ms T J MOKWELE: On a point of order.

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Mr C HATTINGH: It is marked that emerging technology breakthroughs in several fields including robotics, artificial intelligence, nanotechnology, quantum computing, biotechnology, the so-called Internet of Things, the Industrial Internet of Things, fifth generation wireless technologies, additive manufacturing and 3D printing and fully autonomous vehicles.

Ms T J MOKWELE: On a point of order.

Ms N P KONI: Hhey! Hhey!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members! [Interjections.]

Mr C HATTINGH: All this demand Internet access and reliable connectivity.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members!

Mr C HATTINGH: And in a South African context ... [Interjections.]

Ms T J MOKWELE: On a point of order.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh, can you take your seat. Let me deal with it. Hon Mokwele, can you leave this House.

Ms T J MOKWELE: For what?

[Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): No, hon Mokwele, can you leave this House. Hon Mokwele, can you leave this House. No, hon Mokwele, can you leave this House. Ushers, can you assist the hon Mokwele to kindly leave this House. But hon members, whilst she is leaving this House, the issue of an hon member going to the podium, using the mic of the person at the podium is an issue that will be referred to the Chairperson of the NCOP.

[Interjections.]

Can you leave. Can you leave this House. Can the ushers be assisted in getting the hon Mokwele out of this House. One at a time.

[Interjections.]

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Hon Koni, I kindly request that you leave this House. Ushers, assist the hon Koni, to leave this House. Can you get the people that will assist her to leave this House.

[Interjections.]

Ms T G MPAMBO-SIBHUKWANA: Thank you, thank you for going. Thank you for going. [Laughter.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, hon members, hon members, I do not need any assistance, but the issue of the conduct of the hon members will be accordingly attended to. Let us allow the hon Hattingh to continue with the debate. Hon Faber. Sorry, hon Hattingh, let me deal with the hon Faber. Hon Faber, why are you standing?

Mr W F FABER: Chairperson, with due respect, this is not the first, or the second or the third time. I would ask this House that you investigate this and take this further. If it was the first or the second time, but Chairperson, I believe this should go to the Ethics Committee and that the Ethics Committee really look into this. We cannot have this every time. Thank you, Chair.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Faber, I have already said that I would refer this, the incident of today to the Chairperson of the NCOP so that proper action should be taken. So, let us allow the hon Hattingh to continue with the debate.

Mr C HATTINGH: Chair, can I once again ask that the time to be reset.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Do not worry; I will deal with the time.

Mr C HATTINGH: I was upset by the EFT.

All this demands Internet access and reliable connectivity. And specifically in a South African context, affordability and sustainable access.

The role of government in this should be to put regulatory frameworks in place that make network investments possible, to provide spectrum, an infinite resource essential for vital communication services.

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I heard what the hon Motara said about competition and I can only hope that she does not refer to the ZIS coming into the market as well. I have referred to the zupta information services.

Policies should also foster widespread coverage and affordable, high-speed services. So, where does South Africa find itself in the provision of quality and affordable Internet and data?

The Global Information Technology, IT, Report 2016 showed that South Africa was ranked 65 out of 139 countries. South Africa performed well in terms of policy and regulatory framework and business innovation, but performed poorly on access, affordability and skills.

Another report indicated that South Africa has some of the most expensive broadband connectivity in the world, coming in at 97 out of 196 countries.

What is also very concerning is that the sub-Saharan Africa fared worst overall as a region, with almost all its 31 measured countries in the most expensive half of the ranking.

The Data Must Fall campaign which followed a very destructive and expensive Fees Must Fall campaign appears to have gone almost unnoticed by government.

Apart from some lip service for instance Jacob Zuma stated in his 2017 state of the nation address address and I quote, "We assure the youth that the lowering of the cost of data is uppermost in our policies and plans." Which obviously is doubtful as the state capture investigation unfolds where we see that other things were uppermost: The Passenger Rail Agency of SA, Prasa, train deal, the SA National Institute for Crime Prevention and the Reintegration of Offenders, Nicro, deal, ministerial positions, etc.

[Interjections.]

Mr T C Motlashuping: No, but you are irrelevant!

Mr C HATTINGH: Minister Malusi Gigaba, one of the three Ministers of Finance in 2018 which we had this year stated in his Budget Speech that the Competition Commission's market inquiry to investigate data prices will be completed by the end of August, two months ago. It is not there.

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And then only yesterday, our sixth Finance Minister since 2014 had exactly 38 words to say on this very crucial issue and I quote him:

In telecommunications, the proposed policy for the licensing of high demand spectrum has been gazetted. Frequencies to enable high-speed Internet will be auctioned early next year. Steps will be taken to reduce data costs and improve data quality.

That is all. Thirty eight words. Vague, no detail, no funds availed, no deadlines and noncommittal utterances are in sync with the promises made over so many years. And even more depressing if considered that the Minister announced that another R5 billion is been thrown as a lifebuoy at the drowning SA Airways, SAA, once again.

In addition, the seriousness with which government regards the provision of Internet data and its affordability can be found in the allocation of this crucial responsibility to the Minister of Communications.

We have a Minister who left a crucial service, Water and Sanitation Department entrusted to provide water to the poorest of the poor, *inter alia*, in tatters, bankrupt and to quote her colleague, where

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little [*Smallanyana.*] skeletons continuing to tumble out of the closet.

This legacy of this Minister entrusted with data, the hon Motlashuping, includes the R3 billion Giyani and Nandoni project fraud and corruption, R100 million for boreholes scandal, the Lesotho water provision crisis and her personal interference in the Clanwilliam Dam project at the cost of hundreds of millions of crucial money and denying the poorest of the poor access to water. The question is that need to be answered: Can we trust this Minister with this very urgent responsibility to provide accessible and affordable Internet?

[Interjections.]

"Ja," I agree. [Laughter.]

If we look at the following statements, she recently said that this report on the looting of almost R2 billion of municipalities and other depositor's money on VBS Mutual Bank is not a priority for the ANC government and yes, yes she said, the ANC will pick up the rand if it falls and it yesterday fell again after the Medium-Term Budget Policy Statement in the House. When is the ANC going to pick up the

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rand? And on the Omotoso rape case, she asked that Omotoso be released as he is wanted outside for mob justice. This is the Minister of Communications of this government who is entrusted with data for our youth. It certainly cannot happen.

It is not rocket science. A DA government will immediately release extra mobile data spectrum which would bring the much needed competition to the market. This will naturally drive prices down and will open Internet to million South Africans currently denied Internet access by this Minister and by the ANC government. I thank you. [Applause.]

Mr M QOBOSHIYANE: EASTERN CAPE DEPUTY SPEAKER: Hon House Chair, hon members of the NCOP, I bring you revolutionary greetings from the home of the legends, the Province of the Eastern Cape. I wish to take this opportunity to appreciate the opportunity we have been given to be party to this important debate which affects all South Africans. Hon House Chair, it is no doubt that the high data cost has a negative impact on the economic growth, especially affecting severely, ordinary citizens, workers, youth, students and women in particular.

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South Africa is reported to have the highest data cost in the continent's 39 biggest economies. The cost of data is one of the factors that investors are looking at when making investment decisions and I wish to also make this point: Five main companies dominate South African wireless broadband market including MTN, Vodacom, Cell C, Telkom and others which control about 70% of the market and are the source of the challenge, monopoly, uncompetitive nature of our own Information Communication Technology, ICT industry.

Hon Chair, this is the last remnant of the worst form of exclusion, retrogressive, modern information slavery, exploitative and a defining character of the capitalist exploitative model. This is a global smart way of dividing the society between rich and poor. One gigabyte costing R115.00 in South Africa as compared to R11.00 in India, R22.00 in Nigeria and R35.00 in Namibia. South Africa is becoming a guinea pig of testing most modernisation life of expensive ways of living, high cost of everything, whether you refer to bread, data education, medical aids, petrol and so on.

The virtue of radical free market economies has put financial capital into the driving seat. This is a stubborn reality of market fundamentalism. We need a capable state as defined in the Freedom

Charter to regulate this counter progressive tendency. In the world that is increasingly becoming paperless and indeed in the context of a rising Fourth Industrial Revolution, undoubtedly, high data cost contributes to a wide awakening gap between the rich and the poor.

In today's world, information is shared through social media and communication applications such as Whatsapp which means that the high data cost results in reduced access to information and low income households unemployed persons and people living in remote areas. Eastern Cape is a largely rural province with a significant population living in remote rural areas. Unemployment in our province is the highest in the country which is one of the reasons for high rates of out migration to other provinces and an over concentration of population in urban areas.

The quarterly labour survey or labour force survey reported an increase in the number of discouraged work seekers to 2,9 million during the first quarter, of 20,2 million young people aged 15 to 34 years, 39,3% were not in the employment, an increase of 0,4% compared to the second quarter of 2017. One cannot rule out the possibility of high data cost being a major reason for the high number of discouraged work seekers since it is just too expensive to look for work with no guarantee of success.

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The survey further revealed that, the South African working age population increased by 154 000 or 0, 4% in the second quarter of 2018 compared to the first of 2018, this means that more and more people need data, not just for personal use but for productive reasons including finding jobs. Yesterday we listened to the Medium-Term Budget Policy, MTBPS statement delivered by Hon Minister, Tito Mboweni who amongst others highlighted that unemployment is unacceptable high and a problem that is compounded by the technical recession the country has now entered.

A response to President Ramaphosa's stimulus plan, the minister announced that amongst other steps that government will be taking there will be a decrease on data cost and improvement in data quality. This would include investment in infrastructure to enable new and developing network service providers to find space in the mobile communication space. We need to root out uncompetitive practises in the mobile communication space with only four companies dominating the industry as I referred to. This is one of the reasons why data costs are high in South Africa, the more the merrier.

As the province of the Eastern Cape, we are committed in creating an enabling environment for job creation for business to prosper and we cannot do so when data costs are high as they are today. We agree

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with the sentiments expressed by the Minister of Finance that we need to build a culture of public service investment than public service consumption. A step to reduce the high cost of data is one of the ways where we can promote public service investment as it has a roll-on effect on other economic drivers. This is the year of renewal, unity and jobs. The year to celebrate 100 years of Nelson Mandela and mama Albertina Sisulu and we owe it to them for their generation to ensure that we build an inclusive South Africa where all live in it, black and white and benefit equally from the wealth of this country.

Hon House Chair, we want to assure that as Eastern Cape government we support endeavours to end uncompetitive behaviour and monopoly of key sectors of the industry and steps to reduce high data cost to improve data quality as announced by the Minister of Finance yesterday. We will also prioritise the roll-out of broadband services in the Province of the Eastern Cape, which is a step towards mitigating the high cost of data and ensuring universal access to internet services especially E-learning in education and E-health in the Department of Health.

In conclusion Chair, it is hot in Cape Town and it is also hot in the City of Cape Town Metropolitan Municipality Council, we have

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just been receiving information that five councillors have already resigned from that organisation. [Applause].

*IsiXhosa:*

Kuyabonaka okokuba awuzukubharha umkhitha welizwe labantu besalithanda. Izinto ezingoonobenani azinakukwazi ukulidla ilifa esalishiyelwa ngoobawomkhulu, abantu baye beqaphela kwaye beqonda ukuba akukho nto iphucukileyo neza kuza ne DA apha kweli Kapa. Sibanqwenelela impilo entle nempilo ende abantu beliphondo kude nakubo iphele imizanga bayazi ukuba kuza kunetha nasentlango. Njengoko silapha namhlanje size kuthi, enkosi kakhulu kuloo maqobo nalo maqobokazana angalala emzini kunyembelekile. Yanga angalithatha ke eli lizwe alibhekise phambili, ukwenzela ukuba kwakuba nje bazi ukuba kuyaqala ukulunga. Enkosi kakhulu Sihlalo weNdlu.

*English:*

Mr F ESSACK: Chairperson, just on a point of order, I want to check with you and need to educate myself, if a member of the House is removed from the House on your instruction. Is that member then allowed to go and sit in the gallery or must the member be removed from the precinct or the premises. Just a point of clarity there, with due respect to you.

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The HOUSE CHAIRPERSON (Mr.A J Nyambi): You are very correct, they were removed from the House, I never removed them in Parliament. [Applause]. They are not part of the plenary, they are just in the gallery, and they are not going to participate in the plenary.

Mr M KHAWULA: Hon Chairperson, colleagues, on behalf of the IFP, allow me to fill the dots that the hon Minister of Finance left blank in his quote from Charles Dickens yesterday and I quote: "It was the season of light, it was the season of darkness, it was the spring of hope and it was the winter of despair"

Charles Dickens mostly writes about difficult times. One of his books is entitled "Hard Times-for these times". A brief analysis of the opening lines of the "Tale of Two Cities" reflects that it was time of contradictions. The two cities referred to were London and Paris during the turmoil of the French Revolution. For the oppressed citizens of the 18th century France, the revolution's proclamation of the rights of man was indeed a spring of hope. but for those of the ancient regime or the outgoing political system, it was a winter of despair, leading to death and destruction.

Now, these words, coming from a Finance Minister of the country, describing the economic situation of the country, are very much

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deep, yet very true. I agree with the hon Mboweni, South Africa is at the crossroads. There are forces of good patriotic South Africans trying to pull the country out of the dungeons, but other forces prone to evil deeds and corruption, are destined to keep South Africa where it is and has been, no matter what it takes. The big question South Africans, is how did we get here?

Likewise, the high cost of data is hampering the economic development efforts of our country. South Africa is rated as the country with highest data costs in Africa. She is rated amongst countries with highest data costs in the world.

Surprisingly, some of the mobile communication companies are the very same service providers in some African countries where data costs are lower as compared to South Africa. The rates they charge outside South Africa are much lower than the rates they charge here in South Africa.

Data cost is one of the major considerations like the hon member have said by investors when they have to take decisions on investment destinations. Therefore, in order for South Africa to improve the prospects of attracting foreign direct investment,

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mobile communication companies must also come to the party and charge reasonable rates.

The buzzword in the world today is artificial intelligence and automation. In order for students to do research and their studies, internet connectivity is crucial. This is not only for tertiary student's level, but right from primary school level. With high data costs, then the learning progress of especially the poorest of the poor, of especially the rural poor, is highly destabilised.

It is for such reasons that one has to applaud the efforts of some rural municipalities, like Nkandla municipality in KwaZulu Natal, which have taken it upon themselves to provide internet connectivity to rural schools in order for the rural students to get free access to internet.

The world today is a changed world in terms of communication. People in even remote rural areas, the unemployed, students, women, kids and people in all walks of life have become used to internet connectivity for their everyday life activities. With high data costs, it makes life difficult for the unemployed and even the many ranks of our workers who cannot afford high costs of data.

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Those who know better maintain that lack of competition in our mobile communication market and access to spectrum are some of the reasons for high data costs. The IFP, appeals to government to ensure that spectrum is easily accessible to all our communities, especially, the townships and rural areas of our country, so that students can easily connect to the internet.

The government must also investigate the value for money of the data packages that are offered by the country's mobile communication service providers.

A study conducted amongst the BRICS countries, revealed that data prices in South Africa are 134% more expensive than her BRICS counterparts. Ironically, all these countries have market economies that are doing much better than South Africa in terms of economic development.

More studies conducted at the universities of Witwatersrand, Cape Town and Rhodes also show that operators have recently raised prices for small bundles and dropped prices for big bundles. One has to bear in mind that it is the low-income groups and poor citizens who are a market for small bundles. The logical interpretation here is

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that operators are rewarding the rich for being rich and are punishing the poor for being poor.

In conclusion, in order for the country to be able to stop these disproportionate shenanigans in data costs, the IFP appeals to the Independent Communications Authority of South Africa, Icasa and the government to strictly monitor activities in data accessibility and costs in a manner that will genuinely benefit the economically disadvantaged people of our country. I thank you, Chairperson.

Ms E PRINS: Hon House Chairperson, hon members, [Applause.], hon special delegates, ladies and gentlemen, the Constitution of the Republic of South Africa provides in Chapter 2 of the Bill of Rights, freedom of expression, which includes freedom to receive or impart information or ideas.

The Constitution further provides in the section on access to information, that everyone has the right to access any information that is held by another person that is required for the exercise or protection of any rights.

Access to the medium through which information can be accessed, is therefore understood to be an enabler or an instrument through which

rights enshrined in the Constitution are to be realised. This means that the limitation that the high cost of data has on individuals, directly or indirectly, impacts on the realisation of these rights.

To ensure the realisation of the rights prescribed in the Bill of Rights, the Constitution empowers the national legislature to pass, in accordance with section 76, legislation with regard to any matter within a functional area listed in Schedule 4 and any other matter required by the Constitution to be passed in accordance with section 76 and to consider in accordance with section 75, any other legislation passed by the National Assembly.

Again, the Parliament may intervene by passing legislation in accordance with section 76(1), with regard to a matter falling within a functional area listed in Schedule 5, when it is necessary to maintain economic unity among other provisions.

It is against this background of the provisions in the Constitution that the Parliament has passed Acts that led to the establishment of regulatory institutions to ensure that rights prescribed in the Constitutions are ... [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry, hon Prins.

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Mr J W W JULIUS: Chairperson, I noticed that you are communicating with members in the public gallery and that is not allowed.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Am I communicating?

Mr J W W JULIUS: Yes.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Julius.

Mr J W W JULIUS: To smile is communicating. [Laughter.] It is a form of communication.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Julius, refrain from doing anything that will make us to defocus in our business. So, you want me to be very serious when sitting? I must be angry?

Ms E PRINS: ... the studies done by various institutions and organisations, including Media Monitoring, have found that the cost of data in South Africa is the highest amongst the top six African markets.

It has been found that in South Africa one gigabyte of data cost around R150 and the cheapest gigabyte that can be bought is R100.

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The Research-ICT-Africa further found that large markets in Africa, such as Egypt, Kenya, and Nigeria have better data prices compared to South Africa.

It is worth noting that since the concern regarding high cost of data in South Africa has been raised by the public, then the Minister of Finance requested the Competition Commission and the Icasa to initiate a process of market inquiry into the cost of data.

The two institutions have since established processes and have concluded public hearings on the cost of data in South Africa on Friday 19th October.

The public hearings, provided a platform for role players and stakeholders to express their views with regards to how the cost of data should be brought to a level of affordability for South Africans. Some of the concerns raised by stakeholders relate to the lack of access to essential facilities and network facilities of dominant operators.

In addition, the need for access to the spectrum, addressing regulatory failures, investigating and prohibiting on-net off-net

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pricing differentials by dominant operators were all raised in the public hearings.

The need to regulate access for dominant mobile operator infrastructure and to improve sustainable competition in the mobile field as well as pressurising dominant operators to reduce prices have all been called for.

It is encouraging that government institutions are leading the process of looking into the cost of data. This is in line with the observation by the ANC that the ICT sector has a significant and growing impact on the gross domestic product, GDP and is a central part of South Africa's macro-economic growth levers.

The ANC further called for strong regulatory intervention to deal with the question of the high cost of data. Our view on the cost of data is interlinked with our transformation strategy. The regulatory institutions must ensure that the dominant players in the communication sector do not conduct themselves in anti-competitive manner which may lead to monopolistic behaviour in the ICT sector.

Part of the problem will be solved by resolving the provision of spectrum which will assist in the reduction of data costs. By

allowing small and medium micro enterprises to participate in the ICT sector, will further transform the sector and lead to reduction in prices.

The regulatory institutions should respond to the concerns raised over the alleged failures of the regulations. The Icasa must enforce its legislative powers as well as regulations in situations where the licensees have contravened the provisions of the Electronic Communication Act 36 of 2005. The Act provides that the authority may direct the licensee by written notice to cease or refrain from engaging in acts that prevent or lessen competition.

Some of the notable interventions by Icasa with regard the cost of data in our country is provided in the End-User and Subscriber Service Charter Amendment regulations. These include the obligation for the licensee to send data usage depletion notifications via SMS, push notification or any other applicable means when usage reaches 50%, 80% and 100% depletion of data bundles.

In addition Icasa interventions have provided for the option to buy additional data bundles via the Unstructured Supplementary Service Data platform or any other applicable means at anytime.

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Further, a user will not be defaulted into out of bundle data charges upon depletion of data bundles. These interventions by Icasa are a step in the right direction to ensure protection of the consumer and provide the end-user with options to buy data when depleted, as well as notifications of depletion of data so that additional costs are avoided.

We are aware that these regulations have been challenged in the courts of law and we are also aware that the challenge is not on the content of the regulations.

In conclusion, the ANC remains hopeful that the Competition Amendment Bill, which is under consideration by the Parliament, will further address the monopolistic conduct in the sector which leads to high cost of data by a few dominant operators and impedes entrance of small and medium micro enterprises in the sector. I thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order, hon members. The people in the gallery are not allowed to participate. So, if you are in the gallery, please, refrain from participation.

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Mr M M CHABANGU: Chair, let me start by greeting my leadership in the gallery. You are not isolated. It is sad, in proper English, that, when the EFF sneezes, the whole country and Africa as a whole catch a cold.

We are debating the negative impact that the high costs of data services have on ordinary South Africans, especially workers, youth, students and women. Everyday you hear the ANC government and Ministers in Cabinet talk about the Fourth Industrial Revolution, but I doubt that any of them truly knows what this means, and what is required if we as a country and people are to be meaningful contributors to this industrial revolution.

In South Africa, access to data is limited to many because it is too expensive. In this country, a handful of companies which are politically connected dominate the market and have used their monopoly to inflate data prices at the expense of consumers and the overall development of the country.

These companies which operate throughout the continent, where they charge their customers much less, think the South African public are fools, but they made the mistake of confusing the South African government with its people. While the ANC and DA are willing to

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allow the data companies to buy them out, and convince them to let them be, the South African public is clear in their demand that data must fall.

They do not just say this, but they realise the true potential cheaper data provides. If data is cheaper, young people can find new ways to study and will not be limited by their geographic location or lack of access to physical study material. If data is cheaper, the unemployed will not be forced to spend the little money they have on printing and travelling, and can simply send applications out in the hundreds at little cost. If data is cheaper, new jobs can be created from the innovation which comes with the Fourth Industrial Revolution. If data is cheaper, the power of social media and online journalism can be maximised, taking away the power from the likes of Naspers, who dominate the mainstream media, forcing our people to think in a particular way.

Once data prices start to decrease, we will start to see the true potential of our people in relation to the Fourth Industrial Revolution. Once data prices start to decrease, we will start to see how young people learn coding, website design and app construction. It costs hundreds of rands to be on the internet for an hour.

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This will also require the state to develop its own capacity to facilitate the distribution of data, but more importantly, requires the state to be developmental in its outlook, realising the need to develop the productive forces of the economy.

In addition, good governance is needed. You say you want to prepare us for the Fourth Industrial Revolution and the Information Age, but we still have over 11 000 schools without computers in South Africa. Zimbabwe is ahead of us with regard to computerised schools.

How must our people learn skills such as coding if they do not even have the basics like toilets, text books, electricity, let alone computers? There is a lot that still needs to be done, if we are to realise the potential of the Fourth Industrial Revolution for our country, and a good starting point is the reduction of data prices. How can schools in South Africa have access to data, while they are still attending school under trees?

If we do not, at the same time, tackle the monopoly that the telecommunications companies have over the market, a reduction in price will most likely be short-lived, and these companies will continue to collude amongst each other, so that they can maintain their profit margins and the dominance over the market.

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Let them still keep on dreaming of the past, because it is sad that history is the study of the past to analyse the future and to interpret the present. Thank you very much.

Mr J J SKOSANA: MPUMALANGA: House Chairperson, hon members, special delegates, I greet you this afternoon in the name of the ANC. Hon House Chairperson, it is a privilege for me to come into the precinct of this National Council of Provinces for a critical debate which is the preoccupation of our nation as we have entered what scholars have described as the Fourth Industrial Revolution. It is the fourth major industrial era since the initial industrial revolution of the 18th century. It is characterised by a fusion of technologies that is blurring the lines between the physical, digital, and biological spheres, collectively referred to as cyber physical systems.

Hon Chairperson, I am here representing 4 million people of the land of the rising sun, Mpumalanga, where this debate for reduction of data costs is a serious concern because we have more than 30% of our people unemployed of which 70% are youth. We have high poverty rate of 42% and high levels of inequality of 0,61%. The levels of poverty, unemployment and inequality in society will spontaneously increase if we don't intervene on the high costs of data.

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The face of deepening levels of poverty, especially in rural areas where most of our people in Mpumalanga live has become gendered because the majority of the people who suffer poverty and data costs are women and the youth. This means without access to data these poor young people and women can't communicate with the world, they can't download application forms to apply to universities and they can't access internet to apply for employment.

In essence, the costs of data in South Africa are yet another form of exclusion of the black majority from the economic activities. The ANC believes that the lowering of the cost of data will be a catalyst for economic growth. It will unlock economic opportunities and thus contribute to economic growth and job creation. Stemming from the ANC 54th conference in Nasrec, the ANC has been consistent on its view that high data costs mean the majority of citizens are unable to enjoy the benefits of the digital economy and further stifles the growth and development of small businesses.

The ANC, the true Parliament of the people is currently busy consulting the people of South Africa in order to produce the people's manifesto for 2019 elections. Indeed, hon Chairperson, the issue of the high costs of data is one of the dominant submissions, especially for our rural poor people, which they believe only the

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ANC can help to reduce the costs of data. We are indeed listening to these voices of the poor and downtrodden, who are calling for #data must fall.

Hon Chairperson, a new research paper by the Research ICT Africa shows that the price of data in South Africa has not changed over the past two years and is the most expensive out of all leading African economies. South Africa's mobile data prices have come under constant attack in recent months, with targeted social media campaigns like #data must fall drawing attention to the high prices local operators charge.

The price of one gigabyte in South Africa from South Africa's two largest mobile operators – MTN and Vodacom – have flatlined at around R150 since 2014. This shows that consumers are willing to pay a premium for coverage and speed as both MTN and Vodacom have the widest and fastest networks.

Chairperson in conclusion, we call upon the Independent Communications Authority of SA, Icasa, to fasten processes of regulations for the high cost of data in South Africa. We must as a country also prioritise infrastructure for new and developing network service providers.

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We must widen the spectrum which basically enables operators to firstly roll out coverage, allows operators to cover much wider areas and that would even enable them to cover the rural areas and the other remote areas that are not covered. Hon Chairperson, it would be a serious mistake for me not to talk about ill discipline to South Africans that happened in this House.

*IsiNdebele:*

Akhe ngithi, esitjhabeni: Bazwene ngathi eGauteng, eJohannesburg Metro, eTshwane, neNelson Mandela Metro. Namhlanjesi bayalwa abangafuni ukuhlonipha umthetho nekambiso yePalamende. Baqothiwe, bahlezi endaweni yokubukela. Sibawa isitjhaba siqalisise nasivowudako, uzakuvowudela iimphehlanturhu zingakujameli kuhle.

*English:*

Thank you very much, hon Chairperson.

Mr C F B SMIT: House Chair, I believe there was a ruling before in this House when we started off that members of this House can sit within the gallery. If you can just ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, I have made a ruling about what happened today and I have made a ruling even about

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the issue of the members who were trying to participate. The people in the gallery know that it is wrong to participate. However, if we want to defocus and focus on the other things, besides what we are doing, we will end up losing the essence of this very important debate we are dealing with. So, that is why I am appealing to you people who are in the gallery, you are not making your case to be simple. What is good is that you are in the gallery and fortunate enough, we know your names.

Mr J W W JULIUS: I didn't start. Oh, where is my time? Hon Chairperson, hon members, South Africans and the EFF in the gallery, the high cost of data in South Africa has a serious barring on economic growth in all sectors of our society and especially for the people in rural areas. Now, I listened to hon Prins and hon Motara, you know, it was not necessary for the ANC to listen to civil society. You are government, rather than being reactive you should be proactive. It just shows that the ANC has no vision. I will tell you how you fail people of South Africa. I'm not surprised that the ANC even brought this motion because now you want to jump on the bandwagon as if the ANC did this, but I will show you now what you actually did to prolong the decrease of the cause of data in South Africa.

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Now, everyone can agree that the lower data prices will definitely create jobs that we are so desperately need. It will reduce the high unemployment rate. It will help our people, especially the poor, to become more economically active and assist with the educational needs of our country. The DA is thus of the opinion that the price of data must decrease because it believes in creating jobs and reducing unemployment, advance education standards and other opportunities to ultimately grow this economy. We cannot say the same about this incompetent government.

I also note the ANC statement and it is also mentioned by hon Motara and hon Skosana that the high cost of data excludes the majority of South Africans from enjoying the benefits of the digital economy. The ANC excluded the majority and I will show you now. Service providers, if we take Cell C, MTN and Vodacom and hon Prins can bear me out here, they told us even since last year or a year before that, listen, we need spectrum. We need spectrum. If you give us spectrum we can make data cheaper and we can make data accessible even in rural areas faster than you can think.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry hon Julius, let me take hon Mthethwa. Hon Mthethwa, why are you standing?

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Mr J M MTHETHWA: Hon Chair, may the hon member take a question?

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

Mr J W W JULIUS: Yes, I will take the question, hon Chair.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Ask your question.

Mr J M MTHETHWA: Thank you, hon member. My question is, because the DA always governing in the way that is satisfactory, why in the streets of the Western Cape lots of people are sleeping on the streets? There are so many in Cape Town than any other city. Why?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order, members! Let's allow hon Julius.

Mr J W W JULIUS: Hon Mthethwa, thank you for the question. Let me start by saying that in South Africa even in Africa there are lots of people sleeping outside. Therefore, to throw stones at who's sleeping outside I think it's very disingenuous. This debate about today is about data. [Applause.] Those people that are sleeping on the streets don't even know the word "data". It is very disingenuous

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of you to use homeless people in this debate, but it's typical of the ANC. You will never change. You don't care about the poor.

[Applause.]

I want to know, the service providers told us in committee and even on oversight to, listen, give them spectrum. Faith Muthambi when she was still Minister she kept that spectrum, she didn't want to change from analogue to digital for a very long time and the ANC kept quiet. The service providers said, give us this we will reduce the price of data immediately and give access because that is what we need, but the ANC kept quiet. Why did they keep quiet? On top of that the Independent Communications Authority of South Africa, Icasa, a body as per the Constitution said that, listen, let us go out and auction spectrum at the beginning of last year already because Icasa new that this is what we must do now. The ANC Minister, may I add, then said no, I am going to court. He interdicted it in court because he didn't want the spectrum to be auctioned. That is the reason why we do not have cheaper data to this date. It is because of the ANC and your Ministers. Why did they do that?

On top of that then the ANC came with this new proposal to create the wholesale open access network, WOAN. Hon Motara also mentioned

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it. What is the WOAN? Let me educate you, hon Motara, you are not in the committee. Let me educate you because I'm in that committee. The WOAN is a plan there from the ANC government and South Africans must now listen carefully what the ANC is doing on the side. Before the open up and give spectrum to the service providers they want private companies to come in and actually install our infrastructure to do that and then these service providers must now rent the infrastructure from these private companies. Now, my first question is, who will be these private companies? These private companies will be others there where we sell our country to the highest bidder. Will it be the Zuptas? Will it be others, maybe someone amongst you in the ANC benches here or on the other House? Who will benefit from this? This is typical ANC, before you do any good to South Africa; you first ask yourself what can I benefit from this. This must stop.

We already have Icasa as a regulating body in this space; we do not need another WOAN to come and regulate and tell people what to do. We must free up this space so that people can get free cheaper data now, not in five or eight years whilst we wait for another WOAN where ANC cadres can come and steal from the poor. You all said, all the ANC speakers said that this is not making sense, people will benefit and unemployment will be reduced if we have our data

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cheaper. But, what are you doing on the side? You are hampering the service providers from producing cheaper data in our country. I'm asking the ANC to go for introspection, stop your corruption and stop lying to people. The DA will make data cheaper by making this spectrum available and open up the market so that people can participate. Thank you. [Applause.]

Mr D M MONAKEDI: Hon House Chair, hon members, our guests in the public gallery, the economic clause of the Freedom Charter with which many of us ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry, hon Monakedi. Let me take the hon Oliphant. Hon Oliphant, why ...

*Setswana:*

Moh G G OLIPHANT: Ke kopa gore o bue le motl Thandi, o a ntwantsha mo! [Tsenoganong.]

*English:*

The HOUSE CHAIRPERSON (Mr A J Nyambi): Sorry, hon Oliphant - refer to hon members appropriately. Hon Mpambo-Sibhukwana?

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Ms T G MPAMBO-SIBHUKWANA: I was going to remind her to say my name appropriately, but you have covered me, Chair. Thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): I have addressed that. Thank you. Continue, hon Monakedi.

Mr D M MONAKEDI: Let me start from the beginning, Chair. The economic clause of the Freedom Charter, with which many of us are familiar, is quoted but seldom do those of us who quote it read it in its entirety. When the delegates from across the length and breadth of our country met in Kliptown on that winter day of 26 June 1955, to articulate the future South Africa they dreamed of for themselves and their children, there were no smartphones, no computers and not even fax machines. [Interjections.] However, in their profound wisdom they laid down the foundations of our constitutional democracy. [Interjections.] They declared, and I quote: "All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions." [Interjections.]

Those words found their way into the Bill of Rights, which is chapter 2 of the Constitution of the Republic of South Africa. [Interjections.] Section 22 thereof reads, and I quote: "Every

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citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated ...” [Interjections.]

After centuries of colonial rule and decades of apartheid ... [Interjections.] ... South Africa is still grappling with the legacy of exclusion of the majority of our people from meaningful participation in the economy of their country.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Monakedi, let me take the hon Magwebu. Hon Magwebu?

Mr L V MAGWEBU: Hon Chairperson, with due respect, I think this is becoming unbearable. I understand your ruling in that you did not remove the members from the precincts. However, you have removed them from the Chamber. Be that as it may, they are sitting in the Chamber and they are participating in the debate. They are Members of Parliament. Even members of the public are not allowed to participate in the debate. It calls upon your ruling ... probably the best ruling is that they be removed from the parliamentary precincts. I wish that you reconsider that. Otherwise, they are hampering and they are standing ... you know, stifling the business of the day. This business of the day is in the national interest. It

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cannot be, Chairperson, that that is acceptable and this matter is allowed. I want to plead with you to really help us and get these members to do the right thing, which is in your capable hands as the House Chair this afternoon. I thank you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Magwebu, I have made a ruling about the conduct of the people in the gallery. I even said that we know the people that are in the gallery that are doing what they are doing. I said that the issue would be attended to accordingly. I never wanted us to lose focus and attend to an issue that won't add value to the debate. That is why I am appealing that it would be in our best interests to focus on the debate and continue with the debate. Hon Smit ... not unless you are raising something different ... ?

Mr C F B SMIT: House Chair, I just want to remind you that you do have the power to remove members from the gallery as well.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Smit, I said if you want to raise something different ... It is not going to assist us. Could you continue, hon Monakedi.

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Mr D M MONAKEDI: This exclusion of the majority of our people from meaningful participation in the economy of our country is indeed what we need to deal with, not cheap political point-scoring. Of course, our government is taking the lead and showing the way; hence, the policy directive that our new Minister of Finance referred to yesterday in terms of making sure that more spectrum is freed up for our people to be able to access opportunities that are available out there in our economy.

The high cost of data services has the effect of reproducing the same patterns of inequality and exclusion. The negative impact of the high cost of data is that it impedes the economic participation of many members of our society, in particular workers, students, women and the rural and urban poor, thereby excluding them from reaping the benefits of the digital economy.

Our everyday experience in the form of cellular phones, radio, television and the Internet is made possible by the telecommunications service providers utilising a portion of the radio frequency which exists naturally to transmit electronic signals.

Historically, the telecoms market was dominated by the fixed network infrastructure, which was rolled out by Telkom, a wholly owned state entity. In 1994, Vodacom and MTN were launched to provide what was then an unknown new service: mobile telephony and mobile messaging services, as well as the related infrastructure. To date, this advantage of being the first has given the two mobile giants market dominance in what is also referred to as a duopoly of the market.

Increasingly and at a rapid pace, the ICT market has digitalised its mode of providing electronic communications, underpinned by mobile and fibre networks, which have enabled the transmission of data services to both business and individual consumers.

In this context, the radio frequency spectrum, like water and electricity, is a crucial dimension of the social life of all of us, rich and poor. Access to the utility of the frequency spectrum makes it possible to achieve several constitutional rights, including freedom of trade, modern education, health care and the dissemination of information essential to freedom of expression.

The ANC has identified that one of the biggest ...

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Monakedi, let me take the hon Hattingh. Hon Hattingh?

Mr C HATTINGH: Hon Chair, I see here that you have observed the actions of some people in the gallery, but you have ruled on this. Are the actions of those people actually in order? Can they be condoned, or do you think you should take action?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Let me repeat my ruling. I said that I made a ruling. What they are doing is contravening the Rules of the House. The issue will be referred to the Chairperson of the National Council of Provinces so that it can be attended to accordingly. Fortunately enough there are records of what is happening, so there is no need to even talk about it.

[Interjections.] Yes, it is making their case worse. It will be attended to by the Chairperson.

Mr C HATTINGH: [Inaudible.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Yes, they will be charged for all the offences.

Mr C HATTINGH: [Inaudible.]

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, I don't know why you want to entertain something that is not assisting the debate. Let me allow the hon Chief Whip. Hon Chief Whip?

The CHIEF WHIP OF THE COUNCIL: Hon members, let all of us observe that earlier the Chair reacted to statements that were made in the House and that were not consistent with the Rules: referring to other members as "madams" and "white people" in this House, and also referring to other members as "these people" in this House. The important thing here is that there was a grave violation of the decorum of the House, which the House Chair ruled on. The House Chair has reminded us consistently that we should respond to our conscience as Members of Parliament and respect one another.

I think, in abiding with that ruling of the House Chair, we should allow the discussion to conclude. The House Chair said that these things will not be concluded arbitrarily; they are referred to the Chair of the Council. All of us here bear witness. These are the issues that will certainly appeal ... that the House Chair of the NCOP receives and accordingly looks into the conduct of members individually and those that may have continually acted in a manner that disrupted the proceedings. I think let us uphold the ruling that was made by the House Chair. Thank you. [Applause.]

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you once again, Chief Whip. Hon members, maybe one remark in supporting or endorsing the intervention by the Chief Whip: if any member in the House is interested in making headline news and being on the front page of newspapers, don't drag me into being part of that. I won't allow myself to be dragged into being part of that. That is why I will preside accordingly. It is up to the people that are following, South Africans, what is happening. I am not going to allow myself to be dragged into those things. Hon Engelbrecht?

Ms B A ENGELBRECHT: Chairperson, could we just ask that according to the Rules that you just do your job please and make sure that the Rules are applied, not just said, but physically applied because that has not been done.

The HOUSE CHAIRPERSON (Mr A J Nyambi): It has been done. Could we allow the hon Monakedi to continue? Continue, hon Monakedi.

Mr D M MONAKEDI: The ANC has identified that one of the biggest challenges in the ICT sector is the licensing of radio frequency spectrum for new entrants. This is essential if we really want to change the ownership structure in the sector.

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This is in line with the analysis of the 54th national conference of the ANC where we argued that the ICT sector needs to be transformed at all levels. The ANC called for a strong regulatory intervention to deal with the high cost to communicate. The economic strategy of the ANC government has identified the need to optimise ICT opportunities through the use of small, medium and micro enterprises, SMMEs, in the ICT sector.

The government is determined to work with industry players to change the status quo by putting in efforts to ensure that SMME opportunities are created in the whole ICT value chain.

Speaking on the occasion of the launch of the economic stimulus package, President Cyril Ramaphosa informed the nation that the government would initiate a process in the near future for the allocation of high-demand radio spectrum to enable licensing. This will certainly unlock significant value in the telecoms sector, increase competition, promote investment and reduce data costs. Lower data costs will also certainly provide relief for poor households and increase the overall competitiveness of the South African economy.

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The ANC is of the view that the release of spectrum, in line with International Mobile Telecommunications-Advanced requirements, will inevitably lessen the network burden of operators, reduce the cost of capital and resolve most of the constraints experienced by mobile operators, as well as accelerate the roll-out of broadband networks in rural areas - particularly the wholesale wireless open access network - and the ANC will work with the relevant stakeholders to advance the interests of our people.

Recently, there have been two significant developments in the frameworks governing electronic communications. These are, one, the Electronic Communications Amendment Bill; and, two, the proposed policy and policy directives to the Independent Communications Authority of SA, Icasa, on the licensing of unassigned high-demand spectrum, including proposed directives to Icasa relating to the licensing of a wireless open-access network operator, as indeed our Finance Minister referred to yesterday.

Achieving effective and equitable access to the radio frequency will contribute immensely to making South Africa a more equal society. Understandably, it remains a highly regulated affair because of its scarcity and critical role in the communications industry. We call on government to use policy instruments, such as licensing of

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spectrum, to open up the telecoms industry to new entrants in order to increase competition which will lead to the lowering of data costs.

Our country must begin to focus on public access solutions, including community networks and the allocation of spectrum for such networks where feasible. Our government must remove bottlenecks to the roll-out of broadband infrastructure and implement a one-stop shop or single window for all applications to reduce associated costs.

The regulations and policies guiding allocations should facilitate the setting of reasonable or fair market prices for spectrum. They must encourage the innovative use of spectrum, for example support the development of new technologies to encourage community networks in order to close coverage gaps and advance affordable access. We trust that government will prioritise coverage with a focus on townships and rural communities. For us, as the ANC, this is one of the key ways in terms of which we can ensure the realisation of the economic clause in the Freedom Charter and indeed in the Bill of Rights. I thank you. [Applause.]

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Ms T MOTARA: Thank you House Chairperson. Chair, let me take this opportunity to thank everybody who participated in this very critical debate of national importance.

I think I want to use this opportunity maybe just to clarify a few things, long before the #DataMustFall movement presented the process hon Julius - we tabled this motion for debate. So it is not reactive it is definitely very proactive.

Also, I don't think you have to be a member of a particular committee to understand the issues, how they affect people on the ground and how they affect ordinary South Africans. That would mean that we have a much skewed way of thinking when we represent ourselves as public representatives. It means then you are insinuating that you can only speak to issues based on the fact that you participate in a committee. I don't think that committee representation or participation should determine whether somebody is capable or not capable of understanding the issues.

Hon Hattingh, unfortunately, uses the podium to not only politicise but personalise an issue such as the studio and attack...

[Interjections.]

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Mr C HATTINGH: You, you weren't here. You were out of the House.

Ms T MOTARA: No, I was here - when you stood up and attack the persona of the Minister instead of addressing the issues. I was here when you were speaking about the Minister's comments of Omotoso. Instead of wanting to address real issues of how to lower the costs of data you turned communications into a personal attack on the Minister. It is very sad that you can use ... [Interjections.]

Mr C HATTINGH: ..., Minister. [Inaudible.] She is an embarrassment.

Ms T MOTARA: You instead of using the platform to discuss and debate ways in which we can address situations of ordinary South Africans on the ground you personalised it. I think it is really sad that instead, are failing to acknowledge the real problems of the price, the high cost of data, which is monopolies, how monopolies have colluded over a long period of time.

How monopolies have colluded and out priced smaller players in the sector and new entrants in the sector; closed out competition and have kept and colluded to keep prices at the same high cost in this country. How the monopolies have to be able to be broken down to allow new entrants, to allow small players, to allow access to

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opportunities, especially black rural and women to access and expand this service.

Those are the real issues and those are what we have to be speaking about; not personalising them and laying them on the doorstep of an individual when it is big individuals who disrespect the poor, disrespect government policies and use their financial muscle to bully their wishes and demands to the people. Thank you, Chair.

[Applause.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members, once again, let me take this opportunity to thank our special delegates and your conduct hon members. I made a ruling, let me emphasise what was my ruling so that it can be recorded accordingly.

I indicated that there was an unbecoming conduct totally against the rule of the House, and I said that conduct will be attended to, and it means I will have to prepare that report about what happened because what happened today happened for the first time that you can have a member leaving her place, going to the podium to grab a microphone, mic from the hon member who is at the podium.

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So that was totally inappropriate. That is why I said anything that happened after that will be part of what happened in terms of the transgression beyond just grabbing the microphone, mic. It is not something that can be left unattended to.

However, I understood that we are dealing with a very important debate and it was going to be possible to defocus and end up not concluding the debate because we have people that don't take the interest of what we are dealing with. We have got a House to run and the people are just looking at us. It was going to be simple to degenerate the House to be something else. It does not necessarily mean that I was not following what was happening.

However, that is why I'm commending you for your behaviour and your conduct and for not getting to that terrain because it is sad for people to watch that - sometimes it is better to keep quiet and be thought you are a fool than to open your mouth and leave no doubts. With that, that concludes the debate and the business of the day. I thank you.

Debate concluded.

The Council adjourned at 16:13.