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NATIONAL ASSEMBLY

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*PROCEEDINGS OF THE NATIONAL ASSEMBLY*

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The House met at 15:02.

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

**QUESTIONS TO MINISTERS**

**SOCIAL SERVICES**

**CLUSTER 2**

Question 294:

The MINISTER OF WATER AND SANITATION: Speaker, the National Water and Sanitation Bill addresses to the question raised by the hon Johnson. The current challenge with water is that water entitlements tend to be, at the practical level, separated from the land. As a result, when those who hold the

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license or entitlement leave the farm, they move away with the water rights or entitlements.

As it stands now, the National Water and Sanitation Bill doesn't separate the two. We think it will solve the problem. Thank you, Speaker.

Mr M JOHNSON: Speaker, I would like to thank the Minister for the response. Minister, will this National Water and Sanitation Bill do away completely with what is referred to as riparian rights - these are part of the Water Act, Act 54 of 1956? With the current set-aside water use licenses, how much, may I ask, does the Minister think is left of those set-asides in terms of the number of hectares typically set aside for black farmers? Thank you.

The MINISTER OF WATER AND SANITATION: Speaker, I am trying to get that information from the officials. I can just provide two examples. In the Eastern Cape, the late former Minister Kader Asmal allocated 3 000 hectares of water rights to emerging farmers. Today, none of them has their hands on a hectare of water rights. We see the same problem in the

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Northern Cape. I had a delegation of farmers from the Northern Cape. The moment they entered the department, it was the same problem.

We are solving that. One of the things we have done is set up a small working group. This was done on 10 November so that we can look at separating this responsibility and setting up an entity that will look at this function so that we can speed up and also have all the necessary information required to deal with this question. The emerging farmers are suffering because of this. The transformation in the water space has not taken place because of this problem. Thank you.

Prof N M KHUBISA: Madam Speaker, through you to the Minister: I want to ask you about the current state of affairs, in your own assessment and evaluation, of those who own land with water rights. I want to ask you about the behavioural patterns and attitudes, whether the dams that are currently owned - and I know it will be very difficult for you to get the number of dams readily available - what are the behavioural patterns? Are they accessible to the communities in the proximity? Are

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they used exclusively by the farmers concerned, in which case there could be some challenges here and there? Thank you.

The MINISTER OF WATER AND SANITATION: Speaker, I would like to thank the hon member for the question. We have had a couple of situations where you have one single farmer who owns huge dams and therefore has the choice to decide to make water available to communities. You know well the case in point in KwaZulu-Natal.

I sent my adviser to KwaZulu-Natal to a meeting to discuss this matter just a month ago. The report I got is actually embarrassing. Water, in terms of the Act, is a national good. Therefore, we should be controlling and managing the relations created by that law in terms of transforming this sector to that extent. Again, we have several farmers who have been charged, as well, because they built dams without a license and things like that. So, there isn't enough or sufficient control over this function.

I repeat that it is exactly the reason why I set up this team of people with knowledge of the sector. I said to them I was

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looking at Schedule 3 of the Public Finance Management Act, but they are saying to me there are other options. It turns out an attempt was made during the late Minister Molewa's time to deal with this question. I am moving in that direction so that we can have a professional body that deals with this matter outside of the department but is accountable to the Minister. Thank you very much.

Ms N R MASHABELA: Madam Speaker and hon Minister, the Constitution of the Republic, the National Water Act, and Water Services Act recognise water and sanitation as a basic human right for all. However, this recognition has not fully ensured equitable access for all.

In light of the pending decision on expropriation of land without compensation, what legislative and policy measures do you have in the pipeline to ensure equitable access to water for all? Thank you very much.

The MINISTER OF WATER AND SANITATION: Speaker and hon member, firstly, I have referred to the National Water and Sanitation Bill. That is a comprehensive Bill meant to address all of

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those questions. Secondly, I said earlier on that, as recently as 10 November, I met with most of the stakeholders in the sector. Out of that, we came up with five working groups. One of them is to specifically deal with this question.

As much as water is a national good, when somebody who owns a water license or entitlement leaves the land, that person leaves with the water right. We don't want that. We want to make sure that, in terms of the Bill I refer to, there is no separation between the land and the water. Thus, if somebody sells the land, he sells the land with the water entitlement. That is the direction we are going in. Thank you.

Mr L J BASSON: Speaker, through you to the Minister: You are the custodian of water in this country on behalf of the people of South Africa. This does not make government the owner of water resources in the country. Some water does not belong to government.

An HON MEMBER: What? [Interjections.]

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Mr L J BASSON: Minister, if you nationalise water, how will this affect the economy and food security in the country, and how will it affect current and future infrastructure development by agriculture? Thank you.

The MINISTER OF WATER AND SANITATION: Speaker and hon member, when the drafters of that legislation did so, they intended that water would not continue, as was the case in the past, to be the preserve of a few people, particularly white farmers, because now black farmers were emerging and therefore also laying claim to the water. Therefore, the rights over water had to be equitably distributed across the board.

If, in terms of that Act, water was not handed over to the state to control, that transformation would not happen. The weakness right now is that as much as that Act says the Minister, on behalf of government and the people of South Africa, is the custodian, practically that doesn't happen. It is because of the weaknesses of the makeup of the delivery mechanism in terms of water. Therefore, what I am trying to do now is say that we want to have an entity that will deal professionally with making sure that none of the people who

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deserve to have water use rights or entitlements is deprived thereof.

That is what we are going to do. Therefore, we are going to use the powers we are entitled to by law to effect the transformation of the water services space. Thank you.

Question 357:

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Madam Speaker, the Gauteng Department of Human Settlements has informed us that it has formed a technical committee to oversee and manage the matters of illegal land occupation, comprising municipalities in Gauteng, law enforcement agencies, parastatals and other national departments relevant to land matters. The committee co-ordinates efforts to counter and prevent, in a proactive manner, the issue of illegal land occupations in Gauteng.

It is to be noted that the premier of Gauteng has taken steps, on a proactive basis, to ensure the expedited release of serviced land to ensure that communities are able to be allocated serviced stands and thus not resort to illegal occupation. Furthermore, the province and municipalities have

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been requested and advised to improve transparency in the housing allocation process. The poor communication and lack of justification for allocations are matters which allow opportunism related to illegal land occupation. I thank you, Madam Speaker.

Mr M S MALATSI: Thanks, Speaker. Deputy Minister, what your colleague in Gauteng didn't tell you is that he told the provincial legislature that there were 2 700 instances of land invasions in the 2016-17 financial year. There has been a further 1 600 instances of land invasions in the past financial year. In all of these instances, evictions took place in 13 areas and there were only arrests in 22 instances. But what we do know is that there are political parties such as the EFF that promote land invasions which disrupt government's ability to deliver houses. [Interjections.]

So, my question to you is: Do you think it is responsible of political parties like the EFF to promote land invasions, which disrupt government's ability to deliver houses to residents? Thank you.

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Dr M Q NDLOZI: Point of order ...

The SPEAKER: There is a point of order. Hon Ndlozi, what is the point of order?

Dr M Q NDLOZI: Hon Speaker, the hon member is deliberately misleading the House. He knows that if he is to make a claim, he must submit it as a substantive motion. I put it to you, hon Speaker: You will not go anywhere in the literature of the EFF and find where we say people must invade the land. That is deliberately misleading the House. The lexicon is occupation of the land, and that is substantially different.

The SPEAKER: Hon Ndlozi, you will expand on your policy position when you have time to make a speech. But I will look at the Hansard ...

Dr M Q NDLOZI: But, hon Speaker, they can't both stand.

The SPEAKER: No, hon Ndlozi. Let me address you. Take your seat, hon Ndlozi. I've heard your point, and I am saying you can make your own policy position clear when you elaborate

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when you have the opportunity to speak, but I'll look at the Hansard about what the hon member said.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, I actually have a Rule I am rising on, Rule 85. It is unparliamentary to refer to a member as having deliberately misled the House. So, I would ask that when you do study the Hansard that you also look at that, because it is unparliamentary to say that a member has deliberately misled the House.

The SPEAKER: I will. Thank you.

Mrs E N NTLANGWINI: On a point of order, Speaker. Speaker, I just want to draw to your attention that each time Steenhuisen is standing when he was speaking, and that is very disrespectful. [Interjections.] We need to look into that.

Each time he's doing that, and that is disrespectful.

[Interjections.] Since you know the Rule, you know you can't stand when another member is on the floor. [Interjections.]

Since you know the Rules better, but no one will ...

[Inaudible.]

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The SPEAKER: Thank you, hon member. Can we allow the Deputy Minister to respond?

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Thank you, Madam Speaker. I just want to say that, I think, the issue of Gauteng having rapid land release ...

Mr M S SHACKLETON: Point of order ... A point of order, Speaker.

The SPEAKER: What is the point of order?

Mr M S SHACKLETON: Thank you, Speaker. I am sorry to interrupt the Minister. The hon member from the EFF ... [Interjections.] ... addressed ... called the hon Steenhuisen ... [Interjections.]

The SPEAKER: Order, hon members!

Mr M S SHACKLETON: ... called the hon Steenhuisen by his last name. Can you ask the member to address the Chief Whip of the Opposition correctly? Thank you, Madam Speaker.

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The SPEAKER: Okay, hon members. It is quite early in the afternoon, mind you. Please let's just stay calm so that we can sustain our ability to carry the programme forward. Hon Deputy Minister, please give the answer to the question.

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Thank you, Madam Speaker. I just want to say that I think we should applaud Gauteng for the rapid land release programme, because it is important. For example, it clearly identifies the fact that we don't have a one-size-fits-all approach. Land-release programmes allow communities to have serviced stands, and they can build their own homes with the support of government in some other instances. Most importantly, even the protests around land and land occupation have gone down a bit. This process needs all parties to buy into it, because, at the end of the day, we want stability in South Africa, particularly as far as shelter is concerned, because it is a thorny issue. I thank you.

Mr L M NTSHAYISA: Thank you very much, hon Speaker. Hon Deputy Minister, there is a tendency on the part of beneficiaries who are allocated houses to sell or rent them. I just want to

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check, therefore: How far are we in dealing with the challenge, or how much have you dealt with that challenge, so that these houses are given to the people in need? Thank you very much.

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Thank you, member, for that question. Yes, we urge communities to please not sell government houses, because the houses are given to them for free creating an asset for each family. Selling houses means that we are giving houses to people who don't deserve them. So, it's important that we have that pre-emptive clause where we say: People cannot sell their houses within a space of eight years, having been given a house. But, more than that, we would have preferred a situation in which people don't sell their houses at all, because it is about generation to generation. At the moment, there are people we know of who are selling their houses, and we are bringing in the Hawks and all other parties to ensure that they get arrested. I thank you.

*IsiZulu:*

Mnu K P SITHOLE: Ngibonge Mhlonishwa Somlomo. Sekela Ngqongqoshe ukuqolwa komhlaba akukho e-Gauteng kuphela.

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Kukhona eFree State, North West, Mpumalanga kanye naKwaZulu-Natali. Umbuzo wami uthi: Yiliphi iqhinga eninalo kuZwelonke lokunceda ukuthi lokuqolwa komhlaba kukwazi ukuncishishwa nanokuthi njengamanje uma ubheka uthola izindawo ezingahlelekile zikhula ngobuningi ngenxa yokuthi umhlaba uyaqolwa? Yiliphi iqhinga eninalo ukunceda omasipala njengohulumeni kaZwelonke?

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: For municipalities we have what is called the urban settlement development grant. It is meant to buy land for the municipalities, purely the metros. We urge provinces also to adopt this approach of the rapid land release programme of Gauteng, because it alleviates the pressure around the waiting list in terms of houses. If we go only the subsidy route, then people wait a long time for houses, but if people are given free stands, which are serviced, they can build their own homes faster.

Rev K R J MESHOE: Thank you, Speaker. Hon Minister, the debate has taken place in the House and the ruling party and the EFF have agreed that section 25 of the Constitution has to be amended. Now, my question is: How will government be able to

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stop land invasions when the property clause in the Constitution has been removed, because it is the property clause that has made it illegal to invade land? So how will they stop that if the property clause is removed? Thank you.

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Thank you, Rev Meshoe. Thank you very much for the question. When you deal with the issue of the property clause it is putting the cart before the horse. Let's allow the process of working on the issue of the land in Parliament to take place and discuss the property clause within that ambit. It must be taken in totality, not as a separate piece of legislation. I thank you.

Question 331:

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Speaker, based on consultations and information the department has received from the eThekweni Metropolitan Municipality, the requisite plan to provide Mr Sipho Mnguni with a subsidised house are on track within the time frame which was alluded to earlier on.

I just want to say that Mr Mnguni's case is a case where there are three families in that particular stand. Now Mr Mnguni

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must have a house and we need to remove the other two families in that stand. That process is underway so that in the remaining stand Mr Munguni's house can be built. That consensus has been reached with the municipality. So, that house will be built. I thank you.

Ms N K F HLONYANA: Speaker, for over a year we have been fighting with your department so that Mr Siphon Mnguni could receive a house so that he is able to live in dignity. Your department and the eThekweni Municipality have done everything in their power to delay this process and you have given us excuse after excuse. That is why we doubt that Mr Mnguni will ever have his house in March 2019. That is why we want to know who will be held accountable if come March 2019 Mr Mnguni does not have a house as promised?

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Hon Speaker and hon member, I just want to make the House understand that in terms of slums upgrading in particular it is a difficult process. Now we are having 2 200 informal settlements across South Africa. Out of that, 1 845 have been assessed and they have been developed. Out of that we have 850 with clear plans of

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upgrading. So, it is not an event scenario, but it's a process.

This particular incidence has happened across South Africa including here in Cape Town. There are lots of families, three or four, who are occupying one stand. We have inherited that problem. But in this particular case we have made sure that the issue of Mr Mnguni is lifted up so that it gets prioritised and Mr Mnguni will definitely have his house. You can also hold me responsible for that. I thank you.

Ms N N MAFU: Speaker and Deputy Minister, Mr Mnguni's problem arises from a problem of informal settlement upgrades. How does the department hope to prevent or mitigates an occurrence of a similar case of Mr Mnguni in future because we have a lot of informal upgrading in the country and there is a lot of them that are occupying more than one stand?

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: The only way of avoiding a scenario which is similar to the Mnguni's scenario is to make sure that people themselves, Mnguni and others, must be involved in the upgrading process. That is why we are

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talking about the social compact where government, municipality and communities decide about their future. From area to area communities are involved in upgrading of their own informal settlements.

Mr M S MALATSI: Speaker and Deputy Minister, one of the biggest challenge with access to housing projects is that there are opportunistic people who illegally occupy houses that people like Mr Mnguni have registered for.

In March this year there was an incidence where the uMkhonto weSizwe, MK, veterans invaded a housing project in Margate and the registered beneficiaries were pushed out.

What is you department doing to prevent such groups from pushing back legitimate beneficiaries of housing projects to get their houses?

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Speaker and hon member, one of the things that we are saying is that the issue of occupation of a houses particularly in a situation where a house has been given to a particular person and somebody else

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is in the house, is completely illegal and it is an issue that we don't want it to be promoted. There is a technical committee, particularly in Gauteng, where law enforcements from all angle are part of together with officials from provinces, national and municipalities so that at the end of the day we nip it in the bud the issue of occupation of houses because it's illegal. And we want it to be duplicated in other provinces. In some instances you will find that other people have title deeds but they are not in the houses. That's completely incorrect.

I can assure you that as a department we even want to move towards centralising the beneficiary list process so that at a national level we can know which house has gone to whom. At the moment it's still free for all and I think it is incorrect.

*IsiZulu:*

Mnu K P SITHOLE: Ngiyabonga kakhulu Somlomo nakuSekela Ngqongqoshe ngempendula yakhe. Kodwa ke umbuzo ukuthi: Mazoba bangaki abantu abazofana noMnguni okuzofanele ukuthi baze babikwe ngaphambi kokuba uhulumeni abone ukuthi kukhona izinto

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ezingahambi kahle? Ubudlelwane phakathi kwekhansela lewadi nomasipala ngabe bunjani uma abantu bazoze babikwe yi-Cutting Edge ngaphambi kokuba kube nesinyathelo esithathwayo? Njengamanje ngabe uhulumeni kaZwelonke umi kanjani ngokungenelela kulolu daba?

*English:*

The DEPUTY MINISTER OF HUMAN SETTLEMENTS: Speaker and hon member, we are emphasising that local committees are very, very critical particularly ward committees because in many instances these things are happening at a local level that's why it matters most. We want councillors themselves together with communities to advise the department about the kinds of problems they are confronted with on the ground.

At departmental level it is important for us to have a co-ordinating mechanism. You will find that the municipality says it is a province and the province says it is the municipality. You need a co-ordinated approach in order to solve the problems of our people on the ground. In that instance the department of Human Settlement has taken a lead. Thank you.

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Question 313:

The MINISTER OF ARTS AND CULTURE: Hon Speaker, I wish to extend my appreciation to the Chairperson of the Portfolio Committee Ms Tom. The Department of Arts and Culture, DAC, has established various oversight mechanisms to assist the public entities to achieve their targets as adopted and tabled in Parliament. These interventions are important in ensuring that the public entities are better managed and accountable through sound corporate governance and performance management system.

The Minister signs shareholders' compacts with the Chairpersons of the DAC public entities. The shareholder compact symbolizes a performance contract between the Minister and the Council. The department has also developed a set of templates to ensure standardised reporting and to facilitate a consistent assessment of performance through the submission and analysis of quarterly reports.

Some of the forums include the Chief Executive Officers forum which is chaired by the Director-General of the Department of Arts and Culture. The forum comprises of all CEOs and the heads of institutions of DAC. The forum meets twice a year.

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The other one is a Chief Financial Officers, CFOs, forum of public entities and it's chaired by the DAC CFO.

The other is the sector forum. The following sector specific sub-sectors like the performing art institutions, the Heritage institution and others.

The last one is the bilateral engagements. This is a situation where the Minister engages all the entities, the organization as a whole, both staff and management together; and these are the steps, hon member. Thank you very much.

*IsiXhosa:*

Nks X S TOM: Somlomo Ohloniphekileyo, Mphathiswa, siyabulela ngamanyathelo owathathileyo ukuhlumisa nokulungisa imeko ibigquba. Ingaba la manyathelo anayo kusini na impembelelo ebonakalisa inguqu kula maqumrhwana? Kwakhona, ingaba ikhona kusini na into esinokuyifunda kula manyathelo ezakwenza ukuba inkqubela phambili ibekhona? Enkosi Somlomo.

*IsiZulu:*

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UNGQONGQOSHE WEZOBUCIKO NAMASIKO: Ngiyabonga Sihlalo wekomidi lePhalamende elihloniphekileyo. Umthelela mkhulu ngoba la uma ngabe senza lokusenza isiqiniseko sokuthi abantu kuyafinyelelwa kubona futhi nezinto eziyingqinamba ababhekene nazo kulezizakhiwo ziyakwazi ukuthi zithathelawe phezulu. Izifundo ke njengoba ukuza esingathi sizitholile la ukuthi ngaphandle kosihlalo bamabhodi kanye noMphathi Omkhulu [chief executive officer.] kubalulekile ukuthi sifike phansi kuzona izinhlangano nezinhlangano ezizimele uqobo lwazo ngoba lapho uthola nezinye izinto ongakwazanga ukuzithola ngapha kosihlalo nabaMphathi Abakhulu. Ngiyabonga kakhulu.

*English:*

Prof B BOZZOLI: Sorry Speaker, I pressed the button by mistake.

Mr L M NTSHAYISA: Hon Minister, most of these entities have a tendency of incurring irregular, wasteful and fruitless expenditure. Therefore, I just want to check, hon Minister, whether you intend to introduce any legislation that can prevent these from happening by charging the officials that are responsible so that these don't further occur in future.

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The MINISTER OF ARTS AND CULTURE: Hon Speaker, the corrective measures are being embarked upon regarding the weaknesses of these entities and there's been a lot of improvement without sending anybody to the gallows because when the Auditor-General audits, he then comes up with suggestions on matters of emphasis as to what should be done and if those things are followed through, we see the difference in so far as this is concerned. We have seen a difference in some of these entities. Thank you very much.

Prof N M KHUBISA: Madam Speaker, I understand, hon Nyambose, that there have been a number of summits and workshops whereby the department was trying to work with the entities because it was discovered that the entities seem to be working in silos whereas they report to the department, they are part and parcel of the department.

You have alluded to the fact that there are series of meetings and there is a forum where these work together. But it seems with some of the entities there is no change at all; and I wonder what your response will be with regard to that as to whether there is lacklustre attitude from those entities. For

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instance, Minister, just to make an example, one entity had a problem of 12,6 services rendered without an official purchase order; R960 000 for a contract continued on a month to month basis; R118 000 no formal approved deviation; and this is the Ditsong Museums of South Africa, submitted on 16 October 2018. Thank you.

The MINISTER OF ARTS AND CULTURE: Hon member, I'm very much aware of the institution you're talking about, Ditsong. Yes, what you're counting and more was discovered to be taking place in that entity. In fact, in the last financial year the entity got a disclaimer and after portfolio committee - which I must say that it has been working very hard together with other stakeholders, we were able to turn things around. As we speak now, yes, we have not reached a point we want to reach. It's qualified audit but what has been put in place clearly shows you that there is improvement and we are going to have a clean audit going forward. Thank you very much.

The SPEAKER: You look like a Dlamini. [Laughter.]

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Mr M N PAULSEN: Thank you very much, I'll take it as a compliment, Speaker. [Laughter.]

Minister, just to remind you, we haven't quite forgotten about Marikana. But that said Minister, the Pan South African Language Board is one of the most important single entities in government; its task is immense; the development of South Africa's 11 official languages and the promotion of multilingualism. But it has totally failed.

Your department has done nothing to bring all 11 of South Africa's languages into the mainstream. And 24 years into democracy, matric exams are only written in English or Afrikaans. Has your department made any efforts or engaged the Department of Basic Education at any point about the writing of matric exams in languages besides English or Afrikaans? Thank you very much.

Mr P J MNGUNI: speaker, on a point of order: I think that is definitely a whole new question altogether, it's not related to the question that was asked because the question that was asked was about the accountability of entities; and this

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question is altogether on another substance, the languages and all that. So, it's a new question altogether, a violation of the Rules. Thank you.

The SPEAKER: I see the Minister ... did I see you nodding, hon Minister? Do you agree with the intervention of the Whip?

The MINISTER OF ARTS AND CULTURE: Well, I do hon Speaker. And the Whip is correct; except to say that the member, if he or any other of his colleagues would be attending portfolio committee meeting, which I attend, and the Deputy Minister, he would be more informed of what each entity is doing, but ...

*IsiZulu:*

... ngizoqala ngokukufundisa IsiZulu. [Ihlombe.]

The SPEAKER: Hon members, we have taken the supplementary questions that were due on this particular matter.

[Interjection.]

Mr M N PAULSEN: On a point of order, Speaker.

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The SPEAKER: Hon member, I think the Whip has put a clear position on your supplementary question. Do you want to raise another order? What is the point of order? [Interjections.]

Mr M N PAULSEN: Speaker, the fact that the Minister says that this has been addressed in the portfolio committee, then it should be possible for him to share it with the House.

The SPEAKER: No, hon member. You then submit an appropriately submitted question through the system. Thank you, hon member.

Question 320:

THE MINISTER OF SOCIAL DEVELOPMENT: Madam Speaker, yes the department is currently working on a funding model for the factor and this will also deal with issues of woman abuse, and address the issue of funding for various shelters. In due course, we'll be able to come to parliament on presenting the policy on the shelter reforms, thanks.

Ms L L VAN DER MERWE: Hon Minister thank you very much for your answer but the reality is that shelters that look after the victims of abuse are forced to feed woman and children on

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R9 a day. They've only got money to pay full time staff about R600 a month meaning your subsidies of forcing shelters to violate labours legislation and woman and children are not getting the services that they deserve.

But, on the other hand if you were the perpetrator of violence and you're in jail then government spends R350 on you per day. So, my question to you is, since becoming the Minister of Social Development, what have you done ensure that no subsidy that goes to an NGO is below minimum wage hon Minister?

THE MINISTER OF SOCIAL DEVELOPMENT: Hon member I have indicated that we're looking at the model or policy which will really address the issues of funding. We're very mindful that what has been given to various shelters is not adequate. Hon member I also want to say, you need to bear in mind that that happens within the current budget constraints but, we're mindful and working with other private sector companies in making sure how we can augment that. We really want to establish a model which will address the shortage in ensuring that we can move that.

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When you talk about living wage, I don't know which living wage you're referring to because where we are currently we are talking about a minimum wage. What we also want to say hon member is that as you know that the issue of minimum wage has not been implemented. You know that it's a process and it's not conclusive but I just want to say, as soon as that comes into place we will be able to look at that and say: in what way can we comply with matter of minimum wage.

Ms S P TSOLELI: It's not hon Raphuthi hon Speaker, it's hon Tsoleli my button was not working. Hon Minister, the principle in the white paper for social welfare together with the principle in the minimum standards of shelter for abused women create an environment in which the developmental approach in service delivery could be a reality. Whilst ensuring that transformation issues are constantly addressed with regard to the protection of women, what impact do these shelters in rehabilitating and developing those that seek comfort from these shelters? Has there been an impact assessment on how shelters are ensuring that transformation issues are constantly addressed with regard to the protection of women?

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What impact do these shelters have in rehabilitating and developing those that seek comfort from these shelters? Has there been an impact assessment on how shelters are ensuring that transformation issues are constantly addressed with regard to the protection of women?

THE MINISTER OF SOCIAL DEVELOPMENT: Hon member, issues of transformation are issues which we continue to engage but also with the issue of protection, the improvement and making sure that the shelters themselves continue to be safe for all victims. As you know that part of that process includes the non disclosure of the various shelters which intends to protect women.

The other thing as you know where we are is that we are also involved in ensuring that the period the victims are staying in a particular shelter but we're also able to be empowered by in making sure that when they go out they are ready. Over and above that, it also recognises that the challenge we have currently is that we need to look at how best we can ensure that some of those victims don't go back to the perpetrator.

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These are some of the challenges or the policy issues that we need to address.

PROF N M KHUBISA: Hon Minister, I just wanted to ask you as to whether within the perpetrators themselves create up for any psycho social assistance so as to deal with the issue of the belief and restoring faith to those women that have been abused, thank you very much.

THE MINISTER OF SOCIAL DEVELOPMENT: Hon member, indeed the majority of the shelters, especially those who are registered, we do have our various counsellors in the form of social workers, in the form of psychologists in ensuring that we can take them through but also bring confidence and some of those people assist them in ensuring that they intend to open a case to the perpetrator. They can get their confidence back and be assisted in ensuring that the perpetrator does go to court. But I must also say some of the challenges which we need to look at them within the broader context of addressing violence against women in our society, thank you.

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REV K R J MESHOE: Speaker gender based violence is a sketch that should be condemned drastically reduced and ultimately eradicated from society. It is unfortunate to hear about women who are turned away from domestic shelters for abused women because the capacity of those shelters is over stretched. While the department is looking for more funds for these over stretched shelters, has the Minister and the department considered the fact that burden on these shelters could be reduced if there were more counselling centres in our communities that offer an opportunity for any crisis intervention for women in abusive relationships, thank you.

THE MINISTER OF SOCIAL DEVELOPMENT: Speaker, we might not have sufficient shelters or places where women can go to as their time surfaces but there are such places where women can go and go back home. For instance if you talk about People Opposing Women Abuse (POWA, it offers that service where people can go and be assisted overcoming trauma and counselled during the day. Even they're not sufficient but we do have such shelters but we also believe that it's not sufficient to have the daytime shelters. We also need to look at what extend can we create sustainable mechanisms which will ensure that women

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don't go back to the abuser or victims don't go back the abusers because that's one of the biggest challenges which we're still facing currently, thank you Chair.

Question 361:

The MINISTER OF HIGHER EDUCATION: Madam Speaker and thank you hon Khubisa, the reply is that there are 35 409 students who have been confirmed as eligible for National Students Financial Aid Scheme, NSFAS bursary awards and they have not signed their bursary agreements. And then we have around 39 160 students who have not received their funding due to a number of administrative challenges. These are being resolved on a daily basis.

We are able to process around 12 000 day needs indicated by the National Students Financial Aid Scheme administrator and all the system issues particularly; concerned with information technology, harmonisation between the scheme and the institutions. These are being addressed so I believe this problem will be resolved and we have had an increase in the number of students receiving their funding.

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Prof N M KHUBISA: Speaker, with the interventions that have been made hon Minister, we understand that there had a lot of challenges with regard to NSFAS, now that there are issues at the moment, do you think that these issues will have an impact or no impact on the registration for next year. As we know that when the year begins, there are always a plethora of challenges with regard to NSFAS. Thank you.

The SPEAKER: Hon Buthelezi ... Oh! Hon Minister; sorry.

The MINISTER OF HIGHER EDUCATION: I thought there was a new Minister of Higher Education. [Laughter.]

The SPEAKER: We are pre-empting the President. [Laughter.]

The MINISTER OF HIGHER EDUCATION: Well, we are hoping that as we improve the systems and process the applicants more efficiently, we won't experience the problems that we had this year. These are legacy issues emanating from 2016 to 2017 and then 2018 was really quite a bad year where we have intervened. A number of students, who received allowances in the past three months; is actually phenomenal and I am really

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quite startled at how many have not been properly processed. But what we have done even with the new applications process is to ensure that we get out two institutions.

We also have been going to schools. We have youth financial aid scheme appear ambassadors who went out with information to schools. We are using local libraries as well and as well as Thusong centres and other municipal facilities in order to reach as many young people as possible. We have also been meeting with all the student organisations across all the campuses in order to secure their support in ensuring that young people have the requisite information. And in terms of first time applicants, in comparison to the past three years, in this year; due to that proactive setup measures; we have the highest number of first time applicants that we have ever recorded.

INKOSI E M BUTHELEZI: Hon Minister, the question posed speaks to the administrative challenges faced by the department as the Minister herself has alluded to. My question is; what has the Minister done in trying to work together with the Department of Social Development or co-ordinate these two

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departments because most of these students who are struggling have been beneficiaries of grants through the Department of Social Development. Has the Minister considered harmonising these two departments to make sure that the administrative side of the application is taken care of through the information that is already there in the Department of Social Development? Thank you.

The MINISTER OF HIGHER EDUCATION: Speaker, if I understand the question properly, hon Buthelezi, if an applicant is a recipient of one of the grants through Social Development; they are treated almost as an automatic beneficiary upon confirmation of registration. So it is treated rather differently from an applicant who is not in that beneficiary category.

In terms of how we tried to address the failings, the fact of an administrative intervention and the appointment of an administrator is a very direct intervention into redressing the problems we have identified. In addition, beyond an administrator for each of the areas in which we identified inadequacies, we have brought in appropriate capacity to

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address those inadequacies. So for example, a big issue was systems integration and there you have to have really competent programme designers so we have brought in IT specialists.

We also had very poor human resource practices so we have addressed that aspect. So, in each category where we felt the institution was failing, we have brought in individuals who are able to address those problems and I think the large numbers of awards being processed successfully indicates that progress has been made and every step of the way we work closely with institutions which was always the major missing gap in the previous practices. Thank you.

Prof B BOZZOLI: Minister, it's concerning that it is both good and bad that there are more applications this year than they have ever been before. Its fine that there more applications. I presume that's because funding is available. But it can't be because places are available because we know that our universities are full.

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Not only have more people applied but what I understand is that the standards for getting a bachelor pass have now been lowered so more students will be illegible. So, given that more people have applied, NSFAS already has been struggling with the existing number of students and there is no space at universities for large numbers of additional students. Do you foresee that there will be big protests at the beginning of next year about access to university places? Thank you.

The MINISTER OF HIGHER EDUCATION: Madam Speaker and hon Bozolli let me explain about the applications. What we had in the previous years was that you get a large number of applicants in the midst of the academic year. This time what we have tried to do is encourage school leavers to apply early and for the first time we are recording a larger number in comparison to previous. Not in terms of the quantum who would attend higher education. I just needed to clarify that. So we are not anticipating that rush between February and April which we always had and which has led to the kinds of system failures that gave rise to the problems we were confronted with.

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In terms of the places, we would be utilising enrolment planning. I am concerned about the need for us to expand the system but I think we should do so judiciously with care, both to capacity of institutions as well as with attention to where South Africa actually wants to grow its skills base, so, this is something that we are attending to. And I really think that it is for me a policy area that government needs to have much more discussion on because we have to give more young people opportunity.

And of course, you would know that my own preference is that we should strengthen the Technical and Vocational Education and Training, TVET Sector because you want to produce those traits and occupations but you wish to improve the quality of the colleges so that you are training at a much higher end than we are doing at the moment. So what I do want and hope we will achieve is to move more into Technical and Vocational Education Training rather than the traditional South African picture of more young people in universities and far too few in the TVET Sector.

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So this is the direction in which I hope our country will move and in building more TVET college campuses is part of our intention to have growth in that area. And I would hope that as the TVET colleges improve in quality and character, you then have a closer articulation with universities so that young people do not view TVET colleges as a cul-de-sac but that they are able to then move on and acquire university degree through mobility. Thank you very much, Madam Speaker.

Prof B BOZZOLI: Chair, can I please raise a point?

[Interjections.] The Minister didn't answer my question as to whether she foresees protests in the beginning of the year about access to university places.

The SPEAKER: Hon member, the Minister has answered your question. I now proceed to hon Ntlangwini.

Ms E N NTLANGWINI: Thank you Speaker, Minister, you cannot fix NSFAS because it is fundamentally flawed system that has long passed its sell-by date. Regardless of what you and your department aim to do, you won't be able to fix it. NSFAS will

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continue being a stumbling block for students to study.

Instead Minister, ... [Interjections.]

The SPEAKER: Are you going to ask a question because I see that you are running out of time?

Ms E N NTLANGWINI: I am planning to ask my question Speaker, I must first do an introduction, please be patient. The only way forward is fee-free education. Does government at any point stand to commit to implement fee-free education? Now that is my question Speaker. Thank you.

The MINISTER OF HIGHER EDUCATION: Firstly Speaker if you would allow me - to the hon Bozzoli - the efforts we are making at interfacing with stakeholders are to pre-empt the very situation you describe. So I would hope if we are successful as I think we will be, there would not be protests that you are hoping for. And I am not a fortune teller but I am working towards that.

To the hon member of the EFF; well I hope like the hon Lekota you will eat your hat if you get NSFAS right, which I believe

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we will do. Could I say that I do not believe that the institution has reached the sell by date? I do think these matters can be fixed and that it can be an institution that would function more efficiently; we are working to ensure that.

As for the fee-free higher education for young people whose parents earn less than 350 000 joint family income annually, the government of the ANC is already providing a bursary and that is free education for them. Thank you very much.

[Applause.]

Question 317:

The MINISTER OF SOCIAL DEVELOPMENT: Hon Speaker, the reply to Question 317 is that: Yes, currently SA Social Security Agency, Sassa, and the SA Post Office, Sapo, have worked on number of measures to improve the security situation when it comes to social grant payments. Part of that would be through the Justice, Crime Prevention and Security cluster, JCPS cluster, which would include various information sharing and the police, for them to continue supporting this process.

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I must also say that one of the issues we are doing is that Sassa and Sapu continue to be represented at the ministerial advisory committee joint operation committee, Mac Joc, which turns to analyse and look at the situation and in what best way can the payments be protected. Thank you.

*Sesotho:*

Mof S P TSOLELI: Ha ke lebohe mohlomphehi ka tlhakisetso ya hao e totobetseng. Jwale, potso ya ka ho wena e re: ...

*English:*

What has been the impact of the intervention of government security cluster; and what are the lessons learnt through this intervention?

The MINISTER OF SOCIAL DEVELOPMENT: Hon member, we have seen great progress when it comes to protection, but also the issue of pay point, where continue to be visible during pay days, we have also seen lesser cash heists when it comes to money or payments for social grant. Where we are, there is a huge reduction when it comes to the various heists which are related to payment of social grants in our country. Thank you.

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Ms L L VAN DER MERWE: Speaker, to the Minister of Social Development: On this issue of Sassa and Sapo, there are 41 days until the end of the year but half-a-million grant recipients have not switched over to the new card.

So, my question to you is: What interventions do you have in place with Sapo, to ensure that all these grant recipients are switched over to the new card before the cut-off date; and failing which, what interventions do you have in place to make sure that every grant recipient is paid on 1 January 2019, so there is not another grant crisis?

The MINISTER OF SOCIAL DEVELOPMENT: Hon Van der Merwe, I want to assure you, come 1 January 2019, there is not going to be any crisis. If you look at the past six or seven months, when we started doing the migration and the transition, there was not crisis. So, I want to assure you that come 1 January, there will be no crisis in 2019.

We have put mechanisms in place in making sure that all grant recipients who are still outstanding will all have been migrated by end of December. Not only to the SA Post Office;

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have I needed to clarify that. Some will have gone to their chosen institutions or banks, where they have decided that their social grants must be paid to.

So, there are various mechanisms in making sure that we are not only looking at the transfer to the SA Post Office, but we are also dealing with the issue of individuals choosing where they want their grants to be paid to. Linked to that, which I want to indicate, is that part of what was agreed upon is that beneficiaries have a right to fill Annexure C, which will indicate their choices before the end of January 2019. We have mechanisms in place so that we don't find ourselves taking people to where they don't want. So, we give them an option. Thank you.

*Xitsonga:*

Nkul R T MAVUNDA: Manana Xipikara, xivutiso xa mina xi landzelerisa xivutiso lexi xi nga vutisa hi muchaviseki Khubisa eka Holobye wa Dyondzo ya le Henhla na Vuleteri.

*English:*

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My follow-up question is, hon Minister: Through your office, terms of reference were set out to structure the work of the administrator of the National Students Financial Aid Scheme. Please share with the nation the progress that has been made thus far by the administrator and his team to address and resolve the immediate challenges related to among other things, closing out the 2018 academic year and processing of the 2019 applications which close at the end of November and preparations for the 2019 registration period.

Mr P D N MALOYI: Madam Speaker, the member missed the point. We are fixing it.

The DEPUTY SPEAKER: Who are you talking to? [Laughter.]

Mr P D N MALOYI: I am addressing you regarding the member who was speaking. It was not his time; it belongs to somebody else. Let's just ignore that question for now.

Ms E N NTLANGWINI: Order, Deputy Speaker!

The DEPUTY SPEAKER: What's your point of order?

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Ms E N NTLANGWINI: That was a new question, but I have a question for the Minister. Can I ask, since I was on the list? I think that member asked on another question. Can I ask my question since I was in the list because we haven't exhausted the number of follow-up questions that need to be asked to the Minister?

The DEPUTY SPEAKER: No, no! The next person is hon Shelembe.

Mr M L SHELEMBE: Deputy Speaker, Minister, as you know that these paying points are within where the communities live. Are there any attempts that have been made in your department to engage the community policing forum who reside in the vicinity of those paying points? If not, don't you see a need to make arrangements with SAPS Ministry, with the intention to engage with community policing forums?

The MINISTER OF SOCIAL DEVELOPMENT: Deputy Speaker, when it comes to engaging communities, before we could even pay or start with the new transition period, we have engaged and visited various communities, not just community police forums, because we believe that the issue of pay points doest not only

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affect police forums. It affects communities and various structures in different areas. Hence we had made sure that various community structures do participate.

Where you had traditional leaders, we engaged with them in making sure that they understand what is going to go on with the new arrangement or a transition we have. When it comes to the various areas, every pay point, when we are doing the payments, we do them in the presence of the police.

We hope the communities around there will also participate. Not necessarily a police forum because we need everyone in that area. When we start our payment from the beginning of the month, during the pay days, communities are sensitised and can be aware that the beneficiaries in their areas will be paid on those days. Thank you.

Ms A T KHANYILE: Deputy Speaker, hon Minister, physical security is one thing, but what is your department's plan to combat grant beneficiary fraud now that the biometric and roman program has been suspended?

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The MINISTER OF SOCIAL DEVELOPMENT: The question which I dealt with was physical protection, which I think I have responded to. To help you though, I don't understand when you say the issue of biometrics has been suspended, because there is arrangement and agreement that people need to be trained. So, that is part of the work we are involved in and going through with the labour movement in our sector.

Question 316:

The MINISTER OF BASIC EDUCATION: Deputy Speaker, in relation to the readiness for the year 2019, because teacher provisioning is done by provinces, we can report that they have already declared all the posts establishments for 2019 and they have issued establishment certificates.

Provinces are currently processing and identifying posts and educators in addition to the posts establishments, they are identifying and declaring vacant posts, matching and placing educators and the process, in terms of our plans, should be finalised by 15 December 2018.

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On learner admissions, Deputy Speaker, the process also begins very early - it started in April - and we can report that except for Gauteng and the Western Cape, provinces are almost done with admissions.

The reason why Gauteng and Western Cape are lagging behind is because they are over subscribed and both provinces are currently cleaning their data to remove duplicate applications and also finding alternative places for learners they can't place in areas where parents would have chosen.

So, the challenges only remain currently in Gauteng and Western Cape because of the urban migration to those two provinces.

In terms of learner support material, we can report that the process started as early as April and we have met repeatedly with provinces. We can report that we met with provinces on 14 May to check if they have placed orders and we visited them again in July and the last visits were in September.

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We received reports where there were challenges and we have been interacting with those provinces, their accounting officers and we are confident that all provinces would have placed necessary orders. In terms of the plan, all of them have committed that by 30 November they would have received all necessary deliveries where they can receive them, but in schools where there are no storages, those books can only be delivered in January. Thank you very much.

*IsiZulu:*

Nk N GINA: Sekela Somlomo, ngiyabonga impendule evela kuNgqongqoshe kodwa ke sihlale sisho ukuthi uma sibheke ezemfundo i-LTSM, izincwadi zokufunda, nezincwadi zokubhala kanye namapeni yikona okubaluleke kakhulu, yingakho lo mbuzo ubalulekile. Ngicela ukubuza Ngqongqoshe ukuthi njengoMnyango kaZwelonke kweZemfundo yini isiqiniseko enisenzayo ukuthi uma sesibheke kuzozonke izifundazwe uma sikhuluma ngezinsizakufunda nokufundisa nenza kanjani ukuthi ngempela niqikelele, ngaphandle kwemibiko efikayo etafuleni lakho Ngqongqoshe, kodwa nidlale leyo ndima yokuthi niqikelele ukuthi zonke izifundazwe ziyazithola izinsiza futhi sibheke zonke izigaba - Isigaba 20 no 21 ukuze naleyo mibiko efikayo kuwena

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Ngqongqoshe kodwa ubewazi ukuthi ngempelangempela zonke izikole izinsizakufunda zifinyelele kuzo.

UNGQONGQOSHE WEMFUNDO EYISISEKELO: Ngiyabonga kakhulu Sekela Somlomo njengoba besengishilo lungu elihloniphekile ukuthi ukuthengwa kwezincwadi lowo umsebenzi wezifundazwe. Esikwenzayo thina ukulandelela sibone ukuthi ngempela bawenzile lo msebenzi. Ngakho ke njengoba ngisho siyile ngoMbaso ukuyobona ukuthi ngabe bawafakile yini ama oda. Senelisekile ukuthi bafakile ama-oda. Saphinde saya ngoNtulikazi nangoMandulo. NgoMandulo ngiwutholile umbiko ukuthi isifundazwe saseMpumalanga asibanga nemali ayenele yokuthenga izincwadi kwafuneka ukuthi sixhumane noNdunankulu kanye no-CFO ukuthi alekelele isifundazwe ukuze sikwazi ukuthenga izincwadi.

Thina singuMnyango kaZwelonke siye senza i-50 Point Plan engingakwazisa ngayo ebonisa ukuthi ngokwamandla ethu siphelile kuphi. Okudlula lapho ngaphandle kokwenza uhlaka, ingqubomgomo yokuqapha, izandla zami zibophekile ngoba ngempela izincwadi zithengwa yizifundazwe. Imali izezifundazweni. Izikole ezingaphansi kwesigaba 21

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ngokomthetho, imali siyinkeza lezo zikole kube yizona ezizithengela izincwadi. Ngakho nje into esingayenza ukuqapha uma bengathengile sikhalisane nabo ukuthi abathengile, kodwa ngokomthetho imali ayikho ezandleni zethu. Asikwazi ukuqinisekisa ukuthi ngempela nazi izincwadi zithengiwe ngaphandle kokuncika embikweni abasinika wona. Ngiyabonga.

Mnu X NGWEZI: Sekela Somlom, Ngqongqoshe ohloniphekile siyabonga impendulo osinikeze yona. Ngicela ukubuza ukuthi njengoba sihlelela unyaka ozayo, sibheka udaba lokunikezela kothisha ezikoleni. Ngabe uNgqongqoshe unalo yini ulwazi oluphelele lwendlela okuqashwa ngayo othisha ezikoleni kuzo zonke izifundazwe? Ngqongqoshe kwezinye izifundazwe othisha kwenziwa lokhu okuthiwa yi-placement, kwezinye izifundazwe kwenziwa nje uhlelo lokuqashwa olukahle, othisha bafaka izicelo zomsebenzi, bese beya kunhlolokhono. Kwezinye izindawo akwenziwa lokho, futhi lokho kunciphisa amathuba wabanye othisha okungenzeka ukuthi ngabe babe yingxenye yohlolokhono nokunye. Sikubuka lokho ungazathi kubukela phansi othishanhloko kanye nemikhandlu eyangamele izikole lapho kuqashwa khona othisha abaku-PL1 ikakhulukazi.

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*English:*

... because in the process of heads of departments, HODs, deputy principals and principals, governing bodies and school managers are part of, but in Post Level 1, PL1, they are either deployed or placed. [Time expired.] Thank you very much.

*IsiZulu:*

USEKELA SOMLOMO: Ngicela ukuthi singachazi kabanzi. Asibuze umbuzo ucace ube wodwa futhi ingabi miningi njengoba isho imithetho esivumelene ngayo.

UNGQONGQOSHE WEMFUNDO EYISISEKELO: Sekela Somlomo, izifundazwe zihlukene futhi zinezindlela ezihlukene ezizisebenzisayo zokuqasha othisha abaku-PL1 njengoba ngishilo kulombiko ukuthi uma sesikhiphe izikhala zomsebenzi sizogala ngokususa othisha abakhona ngoba akulula ukuthi sivumele nemikhandlu eyangamele izikole iqashe sibe sinabantu abakhona ohlelweni abasezikoleni ezithile. Kufanele sibasuse baye ezindaweni lapho kunezikhala kuqala. Ngizokhuluma ngeSesotho manje. Laba abakhona siyabathatha sibafunele izikhala kuqala sibone ukuthi

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batholile indawo kube yima sivumela othishanhloko ukuthi sebengasebenzisa izindlela ezihlukene zokuqasha othisha.

*English:*

So, the priority is already in teachers who are in addition to the staff establishment - we move them. It would not be fair for governing bodies to expect us to employ other people whilst we have additional people in the system which we are going to be paying in any case and that is what has been creating problems for us.

So, in PL1 we deal with it differently to make sure that we use all the material we have in the system. Unless ...

[Inaudible.]

The DEPUTY SPEAKER: Before we move to the next person on my list, hon members, please join me in welcoming and acknowledgement to the participants to the Africa summit that is going to be held at the Royal House of Mandela, in Mvezo, Komkhulu [Great Place.] and they are as follows: President of the Pan-African Parliament, hon Roger Nkodo Dang from Cameroon; His Excellency Speaker of the Parliament of Western

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Sahara; His Excellency Révérien Ndikuriyo, President of the Senate of Burundi; His Excellency Abdourahaman Zakaria, Spokesperson of His Excellency President Issoufou of Niger; hon Anicet Niyongabo, Vice President of the Senate of Burundi; hon Barbara Rwodzi, MP of the Pan-African Parliament, delegate from Zimbabwe; hon Frey N'kumu Lungula, MP from the Democratic Republic of the Congo; hon Karidia Zongo-Yanogo, MP of Burkina Faso; Member of Parliament from Zambia, hon Anthony Mumba, a Pan-African Parliament delegate; and His Excellency Radi Segata Bachi, ambassador of the Western Sahara. [Applause.]

You are welcome hon members and esteemed guests. It is your turn hon Boshoff for a supplementary question.

Ms H S BOSHOFF: Deputy Speaker, to the Minister, you have, today, assured this House and all our viewers that you and your department are more than ready for the 2019 school year for the learner admissions.

Minister, as part of the annual reporting for 2017-18 the Department of Education in Mpumalanga said that only 50% of

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learners completed their yearly curriculum. The Auditor-General however, says that the figure is actually only 33%.

Even if we were to believe the provincial department, how will you and your department ensure and follow up that learners are ready for the coming school year if half have not even finished the previous year's curriculum? Thank you.

The MINISTER OF BASIC EDUCATION: Deputy Speaker, I regret to say that the questions were specific; they were about LTSM, teacher movement and another item, they were about three. If she wants questions about curriculum coverage, I do not have figures ... [Interjections.]

Ms H S BOSHOFF: On a point of order, Deputy Speaker.

[Interjections.]

The DEPUTY SPEAKER: No no! [Interjections.]

The MINISTER OF BASIC EDUCATION: Let me apologise ...

[Interjections.]

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The DEPUTY SPEAKER: The speaker is speaking, you will keep quiet until she finishes; the Minister is speaking. Go ahead hon Minister.

The MINISTER OF BASIC EDUCATION: If the hon member wants me to give her information about curriculum coverage which is a different exercise, I can prepare and bring her the answers but she can't ask me things that I have not been asked and have not prepared on. We have information on the curriculum coverage but I was not required to bring it here; it is not in the question.

AN HON MEMBER: You should know.

Ms H S BOSHOFF: On a point of order, Deputy Speaker: We are speaking about the LTSM hon Minister because Mpumalanga was not given textbooks. That is why more than half of them could not complete their curriculum. So please could you answer the question.

The MINISTER OF BASIC EDUCATION: Curriculum coverage and textbooks are different issues. The question was about teacher

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provisioning, learner admissions and LTSM. So, if she has information about lack of curriculum coverage which is not necessary textbooks, she must ask that question as honest as possible. She is being disingenuous by asking me about curriculum coverage and say it is textbooks. Those two things are unrelated.

*IsiZulu:*

Nk H O MKHALIPI: Ngiyabonga Sekela Somlomo. Ngqongqoshe buka mina manje, bayeke laba abeza nimibuzo emisha.

*English:*

Minister, the placement of learners in schools is a problem every year - let us agree on that - because there are simply not enough teachers at schools. My question to you is not a new question. If you do not have an answer, please come back to me in a form of writing.

In a response to a question for a written reply, your department revealed that there are 413 000 learners with special needs who cannot be given the education they need by

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your department and that there is a backlog of 1 380 special schools.

How did we get to this point Minister? And does the department have any plans to address this shocking backlog? Thank you.

*IsiZulu:*

UNGQONGQOSHE WEMFUNDO EYISISEKELO: Lungu elihloniphekile, lemininingwane oyikhulumayo yiyo lena esinayo nathi oyithole kithi. Injalo nje njengoba uyicacisa. Ngakho ke ayikho into entsha engingakutshela yona. Inkinga esinayo manje ngezikole ezikhethekile lungu elihloniphekile ...

*English:*

... which is honestly a big big problem, it is shortage of teachers who have specialised skills to deal with severe learning disabilities - autistic children. We have very few people who have been trained in those areas to be able to help us. You are quite correct.

All the things you are saying are true. Another problem we had was resources but Treasury has given us money for children

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with severe learning disabilities and we are working very hard with provinces to make sure that we can address the backlog.

Thank you.

Question 343:

The MINISTER OF WATER AND SANITATION: Deputy Speaker, hon Basson, thank you very much for the question. Yes, we issued one directive on 20 September 2018 and two notices – one on 20 September 2018 and the other on 05 November 2018.

We assisted the municipality financially to repair at least three of the pumps, including two in Sebokeng Wastewater Treatment Works. Thank you, sir.

Mr L J BASSON: Thank you for your answer Minister. Minister, your department's 2014 Blue Drop Green Drop Report stated that the country's water infrastructure is on high risk. The report indicated that 84% of our wastewater treatment plants are on high risk, medium risk, as well as critical risk.

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This implies that a shocking 4 200 million litres of sewerage are illegally discharged into our river systems and that is 82% of our river systems, like the Vaal River.

What urgent measures are you taking as a newly appointed Minister to protect our water resources against malfunctioning infrastructure under municipal control? Thank you, Minister.

The MINISTER OF WATER AND SANITATION: Deputy Speaker, one of the things that we have already done, for example, if we take Emfuleni or Sebokeng as it is the largest wastewater treatment works is to focus on that. We are more than 93% constructing one of two major expansion capacities for sewerage purification. In the next financial year, we will do the second expansion, which is the last one.

These are huge plants that we are constructing there already because that is the main polluter at the moment. We think that the second thing that we need to do is to ensure that all 44 pump stations have been repaired. The project has already started as well. We are working together with the district municipality and the province on this. We think that by the

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end of this calendar year, we would have completed about half of the 44 that we have started with at this moment.

It is going to cost us R141 million. It is part of what we are trying to do - try to reorganise and rearrange our finances to make sure that we are prioritising that. Also, you may have heard that the Minister of Finance has mentioned that the Defence Force will be invited to assist with regard to repairing those pump stations. We think that will as well add to the efforts that we are putting together with the municipality. Thank you very much.

*IsiZulu:*

INKOSI R N CEBEKHULU: Ngiyathokoza Sekela Somlomo, Mhlonishwa akusiyona yodwa indle engcolisa imifula yethu ukuba sibenemanzi aphephile empilweni yabantu bonke. Umbuzo wami uncike ekutheni ukusebenzisana kwakho noMhlonishwa uNgqongqoshe wezoHulumeni waseMakhaya neziNdaba zoMdabu odabeni loMkhandlu ehluleka ukumelela imithetho yomasipala bawo, iyekelele omakheniki bakhandele izimoto kwindawo ehamba abantu bachitha uwoyela lapho ugobhozele emothonjeni yamanzi bese konakale imvelo yethu, kubulale nezihlanzi uqobo

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emanzini. Iqhaza lakho Mhlonishwa yiliphi kulolu daba ukubona ukuthi siyavikeleka ngempela isisekelo esihle okungamanzi ayisisekelo sempilo kuthina sonke. Ngiyathokoza.

The MINISTER OF WATER AND SANITATION: Deputy Speaker, the enforcement of the polluter pays principle is what is, in fact, lacking. It happens exactly the same way with industries. Industries also pollute. Much as we are talking about communities that are polluting through sewerage, industries do the same. Part of what we were doing, working with the sector, we agreed on 10 November 2018 that quite a number of those who attended who have innovations and technologies could assist us to track where these things are happening and help municipalities because it is their responsibility to ensure that those things do not happen at that level.

It is a catch-22 situation for us because it is also a delivery model problem that we don't have full control over. We have come together and we have already been to provinces: Mpumalanga, North West, Limpopo and Eastern Cape. We will visit all the other provinces soon so that we can work

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together with the other two spheres and complete the cycle of finding solutions to these problems with the help of the sector with their innovations and technologies. Thank you.

Mr D MNGUNI: Deputy Speaker, Minister, it is envisaged that water shall be scarce by 2030 if no measures are taken to control. What are the lasting measures that will be implemented to ensure that our rivers are clean and protected from pollution, including the measures on the proposal of declaring the bulk water infrastructure resources as a national key point? Thank you very much.

The MINISTER OF WATER AND SANITATION: Deputy Speaker, thank you, hon member. Water harvesting is one of the things that we have on our agenda as a result of that question because we need to mitigate the climate change impact on water availability. So, we think it is part it. Underground water also ... One of the things that we found out at the indirect session was that sand rivers and sand dams are a very quick win with regard to accessing clean water from underground. We, therefore, have started working on that.

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Two days ago, I was in Johannesburg with a team from Limpopo because that is what we want to move into in the next 14 days, go to Giyani and try to ensure that those 154 boreholes, for example, start functioning soon so that we can draw water. We want to use solar energy on them. All of these are part of a way of mitigating the challenges we are faced with. So, that's what we are doing at the moment. We hope that it will bear fruits. Fortunately, together we went through the 50 stands of stalls of people who said these are the technologies; we want to use those technologies so that they can help us. Thank you, Deputy Speaker, sorry, I got excited.

*IsiZulu:*

Nk H O MKALIPHI: Ngqongqoshe kodwa kunini ukhuluma ngale nkinga, nayizolo ubukhuluma ngayo, nakuleliyaviki eledlule ubukhuluma ngayo. Wasithembisa amashosha izinsuku zonke. Ngqongqoshe ngifuna ukubuza ukuthi ...

*English:*

... The fact of the matter is that companies, as much as are to be blamed ... The SA Human Rights Commission, SAHRC, has confirmed this fact. Why are you not forcing companies that

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profit from the polluting of our rivers and the environment to pay the cleaning up of the Vaal River? Are you afraid of them? Thank you.

The MINISTER OF WATER AND SANITATION: Hon Deputy Speaker, hon member, it is not a question of being afraid; it's a question of working together with people. I said earlier on, when I was responding to that question that the weakness in the department, which we are busy correcting now is not to enforce the user-pays principle. This is what we are going to do. That's why we partly brought together those who have technologies and innovations capabilities, etc.

We have put working groups across and then we had the Council for Scientific and Industrial Research, CSIR, and the Water Resources Commission as heads of these technical teams so that we can identify these and take action immediately. We are not afraid at all. Thank you.

Question 304:

The DEPUTY MINISTER OF HUMAN SETTLEMENT: Hon Deputy Speaker, the department has not conducted evaluations and assessment of

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impact of all its programmes as yet. It has, to date, undertaken evaluations on the Social and Rental Housing Programme; the Integrated Residential Development Programme; the Urban Settlements Development Grant; a baseline assessment of the upgrading of informal settlements programme as well as evaluation on asset creation.

A further set of evaluations are intended to be undertaken on the balance of prioritised programmes and the impact of set asides. Finance Linked Individual Subsidy Programme, Flisp, as well as evaluations of the department's strategic plan will be reconsidered. Notwithstanding the fact that the department has not undertaken evaluations and assessment on the projects evaluated, it is to be noted that various research studies and empirical data demonstrate that directed and prioritised targeting of funding for marginalised sectors has positive socioeconomic impact.

The evidence with regards to the positive and exponential socioeconomic impact of targeted funding to women, youth and persons with disabilities is clear and undisputed. The evaluations conducted on the other programmes provided the

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policy research an analytical basis for the introduction of the set asides aimed at achieving positive outcomes to society. This includes the positive impact on not only women, but girl children and youth as far as improving rates in education and employment.

The positive evaluation outcomes related to the integrated residential development programme support the fact that Flisp is key component as far as ensuring that households earning greater than R3 501 to R22 000 are able to access adequate housing and thereby improve and increase their asset base.

Finance Linked Individual Subsidy Programme, Flisp, must be seen within the overall strategic outcome of government post 1994 to increase and grow the percentage of black middle-income households through various programmes. These include socioeconomic infrastructure provision, education, health, economic and financial incentives.

Lastly, as part of the improvement plan for poor performance of the Flisp, the department has undertaken initiatives including those with the Government Employees Housing Scheme

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and finance service sector to improve and to grow the take up accessibility of Flisp. Thank you Madam Speaker. I beg your pardon, Deputy Speaker.

*Setswana:*

MOTLATSAMMUSAKGOTLA: Ao banna, jaanong le wena o latela Baloyi? [Setshego.]

*English:*

You see what the poison you are throwing in the House?

[Laughter.] It is one of these Whips who are throwing this poison around here. I am told that hon Nkadimeng is taking charge of the question.

Ms M F NKADIMENG: Hon Deputy Speaker, let me thank the hon Deputy Minister for the elaborate answer. Deputy Minister, has there been any challenges in the implementation of Flisp and the 30% set aside for those designated groups, youth, women, people living with disabilities? If so, what are those challenges and how are they being addressed? Thank you very much, Deputy Speaker.

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The DEPUTY MINISTER OF HUMAN SETTLEMENT: Hon Deputy Speaker, yes, we have challenges as far as 30% is set aside but those challenges have now been resolved. Treasury has agreed that our 30% set aside and human settlements can be in the Department of Regulatory Agencies, Dora. So, we are excited about that. We want provinces to set aside part of their grants 30% for designated groups in terms of the 30% set aside, including national, so, this is exciting for women and the youth in particular.

When it comes to Flisps, which is financially linked individuals subsidy programme - this programme has always been linked to projects and we are saying it is not only going to be confined to projects now, but will be brought to the provinces, particularly to the banks so that in terms of the National Housing Finance Corporation, NHFC, it will be linked to it. An individual person who earns between R3 501 to R22 000 can go to the bank and find that subsidy. The bank itself will contact NHFC so that they are able to grant the individual concerned subsidy.

*IsiZulu:*

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Mnu K P SITHOLE: Ngiyabonga Mhlonishwa Sekela Somlomo, Sekela Ngqongqoshe i-Flisp isinesikhathi esiningi ikhona kodwa nje engicela ukukubuza ngoba uNgqongqoshe uthi ukuhlolwa akukenziwa, ngabe banalo yini uhlelo lokuthi izifundazwe zenza kanjani ukuthi i-Flisp ikwazi ukuphumelela nokuthi omasipala bayakwazi ukuxhumana nabo ukuthi babe yingxenye yokuthi i-Flisp ikwazi ukuphumelela? Okunye ukuthi amasu ohlelo [strategy plan.] ezifundazwe ngabe ikhona indlela yokuwaqapha ukuthi akwazi ukubonakala ukuthi imiphumela yakhona iyaphila? Ngiyathokoza

*IsiXhosa:*

USEKELA MPHATHISWA WEZOKUHLALISWA KOLUNTU: Sekela Soimlomo, ndiyavumelana nelungu elihloniphekileyo ukuba le nkqubo yesibonelelo u-Flisp kudala ikhona qha ...

*English:*

... the issue was the challenge of rolling it out. That is why we are saying that it is no longer going to be linked only in a particular project of housing somewhere in a province. It is going to be centralised and a person can walk in the bank and

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assess the Flisp as long as the person qualifies under the criteria we were talking about.

The problem that we had with Flisp in particular was the management fees because provinces do not have money to manage the process of Flisp financially and the money allocated. So it was an unfunded mandate. That is why we are saying that the NHFC, which is a housing bank of the Department of Human Settlements, would be in a position to link the banks with the individuals. We are giving more people access to Flisp than we did before. Thank you, hon Deputy Speaker.

Mr M R BARA: Hon Deputy Speaker, let me thank the Deputy Minister for her response. I think that Flisp is meant to address the gap between those who cannot access RDP houses and those who do not qualify for bonds through the banks. However, this programme has failed dismally to address that question. What steps and what mechanisms are in place to ensure that this delivers to the many thousands especially of some of the civil servants who are working for the government but cannot qualify to any of that programme? Thank you Deputy Speaker.

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The DEPUTY MINISTER OF HUMAN SETTLEMENT: Hon Deputy Speaker, I would not agree, hon member with you when you say it has failed dismally. I would say that it has teething problems and this is what the department is addressing as we speak. One of those is to include not only Flisp but to include government housing scheme as part of this package so that at the end of the day more people are able to access this kind of financial support from the government. Also provinces must prioritise this group of people who are public servants and the people who earn above R6 001 because they cannot qualify in terms of our subsidy but it is this category.

People must understand that when they go the bank it is important to understand that it is about the assessment of the individual before the bank. It is not automatic that you will get the money but all due diligence need to be done so that at the end of the day the one who qualifies is able to access the government support. Thank you, Deputy Speaker.

Mr Z R XALISA: Hon Deputy Minister, through you hon Deputy Speaker, the Flisp is not working, RDP houses are in a bad quality and the housing waiting list is over three million. To

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sum it up, your department is failing to provide the people of South Africa housing but lack of housing is not a problem unique to South Africa only. It has been a problem across the world and many countries have been able to house their people with state housing. Rwanda and Singapore are excellent examples of state housing. Has your department looked at the state housing models of these countries and what lessons can be learnt? Thank you, Deputy Speaker.

The DEPUTY MINISTER OF HUMAN SETTLEMENT: Hon Deputy Speaker, I would love the hon member to familiarise himself with what is happening in Parliament. The very same committee of Parliament which oversees us has visited Singapore and they have the information. Also, it is not correct to compare oranges to apples because South Africa has a different scenario and different issues that need to be addressed. So, for us to grab here and there it is not going to help us.

Ms N K F HLONYANA: Hon Deputy Speaker, on a point of order, the Deputy Minister must not mislead the House. We are saying that we need to look into other countries like Singapore. It is up to the ANC government to make sure that they house our

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people like they have done in Singapore. It is only a political will. That is it. The ANC government does not want to house our people. [Interjections.]

The DEPUTY SPEAKER: Hon member, can you just take your seat and accept what you got by way of an answer?

Ms N V MENTE: Hon Deputy Speaker, on a point of order, with due respect the Deputy Minister did not answer or attempt to answer any question. She must answer the question and if she cannot answer it now; there is no problem, she must tell us that she will come back to us with an answer. She must not come here and try to grandstand because we are going to attend to her. [Interjections.]

THE DEPUTY SPEAKER: Hon member, please take your seat. Thank you very much.

Question 297:

The MINISTER OF HIGHER EDUCATION AND TRAINING: Deputy Speaker, various steps have been taken to ensure the recognition of prior learning, with respect to artisans. We have published

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guidelines late last year, with respect to implementation of artisan recognition of prior learning. And from April this financial year to 31 March 2020, funding of R26,9 million will be provided to support implementation of the artisan recognition of prior learning programme throughout the country.

We have already begun to implement. For example, we have had provincial artisan development steering committees established and these had been working with accredited trade test centres across the country. We are also providing support to accredited trade test centres, especially at our various TVET colleges.

We have begun our work in the Western Cape, in the Eastern Cape and KwaZulu-Natal as well as Gauteng and we will be implementing in other provinces until the end and beyond the funding period of 2020. We have a national campaign on artisan recognition of prior learning implementation support and capacity building. We are ensuring that we work to create a larger number of accredited trade test centres, which are

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familiar with implementation of our prior learning policy.  
Thank you.

Mr M J WOLMARANS: Hon Deputy Speaker, hon Minister, noting that there is now an ongoing national campaign that you have just referred to on the implementation of the Assessment and Recognition of Prior Learning, ARPL, how will the artisan recognition of prior learning campaign optimise opportunities for unemployed youth and eligible persons to acquire an progressive range of skills, employment and entrepreneurial opportunities? Thank you.

The MINISTER OF HIGHER EDUCATION AND TRAINING: Deputy Speaker, I think that what implementation of the policy does is to ensure that a person's prior leaning is recognised in the artisanal trade sectors. And once they have been confirmed as having acquired particular competencies in the particular trade or occupation, they are then able to proceed to an accredited trade test centre. After assessment, they then receive a trade certificate and are able to proceed to either establish their own enterprise or find employment as a recognised and qualified artisan.

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So, persons who previously had these skills but did not have a formal trade test qualification and therefore recognition as an artisan, are able to get this. There are many hundreds of people. For example, in the current period, since 1 April, we have had 1 495 candidates coming forward to be assessed and 600 plus were recommended and granted access to a trade test.

These are people who have held the skills but never had the trade qualification and no recognition as an artisan. Now that we are providing for this, they are able to get that recognition. Thank you.

Prof B BOZZOLI: Deputy Speaker, my advice from people in the industry is that the country actually needs about 60 000 artisans per year. [Interjections.] We are at the moment producing 30 000 and that amounts to really a handful of ARPL artisans. What advice have you been given on how many artisans the economy actually needs and is it somewhere around 60 000, and if so, what will you do to expand the number of artisans produced rather dramatically? Thank you.

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The MINISTER OF HIGHER EDUCATION AND TRAINING: I don't have in front of me definitive figures as to the number of artisans required at this moment in different sectors. However, I am fully aware that we are not producing the number needed by the industry, a range of sectors throughout the country, for example. We still tend to think of artisans in terms of the traditional trades and don't look sufficiently at new opportunities and information communication technologies.

So, we may not do enough in the TVET colleges with respect to coding or software programme development and I think these are areas where we need to see much more movement in. Even in terms of the manner in which we train people, we tend to have inadequate introduction to technologies that are used in various sectors.

I noted in the jewel system in Germany, for example, that young people doing journalism would have access to old printing presses as well as new computer aided technologies. We need to move in that direction as well.

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Our National Development Plan says that we must be producing at minimum 30 000 artisans per year by 2030. We have made interventions and are producing, as hon Bozolli is well aware, over 20 000 annually at present.

Our investment in the centres of specialisation in TVET colleges, from next year, will be a means of accelerating and catalysing far larger numbers entering this field. Then, of course, recognising prior learning for women and men who never had opportunities to acquire trade a certificate vastly adds to the pool of competent artisans in the country. Thank you.

Prof N M KHUBISA: Deputy Speaker, undoubtedly, it could be said that this really is a step in the right direction. We now have score of young men and women who could have been working somewhere or could have started their own businesses, if they had this competence certificate which they need to stand on their own. I also therefore believe that there is a period attached to this with regard to them getting this certificate. I wanted to ask whether the policy encapsulates your department working with Small Business or Economic Development so that, if they are not employed, they could be able to be

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self-sufficient, stand on their own and be entrepreneurs.

Thank you.

The MINISTER OF HIGHER EDUCATION AND TRAINING: Deputy Speaker, one of the things that we have done - really, this is a new domain for all of us - is having the guidelines published, funding provided and working towards establishing accredited trade test centres. We have also established a recognition of prior learning reference group in the artisan domain so that you have a pool of experts who can advise us as to what further steps we need to take in order to expand our capacity. This group will ensure that we are addressing the significant number of persons who were treated as spanner boys or whatever the terms were in the past, in order to get them to a point where they are accredited.

We work very closely with our colleagues in Small Business Development as well as with our colleagues in Labour because Labour should support us with establishing the accredited centres. We will also work with Economic Development and all my colleagues.

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The reference group, however, has a diverse mix to it and I think will provide very useful future policy advice. Thank you.

Ms E N NTLANGWINI: Deputy Speaker, Minister, your new requirements that candidates must compile a portfolio of evidence that includes a CV, any other certificate supporting documents of qualification, current and previous employment, together with trade-related duties performed are incredibly time consuming that people have to go through. Have you considered any other alternative processes to ensure that the process is not too time consuming? Thank you.

The MINISTER OF HIGHER EDUCATION AND TRAINING: Deputy Speaker, I am sure the hon Ntlangwini of the EFF would agree that, as much as we support generally adults or young adults who have not had opportunities for such registration and recognition, it would be absolutely important that we ensure that, as they get accredited, they are fully competent in the areas in which they are seeking accreditation.

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In a number of these trades, individuals are working in very dangerous environments with machinery. There are also those who do hairdressing who are working with chemicals that maybe of great harm. So, we have to ensure that we do insist on a certain basic level of competency.

Remember, a lot of these people have been practicing in areas and have a lot of historic information and data that they can bring to bear in assisting them in acquiring the accreditation.

Where there is need for assistance in putting a portfolio together, I think we would be able to then ask institutions to assist them if one wants to go into the marketing domain. That is why the significant number of centres that are accrediting are at our TVET colleges where several support measures are available. Thank you.

Question 335:

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, Deputy Speaker. Whilst our efforts have generally been on poverty alleviation, targeting poor individuals and household; there has been a

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policy shift towards social investment with the aim of reducing people's dependency on social grant security.

Capacitating parents of child support grant recipients to function independently once they exit the social grant system, the Gauteng Province is an example, which is leading in this regard with a myriad of projects, which amongst others include the following: production of school uniform by co-operatives, the welfare to work programme, placement of young people into permanent jobs, training and skills development, and many others. Thank you.

Ms A T KHANYILE: Thank you, Chairperson. Hon Minister, the department's co-operatives have failed to empower grants beneficiaries over the years. What will the department do to ensure that the budget is set aside to establish successful co-operatives? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: House Chairperson, I would like to extend an invitation to hon Khanyile to come with me to Gauteng so as to see co-operatives who are successful. Whilst one acknowledges that there are those who have failed,

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but the ones I am referring to are the ones which are working we have tested them, they indeed contribute to young women in moving away from child grant. So I invite you to come with me when have time, we can visit Gauteng to see successful co-operatives. Thank you.

*Xitsonga:*

Manan B L ABRAHAMS: Mutshamaxitulu...

*English:*

...hon Minister thank very much, how sustainable are these nutrition programs to eventually lead beneficiaries to be self-sustainable, and also what method do you have in monitoring and evaluating these programs to make sure that it is a success. Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, hon ABRAHAMS. The way we are currently evaluating the programmes, we measure them through making sure that how much they are getting because as you know we have the issue of means test when it comes to child grant, which requires about R4 400 to remove them from that, the various training which has been

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conducted and the income they are earning. We use it as a measure for them to exit the child grant.

That is why Gauteng has been the case in point, which has really successful moved young women away from being dependent on child grant. But they are also creating new entrepreneurs who are standing on themselves and are able to take care of themselves through creating their own business opportunities. Thank you.

Ms N V MENTE: Thank you, House Chairperson, hon Minister, because of the ANC and DA's total embrace of neoliberal economics, there will be no job creation until the EFF is in government. The number of people reliant on social grant will only continue to grow. Have you, hon Minister, considered linking social grant payments to deliberate skill's development processes, to ensure that young parent capacity to provide for them is developed?

The MINISTER OF SOCIAL DEVELOPMENT: Hon member, the first thing is that, it is in your dreams that you are going to lead as EFF. [Interjection]

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Ms N R MASHABELA: House Chair, I think the Minister there is starting dreaming day light. She is dreaming day light now.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I just want to say where we are, currently through the Department of Basic Education, if you follow where they are talking about a second chance, where young people are going back to school. As social development, we are tapping into that programme by ensuring that young women as they get social grant or child grant, they also can improve their lives by being skilled and educated in ensuring that later they can take care of themselves.

That is why social grant, especially when it comes to child grant. It cannot be a permanent feature; therefore, the ANC has no intention of making child grant a permanent feature of this government.

We are going to skill and educate our young people after they had - by mistake, as we speak we are doing it right now and we are going to make sure that it becomes successful, as you know this government of the ANC will be there whilst you are dreaming. Thank you.

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*IsiZulu:*

Inkosi R N CEBEKHULU: Angixolisi Mphathisihlalo ngitoboze ngephutha bengijahe umbuzo wami olandela lo mbuzo, uwuphendule uNgqongqoshe.

*English:*

The HOUSE CHAIRPERSON (Ms M G Boroto): In that case was the last follow-up question on this question. [Interjections.] I don't see her on this document, Ms Van der Merwe, you don't appear on this or you going to take the - okay.

Ms L L VAN DER MERWE: Hon House Chairperson, hon Minister, just yesterday the UCT Child Institute revealed that six million children in South Africa are starving; six million children are living below the poverty line. As a Minister tasked to look after the most vulnerable in our society, looking after children, I am sure this should keep you up at night and so I am asking, what urgent measures will you be putting in place to mitigate this disaster?

The MINISTER OF SOCIAL DEVELOPMENT: Hon Van der Merwe as you know that we do not have six million of kids, we have 12 000

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children who have access to child grant, registered, confirmed. Therefore, as you know some of the study as they happen and by the time they release their studies, you will find that we have moved one step ahead. Whilst recognising that we've got to look at that, the issue of child grant will continue. That is why we are linking it with the development of those young women, because mainly these are not old people but are young women.

Yesterday, I went to Alexander Clinic. I saw lots of young girls who are below the age of 20, carrying babies, so if you don't create a future for those young girls by being educate and skilled going through the TVET colleges, as Minister Pandor was saying; it means their future is doomed. The issue of skilling, educating and helping them to be self-sufficient becomes a critical point for all of us, because dependency on the grant is not going to be sustainable for them. Thank you.

Question 296:

The MINISTER OF WATER AND SANITATION: House Chair, the idea of having this interactive session was to get to understand what is out there, what technologies are out there, what

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innovations are out there, that will assist us to develop programmes that would save water to start with, and we got that. And we that have got quite a number of those who presented themselves there and that is step number one.

Step number two would be then to deploy them especially in rural areas in particular using dry sanitation or waterless or very little water usage etc because there is water scarcity in those areas in particular. But we will need a lot of public interaction as we cannot impose all of these programmes on these people. We need to engage with them and that is why we then have these working groups that we had established from those people who made presentations to make sure that when we meet with people ... we've already started that by the way in terms of bucket eradication, the hon Chief Whip called over the weekend to say he was doing some work and that people did not have water, and I went there on Monday, took one of those people from the Water Research Commission in the department so that we can see how this thing works so that we can use that on a massive scale, working together with municipalities and the Department of Co-operative Governance and Traditional Affairs, CoGTA. Thank you very much.

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Mr D J KABINI: House Chair, thank you very much Minister for the question. Can I verify Minister, what recommendation or resolution surfaced from that meeting? Thank you.

The MINISTER OF WATER AND SANITATION: Hon Chair, my apologies, I did not catch the question, I am sorry about that, I apologise.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Kabini, do you mind repeating your question? [Interjections.]

Mr D J KABINI: No. My question is, what recommendation or resolution surfaced from that bucket eradication meeting?

The MINISTER OF WATER AND SANITATION: Chair, oh yes, I understand now. No, that was not a bucket eradication meeting. It was a meeting on water and sanitation. In other words, bucket eradication was part of the work and I have just described that. Now, the resolution therefore is that we have working groups that were put together and headed by the Council for Scientific and Industrial Research, CSIR, and the Water Research Commission.

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So those working groups are going to assist us in designing programmes that are based on the presentations and submissions that were made, as well as I was saying, particularly in rural areas we are looking at a waterless systems or systems that use very little water because of the scarcity of water in those areas. And therefore, the programme now ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order!

The MINISTER OF WATER AND SANITATION: ... as I have said has started and already we have answered the call from the Chief Whip who was doing his work and we went there because we want to find spaces where we can start experimenting with all of these programmes but we cannot impose them. In the last consultation on Monday just a couple of days ago we met with the same presenters about Giyani. So we are going there, we are going to consult with the people there and say, this is what we have, it's a quick solution, and can we try it. Thank you very much.

*IsiZulu:*

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Inkosi R N CEBEKHULU: Ngiyathokoza Sihlalo, Mhlonishwa cishe iminyaka iyishumi kweve inkinga yokugqigqwa kwendle ngamabhakede ibe umthwalo kuhulumeni wethu. Ngifisa ukusho lokho okokuqala, uMhlonishwa obe nguMongameli wezwe uMbeki wayigcizelela le ndaba ukuthi akwenziwe isiqiniseko ukuthi ayaphela amabhakede okuthutha indle. Umuntu ke ufisa ukuzwa Mhlonishwa ngokubuka koMnyango cishe iminyaka emingaki uma ubheka okuyothi kufika kuyona kube sekuphelile ukusetshenziswa kwamabhakede? Besikwenye indawo eFree State, elokishini basawasebenzisa amabhakede. Mhlonishwa ngicela ukuzwa ukuthi ngokubuka koMnyango mhlawumbe kuzawunqoba le nselelo isikhathi esingakanani ukusuka manje?

*English:*

The MINISTER OF WATER AND SANITATION: Hon House Chair, one of the things we have decided to do is to utilise the internal capacity, the construction unit in the department which has got a manufacturing plant in the Northern Cape to manufacture all the equipment that needs to be used to do the work. It employs 2 936 workers. It is there. They are paid every month but they are doing nothing. Those are the people that we are going to activate now to do the work but we have also designed

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the 30% set aside model so that the people on the ground can also participate in the programme. That is what we have developed now. There is Construction South which has already started working here in Clanwilliam, it is going to work in KwaZulu-Natal the Eastern Cape, and Construction North in Limpopo and so on. So we have activated that. We have got that capacity and we are going to use it and it's going to be cheaper even. Thank you.

Mr Z R XALISA: Chair, I will take that question. Minister, water is the most basic of human rights. The right to water is guaranteed in our Constitution and without it a human being cannot live for more than a month. That is why the failures of this department are a violation of the Constitution. The collapse of the Giyani Bulk Water Project is criminal. The project was started in 2014 and 'til today it is still not complete. Will your department criminally pursue the individuals behind the collapse of the Giyani Bulk Water Project? Thank you.

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The MINISTER OF WATER AND SANITATION: Hon House Chair, the answer is yes. We have already signed four proclamations with the Special Investigating Unit, SIU. Thank you.

*IsiXhosa:*

Mnu R T HUGO: Sihlalo ohloniphekileyo, Mphathiswa, sele kugqithe iminyaka engama-24, abantu bethu bethotywa isidima sabo ngenxa yezindlu zangasese ezingamabhakethi.

*English:*

Now, I would like to find out Minister, South Africa is among the best countries when it comes to innovation especially in the toilet sector, will some of these technologies solve our bucket eradication programmes problems in the country. Thank you Minister.

The MINISTER OF WATER AND SANITATION: Hon House Chair, thank you hon Hugo, the answer is yes. Actually, fortunately, I have done it before. Those who know the Eastern Cape, there is a place called Port St Johns, there is a village called Caguba, I was the housing MEC in the Eastern Cape at the time, I provided a village there with dry sanitation. It is doable. So

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it can be done at scale, which is what I was saying earlier on that we will use our internal capacity because we have it to implement these programmes at scale with the use of innovations and technologies that we had brought together on 10 November. Thank you very much.

Question 314:

The MINISTER OF ARTS AND CULTURE: Hon House Chair, for the past 20 years, there has been discussions and opinions on the possible name change of the place called Grahamstown. Chair, perhaps we ought to make a point here that this place, has been named after one of the cruel human being who ever walked on the planet Earth. [Interjections.] A person who killed people in that part of the country. Children women and men alike, but destroyed their livestock, their property and everything. He believed in a motto that you need to maximise violence and terror to African people. That is the name which we are changing and which we have changed as it were.

Chair, now the process is that in 2012, Makana Local Municipality had public engagements on the possible change of the name. It is only recently in 2015 that these discussions

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culminated in the official application form through the processes of SA Geographical Names Council, and the Minister of Arts and Culture. The matter was then escalated to the Eastern Cape Provincial Geographical Name Change Committee who then with the Makana Local Municipality undertook public participation with all the stakeholders. The public participation with stakeholders at these spheres of government resulted in proposed names of Rhini, Makana, Makhanda and Nxele not in order of preference, but in the final analysis with all the consultations it was agreed that it would be Makhanda ka Nxele one of the warriors in that part of the country who fought against colonialism, ended up at Robben Island in 1819 and died when he tried to escape. However, he left people with one thing that I Makhanda Nxele will come back. Nxele has come back. Thank you.

*Xitsonga:*

Manan N K BILANKULU: Mutshamaxitulu...

*English:*

... hon Minister, as the portfolio we really appreciate the work that you are doing, more especially in honouring our

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Xhosa warrior, our philosopher, a prophet and a military man. Hon Minister my question is: Some of the main objectives that have arisen against the name change of Grahamstown to Makhanda were based on an argument that the money that goes into the geographical name changes could be put to better use elsewhere. How would the Minister respond to this notion? Thank you.

The MINISTER OF ARTS AND CULTURE: Well, it comes from people who are insensitive hon member, who do not understand the pain that people went through over hundreds of years. What we are saying is that the Constitution of the Republic of South Africa in its preamble talks to the issue of people who suffered for this freedom, but also the Truth and Reconstruction Commission, TRC, spoke about symbolic reparation. There are people, structures and architecture by this government of individuals who are employed to do precisely this. This is one of the most important works of social cohesion. If we talk social cohesion in this country we are not talking capitulation, we are talking about moving forward in reconciliation, but recognise where we come from which is the past and its pain. [Interjections.]

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Dr G A GROOTBOOM: Hon Minister, thank you for your response. In light of the public participation process involved in the Geographic Name Changes, to what degree has the Minister responded or taken note of the objections and petitions lost against the proposed name change and also recognising that we need to move away from our colonial past, but he who forgets his past is doomed not to reach his future. So, in to what degree has the Minister responded to the petitions and the objections lodged?

The MINISTER OF ARTS AND CULTURE: Hon member, I think we need to start by saying that the architectures and the proponents of both apartheid and colonialism those who distinguish themselves as very brutal against our people cannot occupy public spaces. That we must make very clear, but also say that hon member that we really followed processes. The whole process about this matter of Makhanda area came to us in February and at that time it had gone through all the stages, but there were protests. We decided to delay that and take it back to the SA National Geographic Council around that time. When we pronounced ourselves on 2 October, we were satisfied

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that we followed all the processes. Indeed we did and we are happy that that place is now Makhanda ka Nxele.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi.

Mr M N PAULSEN: Hon House Chair, earlier I was Dlamini and now I am Ndlozi. Hon Chair and Minister, as South Africans we will always be defeated as long as the tributes to those who colonised and dispossessed us stay standing. On this very Parliament we have statues of Queen Victoria who dispossessed our people of the land, murdered them and exploited the labour to make her and her empire wealthy. Louis Botha as the first Prime Minister of the Union of South Africa, it was during his tenure that that Native Land Act which condemned the black majority to only 7% of South Africa was introduced instead of tearing down these statues the taxpayers money is going towards maintaining them. Is it not time to tear these statues of these racist, barbaric, criminals down?

The MINISTER OF ARTS AND CULTURE: Well, firstly, hon member, people must apply. I will not happen automatically.

[Interjections.]

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People must apply and follow the processes. Secondly ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order hon members. You asked the question, let the Minister respond. Hon member, no please!

The MINISTER OF ARTS AND CULTURE: There will not be sweeping statement about the statues in the country. Each an every statue would be looked at on its merit and come to the conclusion thereof. I will make an example to you that it is the core principle of this government for this country to reconcile. When we do that we should juxtapose with what I said earlier on that you would have proponents of colonialism and you would have proponents of apartheid who were leaders in that particular era. Those ones can never occupy the spaces. If you today go to the Union Buildings you have the Madiba statue, but you also have that of Gen Hertzog in that space. So, it is not just a sweeping thing and we are not dealing with slogans here we have to deal with understanding each an every statue which is there and deal with them in that way.

[Interjections.]

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*IsiZulu:*

Nk N K F HLONYANA: Sihlalo sicela sigale ngo-Queen Victoria nje lo ola emnyango.

*English:*

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you hon members my list is exhausted. I will now go to Question 354 as asked by ... hon members; I am saying it is exhausted because there were no names from other parties. So, we continue to Question 354 as asked by the hon Tarabella-Marchesi to the Minister of Basic Education.

Dr M Q NDLOZI: House Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, hon Ndlozi.

Dr M Q NDLOZI: I beg your indulgence.

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

Dr M Q NDLOZI: Can we just take the opportunity of that last follow-up question on this issue of statues. We are

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requesting. It is not bad to take that time and expand on this public discourse. We are saying make a judgement. I mean it is not wrong.

The HOUSE CHAIRPERSON (Ms M G Boroto): I hear you; however it is the practice that we do not repeat the same parties. So, that is why. If it was another party that was willing to do that I would grant them. The hon Minister of Basic Education, Question 354 as asked by the hon Tarabella-Marchesi.

Question 354:

The MINISTER OF BASIC EDUCATION: Hon Chair.

*Sesotho:*

Ka hlompho le boikokobtso bo boholo ha kena karabao ya potso ya hao hobane taba ya hore ke bana ba bakae ba sa fumanang dibuka ha se mosebetsi kapa "information"/tlhahisoleseding eo re e bokellang re le national. Mosebetsi wa rona re le lefapha la thuto naha ka bophara ke hore re etse qeto ya hore ho rekwe dibuka dife, re shebe hore na di rekwa neng, re be le bopaki ba hore di fihlile dikolong. Ho ya pele hore na ke mang a di fumanang ho bana ba dimilione tse leshome le metso e mmedi, re

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le lefapha la thuto hodimo, ha re kgone ho ka ba le "information"/tlhahisoleseding eo. Jwale ka hlompho ke a hloleha. Ke potso e tshwanetseng e lebiswe di profinseng tseo hobane hodimo...

*English:*

... we do collect that information.

Ms H S BOSHOFF: Hon Chair, even though it is a provincial competency hon Minister, the Auditor-General disputed the figures with regards to textbooks given by the Mpumalanga Department of Education and says that 69% of the Mpumalanga schools do not have sufficient textbooks. Minister, how can we rely on any the statistics that are given by your department when they are always disputed? Minister, you have given us the assurance that, you will follow up as to why textbooks were not delivered. What we need to know now is, when will you follow up, how will you follow up and when will somebody going to be held to account? Thank you.

The MINISTER OF BASIC EDUCATION: Let me re-state the question.

The question wanted me to say, how many students had not

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received the books by the time they were writing exams. That was the question.

The dispute that comes from the Auditor-General around Mpumalanga is a different question that she has on her own, so I am not going to argue about it, it is not what I was asked to answer. My response was in relation to what I was asked.

The question was, how many students had not received books by the time they wrote exams, and I explained...

*Sesotho:*

...ka Sesotho hore ho tloha sekolong ho fihlela baneng ha se information eo rona re le national re e bokellang, ke yona karabo ya ka eo hee.

Ms H S BOSHOFF: Hon Chair, on a point of order.

The HOUSE CHAIRPERSON (Ms BOROTO): Yes hon Boshoff.

Ms H S BOSHOFF: If the Minister would just answer the question. She knows that Mpumalanga did not receive books. If

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this is the case, why can she not just admit that this province did not receive all their books?

The HOUSE CHAIRPERSON: Unfortunately, I cannot allow that, that is a point of order, it is not another question.

Mr X NGWEZI: Hon House Chair, hon Minister, I hear the response that you are giving that the question that you are being asked is the competency of the province. I think it is also the duty of the Minister to do some follow ups. What the hon member there, Ms Boshof is saying, is actually correct because the department has knowledge that textbooks did not arrive on time in the Province of Mpumalanga. All I am pleading with from the Minister is actually to do follow ups on these matters because we do not want them to occur in 2019 as they are problematic to our kids. Thank you.

The HOUSE CHAIRPERSON: (Ms M G BOROTO): I think that was a comment more than a follow up question.

Ms N R MOKOTO: Hon Chair, Minister, having noted your response, we all know the importance of Learner Teacher

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Support Material, LTSM, in increasing student achievement and supporting learning and teaching. Having noted that hon Minister, could you please appraise the nation on how the supply of free LTSM has transformed and positively impacted on the education outcomes of the previously disadvantaged? Further, what innovative measures are on the pipeline to make sure that we reap the full potential of this crucial tool? Thank you.

The HOUSE CHAIRPERSON (Ms M G BOROTO): As a reminder, let us remind one another that you can only ask one follow up question.

The MINISTER OF BASIC EDUCATION: Hon Chair, the hon member has stated quite clearly the values of LTSM and we cannot overstate the importance in terms of correctness of information and independence of learners. She stated quite correctly what the issues are.

To be able to say what has been the impact, you can even see from the results that we say this upward trend that we are experiencing in education is because of the interventions that

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we have put in the system. We distribute more than 9 million workbooks nationally and that cannot go unnoticed. We make sure that there are books and every child has a book. We have all other methods because we know the valuable resource or the value of textbooks in education

My answer is, see from the results that we are getting that we are having an upward trend and textbooks and supply of textbooks is one of the majors that we have put as this party and we are reaping the results. Thank you very much Chair.

Mr Z R XALISA: Hon House Chair, Minister, matriculants in this country, in the rural areas and townships are often forced to share textbooks, one to an entire class because of your department's failure to procure and deliver textbooks.

The money for tenders intended for the delivery of textbooks is squandered and the children are left with no learning material. Have you ever considered capacitating you department so that it is able to produce, print and distribute textbooks itself? Thank you.

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The MINISTER OF BASIC EDUCATION: Hon Chair, we have embarked on a number of programmes to increase the state's capacity in terms of resourcing the state to provide textbooks. We have digitised textbooks so that they are accessible also through digitalisation. We are working with different companies simultaneously for instance the Shuttleworth Foundation has produced high quality textbooks free for us, to be able to provide quality textbooks for maths and science. The Sasol Inzalo Foundation has also employed experts to help us, so there is a programme of producing state textbooks in order to ensure that we have enough supply of textbooks.

There are different methods that we are looking but including because we cannot exclude the private sector as they have capacity. They have long term capacity that they have built over time and I do not think it will be counterproductive to rule them out. We are doing lots of work which we can share with the House on extending the capacity of the state to have state textbooks as you correctly suggest and propose. Thank you.

Question 324:

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The MINISTER OF BASIC EDUCATION: Chair, from the reports that we receive from the province there are indeed plans to renovate Mtititi Secondary School. The school has been budgeted ... the 15 classrooms and the nutrition room are going to be renovated. It is in the 2019-20 financial year so the refurbishment of that school will start in 2019.

Ms H O MKHALIPHI: Minister, although we appreciate your answer, the fact of the matter is that troubles at that school have been reported from 2014. It is now 2018, four years down the line.

What is a turnaround time for your department to resolve challenges of this nature brought to its attention, and why has it taken so long to resolve challenges at this school where the poorest of the poor come from? Thank you.

The MINISTER OF BASIC EDUCATION: Chair, I've responded to the question around Mtititi by saying this is what the province has planned to do. But what determines when schools are built by provinces? It depends on their resources ... in terms of their plans. We've repeated in this House that there are huge

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backlogs and every province can tell you what their backlogs are. They are huge. So, even if you could've reported this is 2014, if it's not in the pipeline or there are ... resources or plans to have it in 2014, there won't be a turnaround in 2014. It's dependent on the provincial plans ... on their resources but also on the fact that they will not – in between – find that they have emergencies that they have to respond to which have not been planned for.

So there is always an attempt to respond as quickly as possible but sometimes there are circumstances beyond provincial governments ... to be able to respond timely to matters that have been reported to them.

We have always reported that we have a big challenge around infrastructure. We have not been shy about it. It's not as if we are saying that we are perfect in that area. However, provinces are doing all they can possibly do to respond and address challenges that are confronting them.

Ms H O MKHALIPHI: Chairperson, I'm not satisfied with the Minister's answer. [Interjections.] Minister, since you've

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tried to answer questions here you always tell us ... but provinces. So why are you here? Why are you here? We must bring provinces here.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon member. Huh uh! Hon Mkhalihi, please take your seat.

Ms H O MKHALIPHI: No Chair, she must bring provinces here because she can't answer any question. She's always telling us about provinces, provinces. Hayi Suka!

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Meso?

*Setswana:*

Moh L D MESO: Motl Tona, a lefapha la gago le na le leano la go netefatsa gore tlhabololo ya dikolo tsa puso e mo maemong a ntlha mo lenaneng la lona la dilo tse le tshwanetseng go di fitlhelela, mmogo le leano la go netefatsa gore bonno jwa kwa dikolong bo siame mme bo kgontsha barutwana go ka ithuta le go nna kwa dikolong ntle le go tshwenyiwa ke sepe?

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Ke tla feleletsa ka go re, mosekaphofu wa gabo ga a shwe lentswe e bile ngwana yo sa lleng o swela tharing. Ke a leboga. [Legofi.]

TONA YA THUTO YA MOTHEO: Modulasetilo, ke tla nne ke boeletsa tlhaloso ya gore puso e na le maphata a a farologaneg mme nngwe ya maphata ao ke lephata la porofense. Ka jalo, lephata la porofense le na le mmereko e e farologaneng, e leng:...

*English:*

... norms and standards, monitoring, support and evaluation.

*Setswana:*

Bontsi jwa matlole a Lefapha la Thuto ya Motheo bo ya kwa diporofenseng gonne ke kwa mmereko o mogolo o leng teng. Ka jalo, seo nka le fang sone ke molaetsa wa gore diporofense di ntse di dira jang.

*English:*

Otherwise, if you don't recognise the fact that there are provinces and they have responsibilities, then I think we have a problem. National has its own responsibilities. I just said

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with the last question that provinces are doing as much as they can within the constraints that are confronting them. We are supporting them as much as possible and we appreciate the importance of a conducive learning environment. That's why, on an ongoing basis, we try with all stakeholders – even fundraise outside government – to ensure that we have conducive learning environments.

So, it's not that we are unaware or insensitive to what the challenges are, but we understand that there are constraints which are affecting provinces. So, provinces are a reality, if people are not ...

Ms H S BOSHOFF: Thank you very much, Chair. Minister, I'm glad to hear that Mtititi high school will receive a budget to be renovated in 2019. However, the MEC for Education in the Eastern Cape has reported that it cannot pay contractors building 37 schools because the national department has not transferred the funds. I find this very strange because every time we query the slow pace of school construction, you and your department blame the contractors.

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Minister, what I would like to know from you is who would you and your department like to blame in this instance?

An HON MEMBER: Somebody else.

The MINISTER OF BASIC EDUCATION: Chair, I'm not sure of that report ... that there are 44 schools. So, she has information that I don't have. I don't know of these 44 schools she is talking about. Which schools are those that were supposed to be ... [Inaudible.] ... in provinces? Let her give me the right information. I'll go and investigate what this 44 is. However, she can't just bring figures here and expect me to respond honestly and sincerely. [Interjections.] I don't know about these 44 schools. Let her bring me the information. [Interjections.]

Ms H S BOSHOFF: Chair, on a point of order: Minister, you were clearly not listening to my question. I spoke about 37 schools. I never mentioned 44. [Interjections.] No, you can't ... [Inaudible.]

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The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon Boshoff. Thank you very much. Hon Ngwezi? [Interjections.]

Mr X NGWEZI: Thank you, hon House Chairperson. Hon Minister, as the country we know that during the next month of December there are provinces which are hotspots for storms. Now, can the hon Minister assure us that schools that are going to be affected will be assisted immediately to make sure that the environment for teaching and learning is actually conducive? It normally takes a long time for schools to be renovated after the storms. We know that each and every December there are provinces that are hotspots for storms.

Mr P J MNGUNI: Hon House Chair, I'm just to your immediate right. I'm just worried. We've been very, very lenient. I rise in terms of the rule about follow-up questions. We've been very lenient and as a result it's being abused, and our colleagues find themselves in awkward positions where they have to answer questions that are completely new and ... cannot provide data.

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In the same manner the original ... question being raised now as a follow up has nothing to do with floods and disasters at all.

The HOUSE CHAIRPERSON (Ms M G Boroto): Can I say it's the Minister's prerogative to respond. [Interjections.]

Mr P J MNGUNI: House Chair, with due respect can I just ... clarify and seek your advice; also of the Table? The rule I'm referring to is Rule 142(6).

The HOUSE CHAIRPERSON (Ms M G Boroto): I do understand. Usually we say it's the Minister's prerogative to respond. [Interjections.]

Order hon members! Hon members of the EFF can you allow the Minister to ... [Interjections.] Hon ... [Interjections.]

Mr L M NTSHAYISA: Easy maqabane [comrades] easy.

*English:*

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Minister, continue if you want to respond to a new question or not.

The MINISTER OF BASIC EDUCATION: A question that asks me to predict what I don't know ... We don't know where the storm is going to hit and there is no slush fund in government which waits for storms, but what I can assure the member ...

[Interjections.] ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order hon members! I can't hear the Minister!

The MINISTER OF BASIC EDUCATION: ... that for instance, the Treasury approved a budget for storm damage. That was done last year. So you can't go to Treasury and ask ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Minister, can you please hold it? Hon member?

Mr P D N MALOYI: Madam Chair, may I just address you in terms of Rule 142(6)? It says, a supplementary question must arise

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directly from an original question or an answer given thereto, and it may not ...

An HON MEMBER: Point of order, Madam Chairperson.

Mr P D N MALOYI: No, no, no, no! Hey, wait!

The HOUSE CHAIRPERSON (Ms M G Boroto): You can't call an order while I'm still listening.

Mr P D N MALOYI: It may not constitute a new question.

Now, the question I want to raise with you is that, as the custodian of the rules, when you give a Minister the prerogative to answer a question which does not arise from an original question, what does that mean?

The HOUSE CHAIRPERSON (Ms M G Boroto): Can I ask you to be patient because this is the practice that we have been following during Question Time? We can talk about that later on; not now in the House. Hon Minister?

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*IsiZulu:*

UNGQONGQOSHE WEMFUNDO EYISISEKELO: Sihlalo, asikwazi ukuzibophezela ngento esingayazi ukuthi isovela kuphi, nini, kanjani, kodwa engikwaziyo ukuthi uma kuke kwavela inhlekelele efana naleyo sinesifundazwe sifaka isicelo semali ku-National Treasury uma isivelile ingozi ngoba bazobhajetha babhajethele ukuthi ishaye kuphi inkanyamba ngoba mhlawumbe ishaye eMpumalanga Koloni noma ishaye e-Limpopo noma ishaye KwaZulu-Natal. Kuya ngokuthi ishaye kuphi bese kube yikhona beyolungisa khona lapho. Ngakhoke, angikwazi ukuthi ngingasho ukuthi ngithi, hayi, sizoba nayo, kukhona isikhwama esisiphethe. Inkanyamba ayishaye la ishaya khona thina sizolungisa, asikwazi ukuzibophezela kanjalo.

*English:*

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, I think I should clarify. I don't think you ... Hon members, before we continue to the next question this issue of a new question ... It's not for me to say no you can't ask that question. I think we always ensure that if the Ministers feel it is a new question they say so. That is what has been happening. I'm passing ... I'm going to the next question.

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The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon House Chairperson, on a point of order: According to the rules of this House, which were adopted by this House, a supplementary question must arise from the original question. Whenever there is a question and answer session in the House we always interject when there is a new question. It's the responsibility of the Whips to do so. So, that is what we have been doing all along. That prerogative of the member of the executive responding to that question is not there. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, I take it. Hon ...

Mr N SINGH: Chairperson, I rise on a point of ... [Inaudible.] I don't like rising like the hon Deputy Chief Whip.

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, thank you.

Mr N SINGH: I always wait. One of the rules here states that one has to respect and abide by the ruling of the presiding officer. You made a ruling. If they are dissatisfied with the ruling, take it to the Rules Committee or take it in the

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appropriate manner as suggested here. For now we respect and abide by your ruling. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much, hon members. We continue to Question ...

Dr M Q NDLOZI: House Chair?

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, hon Ndlozi?

Dr M Q NDLOZI: House Chairperson, we want to affirm that your ruling is extremely correct because it gives the impression that we don't suppress debate in the House. So, the Minister has the prerogative to say, no in terms of the rules I think this is a new question. And, that means we are open. Let them be exposed that they don't know their jobs, like this Minister of Basic Education ... [Interjections.] ... who the whole day ... go to the province ... go to the province ... go to the province.

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

Thank you very much. We now continue to ...

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Mr P J MNGUNI: Hon House Chair?

The HOUSE CHAIRPERSON (Ms M G Boroto): ... Question ... Hon members, I'm not going to allow us to debate this issue of a new question. It is in the rules. I agree it is in the rules. However, as I have ruled, I don't want to go back to that.

Mr P J MNGUNI: It's a new one, House Chair. It's an absolutely new one. I abide by your ruling. I abide.

The HOUSE CHAIRPERSON (Ms M G Boroto): Oh, okay.

Mr P J MNGUNI: Hon Ndlozi, who is just sitting down now, said the hon Minister doesn't know her duty. [Interjections.] Now that is absolutely unparliamentary and unacceptable, and he is casting aspersions. [Interjections.] He must withdraw with immediate effect. Thank you.

He just sat down now, now. [Interjections.] You are unparliamentary! You should be banned from Parliament! You ... unparliamentary!

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi, I don't think that's how it should respond. To be honest ... Can I ask if you ... [Inaudible.] Did you hear that from hon Ndlozi? Did you hear that?

[Interjections.]

Okay. Unfortunately that was not picked up but we will look into it and I will come back with a ruling. Thank you.

Prof B BOZOLLI: Point of order! Point of order!

An HON MEMBER: This side.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Bozolli?

Prof B BOZOLLI: Chair, just to point out that in the UK House of Parliament, Ministers and the President ...

[Interjections.] ... have to answer questions on any topic that happens to come up. We mollycoddle our Ministers like anything. [Interjections.]

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

An HON MEMBER: Chairperson?

The HOUSE CHAIRPERSON (Ms M G Boroto): I'm not going to respond. That's not a point of order. Hon member, we are not going to debate.

An HON MEMBER: Does the hon Bozolli not know that ...

The HOUSE CHAIRPERSON (Ms M G Boroto): That's not a point of order! I'm sorry.

An HON MEMBER: ... there's no President of the UK?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, unfortunately time allocated for questions has expired.

An HON MEMBER: Hon House Chair?

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The HOUSE CHAIRPERSON (Ms M G Boroto): Outstanding replies received will be printed in Hansard.

An HON MEMBER: Hon House Chair?

The HOUSE CHAIRPERSON (Ms M G Boroto): The secretary will read the First Order of the day.

**CONSIDARTION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT ON  
OFFICE OF CHIEF JUSTICE AND JUDICIARY ADMINISTRATION**

There was no debate.

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

That the Report be adopted.

Ms E N NTLANGWINI: Hon House Chair, we don't object but we would like to make a declaration.

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The HOUSE CHAIRPERSON (Ms M G Boroto): What is happening? Hon Horn be patient this microphones I don't what is happening, somewhere is off.

*Declaration of vote:*

Mr W HORN: Hon House Chair, the Office of the Chief Justice is to be lauded for fact that it has achieved a clean audit for the first time. It is important that the judiciary has the ultimate guardian of our Constitution and the final arbiter on disputes that may also turn on weak and poor financial governance in a public sector be seen to be beyond reproach in this matter when it comes to its own affair. The Office of the Chief Justice is also to be commended that it has taken a decisive action in line with undertakings given to the portfolio committee during the Budgetary Review and Recommendation engagements of the last two years, because as we know not many departments or entities really make good on those types of promises.

In the same vein the Office of the Chief Justice has reacted in the constructive manner to outpace over the last two years that the duty of judicial accountability also entails a form

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of engagement with a legislature in respect of performance indicators other than financial management indicators.

Unfortunately, the Office of the Chief Justice as a structure ended strengthening judicial independence remains but a half-baked cake. No progress whatsoever has been made during this Fifth Parliament to settle on a final court administration model for South Africa which is and was always to be the final phase of the process that begun with the 17th amendment to the Constitution effected way back in 2012.

History books will ultimately reflect negatively in this regard on the ANC and the incumbent Minister when the words of the Chief Justice in 2014 has been demonstrating unbelievable resistance to attainment of institutional independence on the part of the judiciary, a situation that has sadly remained unchanged since then. I thank you.

Dr M Q NDLOZI: Hon House Chairperson, traditionally we in the Africans socialist revolution have always ever supported revenue expounded on the judiciary and the Chief Justice in particular. We do this because fundamentally we see the judiciary as a non-negotiable centrepiece of a democratic

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society in the interests of its independence transformation and efficient administration of justice. We support this report. We want to express our deepest and sincere concerns however on the administration of the Zondo Commission of Inquiry being housed at Tiso Blackstar headquarters.

The public integrity and reputation of a commission that must investigate the Gupta family with the complicity of people like Zuma and Mr Gordhan in how it looted public resources. Why is it housed at Tiso Blackstar? Part of how the Gupta family did this was through their ... [Interjections.]

The MINISTER OF HIGHER EDUCATION: Point of order, Chairperson. The hon Ndlozi is repeating what one of his members attempted earlier this week. Should and in fact in terms of what he himself that earlier today should there be any matter he wishes to take up with respect to the hon Gordhan, he has to do so not by way of allegations in his speech, but through a substantive motion. He has just breached the rule he upheld earlier today. [Applause.]

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi, you know that if you are going to say that about a member of this House, you have to bring it with a substantive motion, please.

Dr M Q NDLOZI: Hon House Chairperson, with the greatest respect I was hoping ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No, don't respond to hon member.

Dr M Q NDLOZI: I'm not and I'm asking your guidance.

The HOUSE CHAIRPERSON (Ms M G Boroto): I'm just saying continue with your ... [Interjections.]

Dr M Q NDLOZI: If I really want to withdraw, what is it that I said that is wrong?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member ...  
[Interjections.]

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Dr M Q NDLOZI: I want to withdraw it with the greatest respect, but what is it? What is it that I said that is wrong?

She must stand and say, she just heard Gordhan ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi, would you just ... [Interjections.]

Dr M Q NDLOZI: ... like a cheerleader she just stands and I don't know what I said that is wrong. With the greatest respect, hon Naledi Gordhan, what is happening?

The HOUSE CHAIRPERSON (Ms M G Boroto): Could you continue? Hon Ndlozi, can you continue with your speech and please if you have to put any aspersions on any member of this House you do it in a substantive motion.

Dr M Q NDLOZI: Part of how the Gupta family did this was through ... [Interjections.]

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The MINISTER OF HIGHER EDUCATION: Chairperson, point of order. Firstly, I'm not Naledi Gordhan. The hon member should not address me in that way. Secondly ... [Interjections.]

Dr M Q NDLOZI: But if you are not ... maybe I'm talking to Naledi Gordhan outside the House.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi, please, the member had not concluded. Can we respect the rules and call each other respectfully as it is in the rules?

Dr M Q NDLOZI: I respect this hon person outside the House.

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

Ms H O MKHALIPHI: Chairperson, sorry, but also the Minister didn't even quote the rule. Therefore, we are interested in which rule she was referring to ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that is not a point of order. Continue hon ... [Interjections.]

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Ms H O MKHALIPHI: ... and if she is not Naledi Gordhan, so why is she bothered?

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue hon Ndlozi.

Dr M Q NDLOZI: Thank you. Part of how the Gupta family did this was through their newspaper publications like *The New Age*. What is the commission doing at the headquarters of the *Sunday Times*, *Business Day*, *Financial Mail* and *The Times*? We call on the Chief Justice to re-evaluate this decision and move that commission to a public building, a university or community hall. We must further express disappointment at the elite venues at which commissions are ordinarily always placed at. Justice must have a humble accessible image, accessible particularly to our people who are the rank and file society.

We accept this report, but we are making this call that the Zondo Commission must get out of Tiso Blackstar headquarters with immediate effect. Thank you very much.

Mr N SINGH: Hon Chairperson, we all know the saying "justice delayed is justice denied" but I fear that this has become so

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colloquium through over use that we have long lost the fundamental import of the same. The erosion of the rule of law in South Africa which I have been gradually since the dawn of our democracy is now on a serious threat of usurpation by forces obedient to one single master, money, and the accumulation thereof at any costs. Besides universal suffrage an independent and effective judiciary is one of the most important checks and balances of any constitutional democracy. The rule of law is paramount and all our subjects with supremacy.

The Office of the Chief Justice is mandated to strengthen judiciary governance and safeguard the rule of law both of which are considered crucial to the transformative promises as contained in our Constitution. The IFP supports the Office of the Chief Justice in its call for absolute independence and for control over its own budget which is fundamental to ensuring its independence. However, having said that with great freedom comes with great responsibility and in this regard we would caution against perhaps being too liberal with spending. The Constitution 17 Amendment Act of 2013, affirmed

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the Chief Justice as the head of the judiciary responsible for the efficient exercise of judiciary functions of all courts.

Many of our courts, our National Prosecuting Authority, NPA, and Special Investigating Unit, SIU, are compromised because of state capture and such malaise more certainly will take many years to rectify. We need to immediately create another Chapter 9 institution and integrity commission to prevent, combat, investigate and prosecute grand corruption and kleptocracy. We need special prosecutors. We need specialised anticorruption courts. We are at war with corruption. The IFP supports this Budget Review & Recommendations Reports, BRRR. Thank you. [Time expired.]

*IsiZulu:*

Mnu S C MNCWABE: Siyabonga Sihlalo ngaphambili, siyiqembu le-NFP siphakama nokuthi siweseke lo mbiko wehhovisi leNhloko yamaJaji kulelizwe kodwa kuyasikhalisa ukuthi imali enikezwe loMnyango ophethwe yiNhloko yamaJaji ayanele kahle uma ubheka umsebenzi lo Mnyango ofanele ngabe uyawenza. Okokuqala, ikakhulukazi ukulungiswa kwezinkantolo nokwakhiwa kwazo ukuba zibe sesimeni esikahle ngumsebenzi osadinga imali eningi

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kakhulu. Uma ubheka ezindaweni ezisemakhaya izinkantolo zisesenayo indawo noma nje indawo incane kakhulu. Uma nje kugcwele kuqalwa umsebenzi uma kunguMsombuluko cishe akukho ngisho indawo yokuma ngoba izindawo zincane. Kwesinye isikhathi nalokhu okuletha umoya okupholisa ukushisa akusebenzi. Konke ke loku siyazi ukuthi kubhekkelwe yihhovisileNhloko yamaJaji.

Okunye futhi esicela ukuthi kuqiniswe kukona kuloMnyango ukuthi ukusetshenziswa kwawo ikakhulukazi nezinkantolo zendabuko ekuqeqesheniabantu abasebenza kulezo zinkantolo, abalekelela oNdabezitha nako futhi kuqiniswe kakhulu ukuze kunyuke izinga lomsebenzi owenzekayo. Okunye futhi okungasiphathi kahle ukuthi kubonakala sengathi ukuqeqeshwa kahle kweziMantshi akukho ngendlela efanele. Kuphinde kube yilabo futhi abatolikayo ezinkantolo kubuhlungu Sihlalo ukuthi labo abasuke beye enkantolo bengenayo imfundo ephezulu kakhulu uthola ukuthi bakhuluma ngendlela ethile yokubeka kuMantshi kodwa lo otolikayo atolike umathanda wakhe nje, into ngempela ephuca ubulungiswa kulowo othi umangalelwe. Siyaweseke lo mbiko kodwa ngalezozinto siyacela ukhuphule amasokisi ekusebenziseni nalezinhlaka engizibalile. Ngiyabonga kakhulu.

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Mr N L S KWANKWA: Hon House Chair and hon members, the judiciary through its independence and the authority in the state plays a critical role in achieving the goal especially of consolidating our democracy. As we move into 25 years of our constitutional democracy and given the current exposure of corruption involving well-known figures, this role becomes particularly important. While we celebrate some of the successes of our country, especially about the independence of the judiciary that continues to be displayed by our courts, it is however very concerning to read the Human Rights Watch World Report 2018. This report reveals that once the judiciary is widely recognised as independent companies in South Africa do indicate at times that they are not entirely confident of the independence of this arm of the state.

Report further claims that bribes and irregular payment in exchange for favourable judiciary decisions are a common practice. We must as we make this point commend steps that were taken recently, for example, in April 2018 *The Times Live* reported that a magistrate in Randburg was sentenced to 15 years in jail for two corruption charges related to accepting a bribe to stop an extradition of Botswana fugitive Paul

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Mthabela, while recently this House adopted a report from the Portfolio Committee of Justice to suspend and withhold salaries of certain magistrates who are alleged of found to be on the wrong side of the law.

These are important steps that we must continue to take in order to ensure the absolute independence and the confidence of our people in the judiciary. It is a fundamentally importance that we create a judicial system that works and that is above reproach as it continues to discharge this constitutional mandate without fear, favour and prejudice. The United Democratic Movement supports this report. Thank you so much.

Mr S N SWART: Hon Chairperson, the ACDP supports this report as we do support a judiciary-led independent court administration. The Office of the Chief Justice is ended ensuring an efficient and effective criminal justice system. Now, the committee was unable to properly gauge the effectiveness of court performance without access to courts statistics or further details regarding court performance, and must the committee appreciates that the Office of the Chief

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Justice is unable to provide such information we expected to make recommendations regarding the allocation of the vote without access to information on how well the courts are performing. This information will be made available this coming Friday when the committee meets with the Chief Justice and the heads of courts in Johannesburg at the Constitutional Court.

We, from the ACDP, suggest that the decision on this report should be hold over until next week to evaluate information we will receive only on Friday to have a proper evaluation of the efficiency of our courts. In addition and possibly more importantly, the court administration model must be finalised without delay. This will provide an appropriate accountability model for judiciary functions. The proposals we submitted to the department some years ago by the judiciary and the ACDP does not understand the delays in dealing with this matter. In the meantime an interim mechanism to allow the Justice committee to access court data will be discussed on Friday with the Chief Justice during its meeting. I thank you.

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Mr G J SKOSANA: Hon House Chair and hon members, the end of the apartheid era meant political and social victory for the majority of South Africans who were previously marginalised and stripped off their dignity. Although this meant democracy under a newly elected administration the colonial and apartheid structures inherited were very much untransformed. The judiciary was one of those structures. It is the African National Congress which identified the need to transform the judiciary so as to address the injustices of the past and move South Africa forward. A mere change in character of the judiciary would mean nothing when the very structure and system of the judiciary remain essentially untransformed.

One of the important observations made by the ANC was that justice was not accessible particularly to the previously disadvantaged. The justice system excluded the majority of South Africans. The court divisions were fragmented, justice was only for those who could afford to access the courts. The demarcation of the courts made them exclusionary, particularly for those living in the Bantustans. There were no specialised courts. The judiciary was far from being independent. Judges on the bench were inculcated under a system of punitive

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jurisprudence with a new constitutional democracy changes needed to take place. This included the training of judicial officers.

The ANC's 52nd National Conference resolved that the Chief Justice as head of the judicial authority should exercise authority and responsibility over the development and implementation of norms and standards for the exercise of judicial functions such as the allocation of judges' cases and court rules. The ANC supports the report. Thank you very much. [Time expired.] [Applause.]

Motion agreed to.

Report accordingly adopted.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT OF  
PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES ON  
DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT, NATIONAL  
PROSECUTING AUTHORITY, INFORMATION REGULATOR, LEGAL AID SOUTH  
AFRICA, SPECIAL INVESTIGATING UNIT, SOUTH AFRICAN HUMAN RIGHTS  
COMMISSION AND PUBLIC PROTECTOR**

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There was no debate.

The CHIEF WHIP OF THE MAJORITY PARTY: House Chair, I move:

That the Report be adopted.

*Declarations of vote:*

Mr A P VAN DER WESTHUIZEN: House Chair, this Report gives a clear snap shot of the good, the bad and the ugly in the justice environment. The good being the amazing ability of legalised South Africa to maintain the highest standards of financial governance despite a reduction in budgetary provision; the bad being the regression in some audit outcomes, the inability of the information regulator to get out of the starting blocks and the continued backward sliding court performance if one looks at the decrease of the real number of cases enrolled and finalised versus the ever high number of crimes being reported by South Africans and the ugly being the leadership instability at both the public protector and the National Prosecuting Authority, NPA. The Office of the Public Protector being earmarked by not only serious doubts about the will or ability to understand the law by the Public

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Protector herself, but also by chief executive officer, CEOs and chief financial officer, CFOs being hired and fired in a way that only Donald Trump hiring and firing media officers and attorney-generals can match.

The NPA not only struggling with a vacancy rate of around 20% on the level of court prosecutors, but also being debilitated by the removal of a National Director of Public Prosecutions, NDPP, who is not properly appointed after his predecessor was not properly removed. All of which, of course, thanks to the political meddling of the ANC and the Minister of Justice. However, Chairperson, the ugliest has been faced with the reality that there is under this government no co-ordinated and focussed effort to effectively deal with public sector corruption as a crime. The portfolio committee not only heard of the anticorruption task team not having met for months, but also of two presidential proclamations did the Special Investigating Unit, SIU, not having resulted in any court action despite being issued years ago and which deals with, yes Chair, South Africa Social Security Agency, Sassa, and Bosasa. One can only wonder what could have been achieved had they been dealt with effectively and timely. I thank you.

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Ms N K F HLONYANA: Hon House Chairperson, we reject the Budget Review and Recommendations Reports, BRRR, on the Department of Justice and Correctional Services, its entities as well as the Chapter 9 institutions, the Public Protector and the Human Rights Commission. The deleterious effects of the Zuma years are best illustrated through the dysfunctional institutions of justice in this country. The National Prosecuting Authority, NPA, has been thoroughly rendered useless and a pawn in the political machinery playing themselves out in this country.

It is for this reason that we have never had a head of the NPA who finishes their term. The SIU was used by Zuma to cover up his thieving ways and they even produced another report contradicting that of the Public Protector on the Nkandla scandal. The Human Rights Commission has committed a blunder of being drawn in on the expropriation without compensation debate, even going to the extent of being lobbied by right wing groups such as AfriForum to come to Parliament to warn us about expropriating land without compensation.

All these shows that the important institutions which are to be guidance to our Constitution have been captured for narrow

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nefarious means by the few. They are completely dysfunctional and Parliament has not done anything to bring these institutions back to sanity. We reject this Budget Review and Recommendations Reports. Thank you.

Ink E M BUTHELEZI: Hon House Chairperson, ideally our society must be grounded in principles of justice, equality and fairness. However, ... [Inaudible.] which are mandated to ensure that these principles become alive are severely compromised. We have seen far too many examples of ordinary South Africans being denied justice because, firstly, they do not reap the rewards of economic justice and second to this they don't have high level government connections.

The South African Human Rights Commission which should be the custodian of the very human rights charter enshrined in our Constitution has been failing our people, in particular those who found themselves in the fringes of the economy. The Human Rights Commission has been sitting on their hands in regards to genetically modified organisms and has not been able to conclude an ongoing investigation into the toxicity of these organisms which our people are exposed to in their diet. It is

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an indictment on the Human Rights Commission in failing to uphold one of the basic human rights principles for all South Africans to lead a good and quality healthy lifestyle.

Hon Chairperson, allow me to welcome the transparent manner in which our President will make his appointment for the National Director of Public Prosecution. We eagerly await a top class individual who will clean up the mess in the NPA and restore this institution with integrity and trust. The IFP supports this Report. Thank you.

Mr S C MNCWABE: Hon House Chair, the NFP supports the Report before us of the Department of Justice and Constitutional Development. However, we have observed the following concerns: The number of magistrates suspended from the profession seems to be increasing on a high level. Almost all these magistrates are suspended for fraud and corruption charges. This is a very bad image not only for the department but for the country as well.

We expect those tasked with the administration of justice to do so with professionalism and higher respect. Therefore, the

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training of magistrates on leadership skills and ethics must be prioritised since some of them are in high positions of chief magistrates. We are encouraged to note that the Legal Aid Board continues to get clean audits. However, the funding cuts will compromise the work of this entity. We cannot expect the best service delivery when the board is understaffed due to budget constraints.

The Legal Aid Board is doing a very important task in ensuring that even the poorest of the poor do get access of justice as per the Constitution of our country. In this regard the NFP would like to applaud Judge President Mlambo and his team. We also urge the department to increase the funding of the Legal Aid Board. We are also expecting the President to announce the new head of the NPA soon. We believe this will bring order and stability within the NPA. We are very concerned about the high vacancy rate within the NPA especially that the majority of those vacant posts are prosecutorial positions. Clearly, this also increases the backlog on matters to be prosecuted. We urge the department to study and consider the recommendations of the portfolio committee. Thank you. [Time expired.]

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Mr M L W FILTANE: Chairperson, the UDM supports the Report. The progress made so far with regard to the selection and possible ultimate appointment of a permanent Head of the National Prosecuting Authority is welcome. Excuse my flu. The advocacy group, right to know, has forced the President to make the interviews for the new NPA national director open to the media through a court order. We welcome that.

We wish to urge the Presidency and government in general to always appreciate the need for transparency and accountability. The UDM and the rest of South Africa call for the appointment of the best candidate who will work with other relevant role players to restore the dignity and confidence of the citizens in the ... [Interjections.]

Mr N L S KWANKWA: House Chair, my humble apologies.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, order. Hon Filtane, your Chief Whip wants to rise on a point of order. Why are you rising hon member?

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Mr N L S KWANKWA: No. My concern is that the ANC Members of Parliament are drowning out my speaker. I do recognise that they find this Barry White voice very romantic today, but he has got an important point to make. Can you listen to him, please?

The HOUSE CHAIRPERSON (Mr C T Frolick): I thought he lost his tenor voice and he is using his bass voice today.

Mr M L W FILTANE: In September, the Special Investigation Unit head, Andy Mothupi, reported that the NPA is sitting on 686 mostly corrupt cases which the unit has investigated and handed over to the NPA for the prosecutorial decision. This is a devastating and disturbing revelation.

Once prosecution and justice are delayed, injustices by the corrupt public officials is deepening, robbing the poorest of the poor of any hope for a better life. Minister, we do not have to wait for the appointment of the new NDPP to effect action, both the SIU and the NPA are institutions within your ministry. Therefore, you have the ability and power to ensure that they comply and co-operate. We cannot allow them to fail

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to co-operate in the institution of their constitutional mandate. Many a times, the President makes proclamations for the investigations of cruelty against people, yet we never get the results.

It is clear that the department has to make an urgent intervention. The reduction of staff in the department by over 1 300 who includes people from the legal aid is quite disturbing and we fear to imagine the negative impact of that kind of action. As I have said earlier, we support the Report. Thank you.

Mr S N SWART: House Chair, the ACDP supports this Report and commends the department on eventually obtaining an unqualified audit on the third party funds. I have been waiting for this for almost 20 years. All I can say is: Hallelujah, hallelujah, well done. There was a disclaimer few years ago and now there is an unqualified audit on third party funds. So, well done! However, the department itself received a qualified audit opinion with various findings. There was deterioration from the previous unqualified audits. Of course, as we know, one of the department's main priorities is to build safer communities

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and fight corruption. The SIU and the NPA with the asset forfeiture unit are supposed to play key roles in this regard. Regrettably, not withstanding volumes of evidence, *prima facie* evidence available in many reports including this Parliament's *prima facie* evidence in the Eskom enquiry we see very little action being taken.

This morning executives from Eskom indicated that they were working closely with law enforcement agencies but it is beyond their control. Until today we see no arrests in what to us are very clear cases of fraud and corruption arising from state capture and other nefarious acts that have been committed at our state-owned enterprises. Whilst we appreciate budgetary constraints surely we need to see some action. Hopefully, when a new NDPP is appointed we will see some arrests. Whilst we also appreciate that the budget cuts have an impact, clearly the delivery of justice is labour intensive. As the committee noted in its Report without knowledgeable officials, our legal system will eventually collapse and with it our democracy. The ACDP shares that sentiment but will support this Report. Thank you.

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Mr M S A MAILA: House Chair, the ANC supports the Budgetary Review and Recommendation Report, BRRR, of the Department of Justice and Constitutional Development and all entities and institutions that receives allocation under the Justice and Constitutional Development Vote 21.

Access to justice incorporates the right to legal representation. The setting up of institutions such as legal Aid South Africa which provides for free legal services to the indigent gives effect to this right. We are pleased that Legal Aid South Africa obtained an unqualified audit for the past 17 years. With that said, we find the budget cuts concerning when it comes to Legal Aid South Africa because this institution not only fulfils a constitutional mandate but also remains vital in assisting the masses of our people who cannot afford legal services.

We recommend that the allocation of Legal Aid South Africa be relooked to ensure that the masses of our people do not suffer injustice. The SIU has obtained an unqualified audit outcome for the second consecutive year. This must be congratulated. While the NPA was seized with challenges, President Ramaphosa

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in his state of the nation address said, I quote: "we will urgently attend to the leadership issues at the National Prosecuting Authority to ensure that this critical institution is stabilised and able to perform its mandate unhindered" To date the panel to appoint the new National Director of Public Prosecutions has been appointed.

The NPA is critical in the proper function of South Africa's justice system. It is encouraging that the Public Protector is gaining the confidence of South Africans in general and the DA in particular. The fact that they refer cases to her and hon Horn come here and say otherwise can only be regarded as hypocrisy of the highest kind. The ANC supports this Report. Thank you very much. [Applause.]

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

**CONSIDARTION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT ON  
CORRECTIONAL SERVICES AND JUDICIAL INSPECTORATE OF  
CORRECTIONAL SERVICES FROM 2017-18 FINANCIAL YEAR**

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There was no debate.

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

The HOUSE CHAIRPERSON (Mr C T Frolick): The motion is that the report be adopted. Are there any objections? There are objections. Those in favour will say aye.

Hon MEMBERS: Aye!

The HOUSE CHAIRPERSON (Mr C T Frolick): Those against will say no.

Hon MEMBERS: No!

*Declarations of vote:*

Mr W HORN: Chair, the engagements with the Department of Correctional Services and the Judicial Inspectorate in this report on it, tells a horror story. A story of the department which stumbles from one poor audit in performance report to

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the next, a situation, if one is to believe, that the executive in the ANC, is caused by forces of nature; factors beyond control, like contractors being appointed by the Department of Correctional Services liquidated faster than the rate at which fuel prices are increased in this country.

Never mind that this has resulted in the creation of only 400 of the promised 4000 bed spaces during this Fifth Parliament, contributing largely to the unacceptable high levels of overpopulation at our country's correctional facilities. All of this happens while our President strangely settled on the ever struggling Department of Correctional Services, to seemingly give Mr Arthur Fraser a soft landing and some shelter, while his treasonous actions over the state security are being investigated.

It has also been rather odd that after the annual showing of this horror movie at the portfolio committee, some ANC members like the hon Maila, would always feel obliged to congratulate the Department of Correctional Services on what they call good work being done. But now we can understand all of this. It was really always about congratulating the Department of

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Correctional Services on its ability to continue with and protect the arrangement that it operates as a primary vehicle through which vast amount of taxpayers' money are being laundered through dubious contracts to companies like Bosasa, the latter in 2017 being awarded yet another contract worth R500 million.

This has happened this year, despite the Special Investigating Unit, SIU, having found out that it has previously benefitted corruptly, and portions of which we now know that it has always been destined to end up in the pockets of individuals belonging to the ANC, from ordinary members of this House, the Deputy Ministers and even the President. For this reason, we reject this report.

Mr T E MULAUDZI: House Chair, the EFF rejects the Budgetary Review and Recommendation Report, BRRR, for the Department of Correctional Services and Judicial Inspectorate of Correctional Services. Our correctional centres have become breeding grounds for hardening criminals in this country. This is so because corruption has become a culture in South African prisons.

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Those who have access to money and resources can buy their way into continuing with their criminal activities inside prison, while those who are poor are subjected to unbearable abuse. It is a well-known fact that most of the cash-in transit heist and most hits on gang-associated people are organised from prisons.

Control and consequence management measures at correctional facilities do not exist. The Judicial Inspectorate of Correctional Services ought to be completely independent, both functional and in terms of budget allocation. It needs this functional independence to be an effective oversight mechanism. This requires legislative reform to cut off its financial and administrative interlinkage with the Department of Correctional Services.

Its powers to only make recommendations are further weakened by this lack of independence from the department. The provision of enforcement powers and the ability to make binding disciplinary recommendations may increase its effectiveness. Therefore, as the EFF, we reject this report.

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Ink E M BUTHELEZI: Hon Chairperson, hon Van der Merwe of the IFP said something that is very fundamental for the people of South Africa to know that our women and children who are living in shelters and who are also victims of abuse are only receiving R9 per day for their menu, and yet the same government is spending R398 per day per inmate housed in our correctional facilities across the country.

Hon Chairperson, this is a painful trend that despite the fact that we spend so much money on our inmates, prisoners' condition in our country remains a concern. In terms of cases of sexual assault, violence and intimidation in our prisons which happens due to overcrowding, our budget needs to be readjusted in order to provide more beds and better health facilities for the inmates.

This could clearly go a long way, to curb the prevalence of diseases in our prisons. Hon Chair, it's all good and well for us to wish the best for our facilities, yet according to this report, irregular expenditure has increased exponentially.

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Fruitless and wasteful expenditure has skyrocketed from R1 million to R41 million within two years.

How are we going to ensure that our correctional facilities are successful in rehabilitating the inmates and to ensure that they become productive members of society when they are released? Hon Chair, in some instances, our prisoners have become organised crime syndicate workshops, and this is something that the ruling party must try to address and clamp down urgently.

Upon entering the prison, inmates should immediately feel the sense that they want to be cooperating with the authorities and that they want to become rehabilitated. The environment in our Correctional Services should not be a conducive one for inmates to reoffend nor should it allow crime to be orchestrated within, such as what we have seen in the scourge for cash-in transit heist. The IFP supports this report, hon Chair.

*IsiZulu:*

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Mnu S C MNCWABE: Ngiyabonga Sihlalo, siyaweseka umbiko wezokuHlonyuleliswa Kwezimilo emajele kodwa sifuna ukucela eMnyangweni sikugcizelele ukuthi awuqine umthetho kulaba abangaphakathi emajele ngoba sekunento ekhona yokuthi bathi abantu bengaphakathi beboshiwe kodwa bakwazi ukuhlela izigigaba zobugebengu ezizokwenzeka ngaphandle emphakathini. Isibonelo saleso nje siyazi ukuthi kuye kwabulawa ummeli odumile lapha eKapa, lonke uphenyo lukhombisa ukuthi ukubulawa kwakhe bekuhlelwe ejele yilabo abangaphakathi. Ngeke sisivume isimo sokuthi umphakathi ungaphephi uma izigebengu sisemphakathini. Zithi uma seziboshiwe izigebengu futhi umphakathi uphinde ungaphephi, kuphume izinhlelo ezisuka ejele ukuthi osibanibani bazobulawa kanjani. Sicela ukuthi umthetho uqine.

Kuphindwe futhi kuphenywe ubudlelwane kwalaba abasebenza khona ejele okuthiwa ojele kanye neziboshwa ngoba ubudlelwane bakhona yibo lobu okwenza ukuthi kugcina sikungena izikhali ngaphakathi ejele. Sokungena insangu phakathi ejele, kambe isisemthethweni. Sekungena izinto ezibhenywayo ezingekho emthethweni. Siyafisa ukuthi kubhekwe lokho kakhulu.

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Okokugcina, ngigcizelele kuMhlonishwa uNgqongqoshe ukuthi uma sebeqeqeshiwe abafowethu ngaphakathi nodadewethu bathola iziqu, baqeqeshwa kumakhono abo uma sebephuma sebeqedile izigwebo zabo, abangaphindi futhi bagwetshwe intambo ngabaqashi kuthiwe ngoba bake baya endlini emnyama baqgoka izikhindi ngeke besaqashwa. Loko ke akusekona ubulungiswa. Siyacela ukuthi kubhekwe loko ukuthi uma umuntu esesenzile isigwebo sakhe, akaphume phela ayosebenza ngoba usezewafunda nangaphakathi wathola iziqu, ngaphandle kwaloko siyaweseka umbiko.

Mr M L W FILTANE: A job is a job. The UDM supports the report. The report by the Judicial Inspectorate of Correctional Services has revealed problems of overcrowding, suicides and shortage of care for mental illness patients and prisoners in our prisons. The report further reveals incidents of death and poor management of inmates who would have been diagnosed with some form of mental illness.

For their safety and successful rehabilitation into society, they need to be kept separately from the general inmates. So far, it appears that this is not the case, as they are kept

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and treated with the general population of inmates. It is clear that this situation needs urgent attention and it has to be attended to expeditiously.

In this regard, the UDM suggests the following: The department must ensure that it complies with all regulated requirements of managing the inmates. For instance, inmates with mental illnesses, especially those who could be declared state patients in terms of the Mental Healthcare Act, must be transferred to specialised facilities within the stipulated time after receiving notice.

More collaborative efforts with other state institutions, nongovernmental organisations as well as inmates, must be forged in. Whilst the country's correctional service instruments are reviewed for their effectiveness and efficiency in reducing overcrowding, it must also be refined so that it can contribute to the general reduction of crime in our country.

The department should enhance security measures across all prisons and rehabilitation centres in the whole of South

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Africa, to ensure that inmates are safe from one another and that they do not escape from prison. The use of force by the departmental officials on inmates is totally unacceptable, unless it is justified within the prescripts of the South African law, that is when you defend yourself, and that should be regulated.

You do not overdefend yourself to the point that you are attacking. We support the report. Thank you. [Time expired.]

Mr S N SWART: Chairperson, the ACDP is concerned that yet again this department has received a qualified audit with irregular expenditure reaching R1,8 billion, and there are no less than four Special Investigating Unit, SIU, investigations into this department.

Of course, having been travelling around to a number of prisons during the oversight, the issue of overcrowding remains a great challenge and it has increased to 38% in 2017-18, up from the previous year. One of the challenges is the failure to create new beds basis over consecutive years, and this has of course increased the number of sicknesses and unnatural deaths in prison.

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We are taught to consider those that are in prison as if we are with them, so says the scripture. So, we should be mindful of how we treat our prisoners. We are aware that the department can control the number of prisoners that are sentenced and remanded in custody when it comes to bail, overcrowding and delivering infrastructure projects.

We've got section 49 of the Correctional Services Act and other sections that can be used to reduce overcrowding. But over the years, it seems to be the continual challenge for this department. Lastly, from the ACDP's perspective over this issue in the last period, it is very clear that, given the heavy workload of the Justice Committee, it was not the correct decision to collapse Correctional Services and Justice into one portfolio committee. I've said it from the beginning.

I also trust that this will be reconsidered. We cannot visit all the courts; all the entities reporting to us, as well as all the prisons. I trust that this will be considered. I thank you.

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*isiXhosa:*

Mnu L K B MPUMLWANA: Ngqanga neentsiba zayo, iqqa aliziva kunuka. Tata uHorn, phambi kokuba ubone umqadi, kwaye phambi kokuba ubone isibi, elisweni lakho, esizalaniswa ne-ANC ngento edibene neBosasa, susa loo mqadi kuqala kwelakho iliso. Umbutho we-ANC uyixhasa ngokupheleleyo le ngxelo yeSebe lezoLuleko. Oko eli sebe layekiswa ngumbutho wesizwe ekubeni libe yindawo yokuvalela abantu kwezimnyama izisele nalapho umntu wayesenziwa ikheswa nomshologu, laza lenziwa iSebe lezoLuleko, zaqhama kwangoko iziphumo. Amabanjwa ayaphuculwa, atshintsha iindlela zobugwenxa, anikwa izakhono zobungcali nezokuchwela baze banikwe imfundo esisiseko nephakamileyo.

Igalelo lamabanjwa ekuphuculeni uluntu nalo liyabonakala. Akha izikolo zabadala neentsana nezindlu zabahlolokazi. Amaxhoba noluntu anikwa ilungelo lokuthabatha inxaxheba kwizigqibo zengqawule kwibanjwa ngalinye. Kaloku awukho umgqomo wokulahla abantu.

Ukuqhvesha kwamabanjwa kuthothile kakhulu. Kulo nyaka umiyo, kumabanjwa ali-160 047 akhoyo kweli lizwe, ngama-50 kuphela aqhwehileyo, ukanti nalapho abakwantsasana bathe mbende

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ekhondweni. Akukho nzwana ingenasiphako kaloku. Neli sebe gxebe, linengxaka-ngxaka zomzi walo. Amabanjwa ayaphuphuma ezintolongweni ngokunganyamezelekiyo. Esinye sezizathu kukuba izakhiwo esinazo zakhiwa ntlandlolo zilungiselelwa abantu abambalwa, namhlanje abantu bangumMbo nomXesibe. Isebe liyazama ukwandisa, kambe imali ingqongophele nabasebenzi banqogophele.

Nondyebo wesizwe, yibanemfobe, yibanemfobe. Kananjalo eli sebe livuk'inja, libamba livalele onke amagosa enza ubugwenxa. Kulo nyaka umiyo ama-3847 aye abanjwa, siyaqhuba silwa nobuqhophololo. Loo mqela ke ngowombutho wesizwe, isizwe sona siyawubona kwaye siza kuthi gqolo ukuvotela i-ANC. Maz'enethole! [Kwaqhwytywa.]

*English:*

Question put.

Agreed to.

Report adopted.

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Business concluded.

The House adjourned at 18:50.

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