

WEDNESDAY, 18 NOVEMBER 2015

PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met 15:02.

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

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS - see col 000.

NEW MEMBER

(Announcement)

The DEPUTY SPEAKER: Hon members, I wish to announce that the vacancy which occurred in the National Assembly owing to the resignation of Mr J J McGluwa had been filled by the nomination of Mr H B Groenewald with effect from 12 November 2015.

The member made and subscribed the oath in the Speaker's Office.

NOTICES OF MOTION

The CHIEF WHIP OF THE OPPOSITION: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates the failure of the Minister of Health to process regulations regarding brining, despite recommendations of his department and industry undertakings by the Minister of Agriculture, Forestry and Fisheries.

Mr A M SHAIK EMAM: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the NFP:

That the House debates police killings in South Africa, wherein police officers are brutally killed and are seriously injured at the hands of criminals with very little or no protection.

Ms C MATSIMBI: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates ways of providing support for economic development hubs, nodes, and linkages geared at developing historically black townships.

Mr S MOKGALAPA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates the unreasonable cost of running and maintaining our foreign diplomatic missions and comes up with solutions.

Ms T S XEGO: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates measures geared at diminishing the high death toll on South Africa's major roads.

Ms L DUNJWA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates implementing more programmes to curb the scourge of teenage pregnancy.

Mr I M OLLIS: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates the lie of the EFF that they had between 40 000 and 50 000 supporters at their Johannesburg mass march recently ...

[Interjections.]

when independent research by the formidable journalist Ray Hartley, as published in the *Rand Daily Mail*, reveals that, at most, 5 859 people attended the march.

Mr M Q NDLOZI: Point of order!

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

Mr M Q NDLOZI: Hon Deputy Speaker, we must not allow people to cast aspersions on the EFF, smuggling them through motions.

[Interjections.] Nicodemus is smuggling them through motions.

[Interjections.] That thing must be rejected. Parliament will never, ever - not in our lifetime - debate such a thing. It is not going to happen. [Interjections.] He must withdraw. The EFF has not lied. [Interjections.] The SA Police Service, SAPS, said

the economic freedom march had 50 000 people. [Interjections.]

That's the SAPS number; it's not the EFF's number!

[Interjections.] If you are intimidated by the economic freedom march, say that. [Interjections.] Don't come here to mislead Parliament.

The DEPUTY SPEAKER: Hon member! Take your seat, hon member!

Mr M Q NDLOZI: It's the police that said that between 45 000 and 50 000 people marched for 27 km! [Interjections.]

The DEPUTY SPEAKER: Hon member, I really take exception to you being told repeatedly that this is not a point of order, and you continue to do it. I fail to comprehend why that is difficult to appreciate for the order of the House. [Interjections.] Finish what you are saying. [Interjections.] The hon member is still on his feet there.

The CHIEF WHIP OF THE OPPOSITION: I want to make a point of order, if I may.

The DEPUTY SPEAKER: What is the point of order, hon member?

The CHIEF WHIP OF THE OPPOSITION: We had rulings yesterday that the points of order are not to be used to enter into debate. We are proposing this topic for debate. If the hon Ndlozi wants to debate, he can help us bring it up the line tomorrow at the National Assembly Programming Committee meeting.

[Interjections.] Then we can have this debate.

Mr M Q NDLOZI: On a point of order ...

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

Mr M Q NDLOZI: He's out of order because you have made the ruling.

The DEPUTY SPEAKER: Hon member, don't rule on my behalf. I can do that without your help. [Interjections.]

Mr M Q NDLOZI: I am not. I am asking you to rule.

[Interjections.] Deputy Speaker, I am asking you to rule him out of order because you have closed the matter.

The DEPUTY SPEAKER: Take your seat. [Interjections.] Proceed. Finish.

Mr I M OLLIS: Thank you.

... research by the formidable journalist Ray Hartley, as published in the *Rand Daily Mail*, reveals that, at most, 5 859 people attended the march.

[Interjections.] Clearly, not all political parties can count.

[Interjections.]

Mr N F SHIVAMBU: On a point of order: I think some of the things are just laughable, really. I mean, 5 000 people? That is laughable. Shame!

The DEPUTY SPEAKER: Hon member, this is not the time for political debate. Can you take your seat, hon Shivambu?

[Interjections.]

Prof N M KHUBISA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the

NFP:

That the House debates the need for government to provide more water tanks in areas which are hard-hit by drought.

Mr P G MOTEKA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the EFF:

That the House debates rural communities that live near water but are without water for prolonged periods, such as Ga-Ntateleng, Maropeng, and others that fall under the Ga-Segonyana Local Municipality.

Ms N T NOVEMBER: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates the building of an extensive support network for small businesses and co-operatives.

Ms S V KALYAN: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates South Africa's continued commitment to the fight against terrorism on the African continent.

Dr H CHEWANE: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the EFF:

That the House debates the escalating corruption in the Dr Ruth Segomotsi Mompati District Municipality, even after the Auditor-General's recommendations for corrective actions, which included laying criminal charges against the municipal manager.

Mr T R MAJOLA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates President Jacob Zuma's misguided and unconstitutional insistence that South Africa comes second to the ANC.

[Interjections.]

Ms N P SONTI: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the EFF:

That the House debates apartheid spatial development which prohibits blacks from moving to developed urban areas when forcefully removed from informal settlements, Yizo-Yizo in the Rustenburg Local Municipality being a case in point.

Prof N M KHUBISA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the NFP:

That the House debates the need to urgently empower our post-school youth with business skills.

Mr T E MULAUDZI: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the EFF:

That the House debates the dangerous living conditions caused by mining operations, like that of Idwala Lime mine, that subjects the community of Danielskuil in the Northern Cape to dust that will cause many illnesses.

Ms P T VAN DAMME: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates how corrupt politicians are getting richer while the poor get poorer.

Mr M Q NDLOZI: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the EFF:

That the House debates the DA's obsession with the EFF and its psycho-pathological jealousy that springs from the fact that the EFF has eclipsed the DA as the Official Opposition in South Africa.

[Interjections.]

Mr M S MBATHA: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of EFF:

That the House debates the drastic increase in applications by South African businesses for assistance due to poor economic growth to the International Trade Administration Commission of South Africa.

Mr D W MACPHERSON: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That this House debates the hypocritical stance of the EFF claiming to be champions of the workers yet losing cases at the Commission for Conciliation, Mediation and Arbitration,

CCMA, with costs, for unfair labour practices, as well as the suspension of Ms Yerushka Chetty, the hon Malema's former personal assistant, who has launched an impending case at the CCMA for unfair labour practices.

Mr A M MUDAU: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That this House debates strengthening the primary health care services and broadening of the district-based health care programme.

Ms H O HLOPHE: Hon Deputy Speaker, I give notice that on the next sitting day of the House, I shall move on behalf of the EFF:

That this House debates Helen Zille's conduct of using a SAPS member as a private investigator to illegally tap cellphones of politicians and members of the public.

HIGHEST OBESITY RATE IN SUB-SAHARAN AFRICA FOR SOUTH AFRICA

(Draft Resolution)

Mr S C MNCWABE: Hon Deputy Speaker, I move without notice:

That the House—

- (1) notes that according to the latest statistics published in the highly respected *Lancet* medical journal, South Africa has the highest obesity rate in sub-Saharan Africa, with 61% of the population being overweight or obese;
- (2) further notes that following cigarette smoking, obesity has recently become the greatest preventable health-related cause of mortality in the world;
- (3) also notes that obesity, caused largely by eating too much and not exercising enough, is a Western lifestyle problem that has infiltrated the South African culture;
- (4) recognises that the obesity level of a country is usually a good indicator of the lifestyle habits of a nation;

- (5) acknowledges that the findings of the latest study indicate that South Africa has a serious health problem on its hands;
- (6) encourages all South Africans to embrace a healthy lifestyle; and
- (7) urges our health authorities and agencies to develop and implement a comprehensive obesity awareness programme.

Agreed to.

**CORRUPTION CASE OF FREE STATE HEALTH MEC BENNY MALAKOANE
POSTPONED**

(Draft Resolution)

Mr N S MATIASE: Deputy Speaker, I move without notice:

That the House—

- (1) notes on that, on Monday, the Free State health MEC Benny Malakoane's corruption case was postponed for the 10th time;

- (2) further notes that, on Monday, Malakoane and his seven coaccused which include the current provincial MEC for sport, arts, culture and recreation, Mathabo Leeto, appeared in the Bloemfontein High Court;
- (3) also notes that Malakoane and the gang of fraudsters face serious allegations of fraud and corruption;
- (4) acknowledges that the two accused MECs allegedly received kickbacks worth R13 million for irregularly awarding contracts in Machabeng Local Municipality between 2007 and 2008, when Malakoane was the municipal manager and Leeto the executive mayor;
- (5) also acknowledges that both Malakoane and Leeto continue holding public office, which erodes not only the public confidence in all of us as public representatives but causes irreparable damage to the principle of good governance and undermines the fight against corruption;
- (6) recognises that not only is Malakoane unfit to hold office but more damaging is that he remains in charge while the health service crumbles on his watch, and no

one, including President Jacob Zuma, seems to be bothered by that.

Neither the Minister of Health nor President Zuma is concerned because they know that in the next election, they will again be voted in. The less said about equally corrupt Premier Ace Magashule the better. We know that the ANC comes before South Africa, hence they will allow corruption. This is more evident in all criminal cases the ANC leaders have been facing and continue to face to this very day. There is a view suggesting that the interests of the ANC come before that of the country and that justifies criminal conduct by elected and civil servant employees of the ANC. That culture promotes lawlessness and impunity.

I further move:

That the House—

- (7) calls on the ANC-led government to dismiss Malakoane without any further delay and place the interests of the people of the Free State before the interests of Malakoane and a few corrupt elements in the ANC; and

- (8) calls on South Africans to reject the ANC in the 2016 local municipal election.

The DEPUTY SPEAKER: Are there any objections to the motion?

The CHIEF WHIP OF THE MAJORITY PARTY: The ANC objects.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

**EU EMERGENCY FUNDING TO STEM FLOW OF AFRICAN MIGRATION ACROSS
MEDITERRANEAN**

(Draft Resolution)

Mr M U KALAKO: Deputy Speaker, I move without notice:

That the House—

- (1) welcomes the approval of a R27,8 billion emergency fund for Africa announced on Thursday, 14 November 2015, in Malta by the European Union and African leaders to stem an unprecedented and politically explosive flow of migrants across the Mediterranean;

- (2) notes that two days of frequently sharp exchanges in Malta ended with the adoption of a scheme that will speed up the repatriation of failed asylumseekers and help to halt the flow of refugees entering the EU illegally;
- (3) further notes that Africans have accounted for about 140 000 of the roughly 800 000 migrants who have arrived in the EU by sea so far this year; and
- (4) congratulates the EU and the African countries that committed to addressing the migration plan.

The DEPUTY SPEAKER: Are there any objections to the motion?

Mr N S MATIASE: Deputy Speaker, we object.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

SCOURGES OF GANG VIOLENCE AND ILLEGAL DRUG TRADE IN WESTERN CAPE

(Draft Resolution)

Mr Z N MBHELE: Deputy Speaker, I move without notice:

That the House—

- (1) notes that the communities of Hanover Park and Ottery in the Western Cape remain under siege from the scourges of gang violence and the illegal drug trade that fuels it;
- (2) further notes that these communities have been failed year after year by Police Ministers and National and provincial Police Commissioners who have refused to re-establish an antigang and drug specialised unit in the Western Cape, despite the obvious need for it;
- (3) acknowledges that, in the absence of a specialised unit, it is under-resourced and understaffed stations and underequipped and undertrained police officers in those precincts who have been left in the lurch to struggle with trying to tackle these challenges, but the Visible Policing, Crime Intelligence, and Detective Services are not up to the task;
- (4) further acknowledges that ongoing pitifully low conviction rates, threadbare vehicle patrolling, and a seeming lack of an intelligence-led approach make

Operation Combat a woefully inadequate remedy to the problem; and

- (5) calls on the Minister of Police to issue a directive for the re-establishment of a permanent specialised police unit in the Western Cape to combat drug turf war-fuelled gang violence and to ensure urgent resource reallocations to prioritise communities like Hanover Park and Ottery in order to free them from the grip of gang drug lords and their reign of terror.

The DEPUTY SPEAKER: Are there any objections to the motion?

Mr N PAULSEN: Speaker, we object to a motion by collaborators and employers of gangsters. [Interjections.]

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

PASSING AWAY OF JONAH LOMU

(Draft Resolution)

Ms L L VAN DER MERWE: Hon Deputy Speaker, on behalf of the IFP,

I move without notice:

That the House-

- (1) notes with great sadness the passing of former All Black and international rugby legend, Mr Jonah Lomu;
- (2) further notes that Mr Lomu, hailed as rugby's first professional superstar, passed away after a prolonged kidney ailment;
- (3) acknowledges the great contribution that Mr Lomu made to the sport of international rugby as well as the deep respect he garnered from all parts of the rugby-playing world from players and fans alike;
- (4) recognises the pivotal role he played whilst donning the number 11 All Black rugby jersey during the 63 test matches he played for New Zealand;
- (5) remembers Mr Lomu as a great competitor and true gentleman of the game of rugby, both on and off the field; and

- (6) extends its deepest condolences to the family of Mr Jonah Lomu and the people of New Zealand on the very sad loss of a true sporting legend.

Agreed to.

**SHUT DOWN OF ACTIVITIES ON CAPE PENINSULA UNIVERSITY OF
TECHNOLOGY CAMPUSES**

(Draft Resolution)

Prof N M KHUBISA: Hon Deputy Speaker, on behalf of the NFP, I move without notice:

That the House-

- (1) notes that the Cape Peninsula University of Technology, CPUT, has shut down all activity on its campuses, calling on students to vacate residences immediately, and has postponed exams until next year;
- (2) further notes that many of the students who had been ordered to vacate the residences are now effectively

destitute as they cannot change their travel arrangements at such short notice;

- (3) acknowledges that many of the students have already paid for their meals in advance with their National Student Financial Aid Scheme, NSFAS, allocations and are now facing hunger;
- (4) urges the Cape Peninsula University of Technology to find ways to assist those destitute students with temporary accommodation; and
- (5) further urges the CPUT to urgently refund students who have prepaid for their meals so that they can afford to buy some food.

Agreed to.

DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES BY DITSOBOTLA

LOCAL MUNICIPALITY

(Draft Resolution)

Mr N PAULSEN: Hon Deputy Speaker, I rise on behalf of the EFF to move without notice:

That the House-

- (1) notes the unwillingness of the Ditsobotla Local Municipality in the North West to listen to the pleas of people living with disabilities despite to what is prescribed in the Local Government: Municipal Systems Act and the Disability Framework for Local Government, which takes into account the special needs of people with disabilities;
- (2) further notes that there is an alleged discrimination against people with disabilities when it comes to employment equity, as there is no equal opportunity for people with disabilities, and there is no known report regarding the number of people with disabilities employed by the municipality;
- (3) acknowledges that portfolio councillors responsible for special programmes have co-opted individuals of their own choice into special ward committees for persons with

disabilities and the representative from Ward 19 in Ditsobotla is not even a person with a disability;

- (4) further acknowledges that in Ward 11 the person was hand-picked by the ward councillor, and in Wards 17 and 18 the representatives were chosen by the Bodibe Youth Council and are not persons with disabilities, something that goes against the global slogan for the disability rights movement, "Nothing about us without us";
- (5) also acknowledges that the ANC, as the custodian of state power, has abandoned some of its own aims and objectives, namely, to promote and protect rights of people with disabilities and that, through Ditsobotla Local Municipality, the ANC has shown it is no longer there;
- (6) understands that the municipality doesn't have working lifts or wheelchair ramps and that there is also no disability desk;
- (7) further understands that an audit or assessment on disability programmes and policies in municipalities report was submitted to SA Local Government Association,

Salga, North West by the Ditsobotla Local Municipality without any consultation with people living with disabilities and that this municipality is leading our people from independence to dependency; and

- (8) calls on the people of the Ditsobotla Local Municipality to reject the ANC in the 2016 local government election.

The DEPUTY SPEAKER: Are there any objections to the motion?

The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, the ANC objects.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

PLIGHT OF MAGWA TEA PLANTATION WORKERS

(Draft Resolution)

Ms A MATSHOBENI: Hon Deputy Speaker, I rise on behalf of the EFF to move without notice:

That the House-

- (1) notes that one of the virtues required from the leadership of a developmental state is commitment not to lie about the conditions of the people and to, at all times, be honest about the work done to solve problems facing the people;
- (2) further notes that this seems not to be a virtue Minister Senzeni Zokwana believes in, as twice already this year, we have raised our concerns to the Minister about the plight of workers at Magwa Tea Farm in Lusikisiki, Eastern Cape, who have not been paid for the past 20 months;
- (3) acknowledges that Minister Zokwana firstly dismissed us as liars, saying that workers at Magwa Tea were paid, but secondly acknowledged that there were problems he was solving;
- (4) further acknowledges that everything the Minister said in this House about the plight of workers at Magwa Tea was a lie, that his department has done nothing to solve this problem, and he has not even visited the farm to speak to the workers, as he claimed to have done when we last asked him ...

The CHIEF WHIP OF THE MAJORITY PARTY: On a point of order: The hon member knows that if any accusation is levelled against any member of this House, it should be done through a substantive motion, not through the back door like she has done. She must withdraw.

Mr N F SHIVAMBU: Deputy Speaker, the principal approach that we have taken with regards to motions without notice is that you allow a motion without notice to be read until its completion. Therefore, you have got an opportunity to object. So, the Chief Whip of the Majority Party should be patient and allow the truthful motion to be read until its completion. Then he will be given an opportunity to object, but the truth would have been delivered that people are lying about Magwa Tea Farm when they have said they made interventions when they have not made it. Allow the motion to be completed and subject it to the test of the House, please.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, I am only rising in terms of the Rules of the House, which specifically indicate that if you want to cast aspersions on any one of us, you should do so through a substantive motion. I am not objecting to them reading a motion without notice, but it is not a substantive motion against the Minister.

The DEPUTY SPEAKER: Hon members, may I remind you also that motions are supposed to be clean of offensive language. As a result of that, madam, you can read your motion but clean it of any offensive language that you know will be considered unparliamentary. Language that has previously been called unparliamentary cannot be used in any way, in any guise; it is inappropriate. Let us just do that in advance because you know the presiding officers will not accept it.

Ms A MATSHOBENI: I further move:

That the House—

- (5) acknowledges that the Eastern Cape leadership of the EFF ... [Interjections.]

The CHIEF WHIP OF THE MAJORITY PARTY: I rise on a point of order, Deputy Speaker. You are asking her to continue even without withdrawing what she said! [Interjections.]

Mr N F SHIVAMBU: I rise on a point of order, Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member; what are you saying?

Mr N F SHIVAMBU: You have given a ruling on the matter on which the member rose, and you have given a directive that the EFF member can continue to read the motion. Can we please allow the member to read the motion? If there is going to be an objection, those who are objecting will do so. Let's complete the motion, then.

The DEPUTY SPEAKER: Hon member who is reading the motion, Rule 63 requires of you to, when you have uttered offensive language, withdraw it.

Ms A MATSHOBENI: Deputy Speaker, the fact of the matter is that workers are not being paid there, and there is a crisis at Magwa Tea Farm.

The DEPUTY SPEAKER: Hon member, I am not arguing about what you are saying. I am pointing out to you the language of the Rules that you cannot say someone else is lying in the way that you do because that is unparliamentary in the first place.

Mr M Q NDLOZI: I rise on a point of order, Deputy Speaker.

The DEPUTY SPEAKER: You see, your Chief Whip, hon Ndlozi, has just said that the Chief Whip must not interrupt someone reading

a motion. You are interrupting me while I am talking to your colleague there. Won't you allow us to finish and then you can intervene?

Mr M Q NDLOZI: No, Deputy Speaker, I want you to take into consideration this point of order as it is in relation to the procedures. [Interjections.]

The DEPUTY SPEAKER: What is the point of order you are raising?

Mr M Q NDLOZI: The point of order is that I have been listening very carefully. No aspersion has been cast on any member of the House. The hon member just said the fact that things have been done in the Eastern Cape is a lie. That is not casting aspersions on anyone.

Deputy Speaker, I put it to you that that Rule's function only says if I say hon member X is lying, then I must withdraw. However, if you say that X and Y are being done in this place and it is not happening, that is not a lie. Therefore, there is no question of aspersions being cast.

The DEPUTY SPEAKER: I heard you, and I agree with you that X must be said to have lied. She has done so. It is in the ... no, no, no! [Interjections.] I listened to you.

An HON MEMBER: Ask her.

The DEPUTY SPEAKER: No, I do not have to ask her. It is there, and it has been said so. Please withdraw. [Interjections.] Hon members, I am not talking to you.

Mr N F SHIVAMBU: I rise on a point of order, Deputy Speaker. She never said what you say she said. She said that ...

The DEPUTY SPEAKER: I don't want your help, hon Shivambu. I don't need your help to ...

Mr N F SHIVAMBU: ... the Minister has lied. You have an option always to refer this issue to a different sitting so that you can refer to the Hansard and all these other things there. Why can't you refer to a different sitting?

The DEPUTY SPEAKER: I do that when I haven't heard.

An HON MEMBER: She didn't. She said ... [Interjections.]

Mr N F SHIVAMBU: How do you force a person to withdraw when they have not said the things you say they've said?

The DEPUTY SPEAKER: No, it is there. It is in the statement, and I heard it. Can you take a seat?

Mr N F SHIVAMBU: You have a serious problem.

The DEPUTY SPEAKER: Can you ... yes, you have a serious problem.

Mr N F SHIVAMBU: You have a serious problem. They must take you out, man. I think they must get rid of you soon. It is good that D D is back. He is going to remove all of you so-called communists. [Interjections.]

Ms H O HLOPHE: Deputy Speaker ...

The DEPUTY SPEAKER: Hon member ... [Interjections.] Hon member!

Ms H O HLOPHE: Deputy Speaker!

The DEPUTY SPEAKER: No, you are not allowed to do that. Can you take your seat, hon member? Go to your seat.

Ms H O HLOPHE: Deputy Speaker, I have the motion here. I want to reread what my member has read here. [Interjections.]

Ms M S KHAWULA: Ewe! [Yes!]

The DEPUTY SPEAKER: Hon member, take your seat. Just take your seat.

Ms H O HLOPHE: She must finish first.

The DEPUTY SPEAKER: No, no, you must take your seat please and get away from that member! You are not allowed to do ...
[Interjections.]

Ms H O HLOPHE: The motion must be finished.

The DEPUTY SPEAKER: You are not allowed to do what you are doing in the first place. You are out of order, and you are supposed to be the deputy Chief Whip.

Hon member, you said - let me read it out to you - I am going to repeat it to you, and you must withdraw it. You said the following: ``further acknowledges that everything the Minister

said in this House about the plight of workers at Magwa Tea is a lie.''

Ms A MATSHOBENI: No, I said "was" a lie, not "is" a lie.

The DEPUTY SPEAKER: It is in the statement. What is wrong with you?

Ms A MATSHOBENI: "Was" a lie, not "is" a lie. "Was" a lie.

[Interjections.]

An HON MEMBER: He is lying. He is a liar! [Interjections.]

Mr N F SHIVAMBU: Deputy Speaker, the Rules of the House prevent members from saying that the Minister is a liar or is lying. However, to say that what he has said is a lie is allowed in terms of the Rules of the House.

The DEPUTY SPEAKER: Hon Shivambu, take your seat. Hon member, do you want to withdraw?

Ms H O HLOPHE: Deputy Speaker, I am asking you to give the member a chance to reread what is written here because you didn't hear what she was saying.

Ms M S KHAWULA: A lie!

The DEPUTY SPEAKER: Hon member, are you going to withdraw or not? I am talking to you, hon member. Speak.

Ms A MATSHOBENI: For what, Deputy Speaker?

The DEPUTY SPEAKER: I have told you. I read it out to you.

Ms A MATSHOBENI: I did not say "is" a lie. I said "was" a lie, not "is" a lie - the statement that he was saying there.

The DEPUTY SPEAKER: Hon member, you are not an ability-free zone. You understand what I am telling you. Withdraw that statement.

Ms A MATSHOBENI: The Minister is misleading the House.

The DEPUTY SPEAKER: If you refuse to withdraw, I suggest that you leave the House because you are refusing to accept.

[Interjections.]

Ms A MATSHOBENI: The Minister is misleading the House.

The DEPUTY SPEAKER: I have made a ruling.

Ms A MATSHOBENI: I just withdrew "lie". I said the Minister is misleading the House.

The DEPUTY SPEAKER: Your withdrawal must be unconditional.

Nks M S KHAWULA: Sihlalo, uxolo baba, kahle ... (*Translation of isiZulu sentence followed.*)

[Ms M S KHAWULA: Chairperson, excuse me, hon member ...]

The DEPUTY SPEAKER: I am in the middle of handling a matter, hon member. Take your seat.

Nks M S KHAWULA: Cha, kukhona engifuna ukubuza. Amanga kuthiwa yini? [Ubuwelewele.] (*Translation of isiZulu paragraph follows.*)

[Ms M S KHAWULA: No, there is something I would like to ask.

What then do we call lies? [Interjections.]]

The DEPUTY SPEAKER: No, no, no! Hon member, take your seat.

Nks M S KHAWULA: Sicela nisitshele ukuthi amanga kufuneke siwabize ngani lana. [Ubuwelewele.] (*Translation of isiZulu sentence follows.*)

[Ms M S KHAWULA: Please tell me what must we call lies here.

[Interjections.]]

The DEPUTY SPEAKER: Hon Khawula, you are also out of order, and you are not allowed to use offensive language in the House.

[Interjections.]

The hon member ... hon members! Hon member! Hon Khawula! Mamela [listen], hon member! Hon Khawula ... hon Khawula, you and the member standing there, I name both of you. I name you, hon members, and you know what that means. You must take the responsibility. If you refuse to leave the House as is required of you when you are named, you must make sure that you do not enter this House tomorrow, as the Rules decree.

Mr N F SHIVAMBU: Deputy Speaker! Deputy Speaker! Can you please apprise of the Rule you have just applied now? Which Rule is that?

The DEPUTY SPEAKER: Hon member, take your seat.

Mr N F SHIVAMBU: Please help us because you are just passing judgement. You say "according to the Rule". Which Rule speaks about naming or not coming the next day?

The DEPUTY SPEAKER: Hon member, take your seat! You will know what the Rule is as soon as possible.

Mr N F SHIVAMBU: Can you please tell us now so that we know what we are dealing with.

The DEPUTY SPEAKER: Take your seat, hon member. I have ruled, and please do that. Hon Shivambu, you are behaving in an unacceptable manner. This is not the first time, hon member.

Mr N F SHIVAMBU: But you must rule! Even if it was the first time, you do this every day man!

The DEPUTY SPEAKER: Hon members, I'm going to do this. You can't misbehave and knowingly refuse to accept the ruling and want to be told what Rule it is.

Let me tell you what it is. Rule 53(1) states the following:

A member ordered to withdraw from the Chamber or suspended or named shall, subject to Subrule (2), forthwith withdraw from the precincts of Parliament.

Now can I suggest ... I pleaded with you to withdraw, and you haven't withdrawn.

Mr M Q NDLOZI: She did, hon Deputy Speaker.

The DEPUTY SPEAKER: That's not a withdrawal. You don't withdraw if you do it conditionally, and that's not acceptable.

Mr M Q NDLOZI: Deputy Speaker, she withdrew. She withdrew.

The DEPUTY SPEAKER: Hon Ndlozi, take your seat. I spoke to that member. I asked her repeatedly to withdraw. She did not withdraw, as far as I'm concerned.

Ms A MATSHOBENI: I did, Deputy Speaker.

The DEPUTY SPEAKER: You did not withdraw, as I requested you. If you did ...

Ms A MATSHOBENI: I said so. I said "I withdraw".

The DEPUTY SPEAKER: Alright. If you withdraw the statement, that is alright. Hon Khawula! Hon Khawula, no, no no! Listen here, hon members; this is not a shebeen! [Interjections.] You must stop screaming at one another in the House. This is not a tavern. Please realise that this House must be treated with respect. I plead with you once more.

Mr N PAULSEN: Deputy Speaker, with respect, you are behaving a bit like a bully. She withdraws, but you ignore it.

The DEPUTY SPEAKER: No, no, no.

Mr N PAULSEN: You ignored it, yes. You are selective as to what you hear. There was abusive and offensive language when we were accused here by the DA of misleading people in terms of numbers, but you never ruled on that. That was offensive to us. You protect the ANC, and you will protect the DA, but not the EFF. You are unfair, Deputy Speaker. You are unfair. [Interjections.]

The DEPUTY SPEAKER: Take your seat, hon member. Hon Khawula, I asked you to withdraw your words and the language you used there, including waving that paper, and what you said there. That's exactly what I said the hon member behind you must withdraw. I've heard her withdraw.

Nks M S KHAWULA: Sihlalo, sengathi kodwa awungizwanga. Ngithe mina kuwena, njengomhlonishwa, sitshele indlela ekushiwo ngayo umangabe umuntu uzothi unamanga. Ngoba phela siyafika la ePhalamende, siyiphethe izinto. Angizange ngisho ukuthi banamanga. Ngithe mina sitsheleni ngoba siwaphethe amanga. Futhi okwesibili sithi siyakhuluma la bayakhuluma laba bantu, bayishibhi lakho ngapha. Ngyabonga. (*Translation of isiZulu paragraph follows.*)

[Ms M S KHAWULA: Chairperson, it seems as if you didn't hear me. I asked you, as an hon member, to tell us what to say when you say someone is lying because we are new here in Parliament. I didn't say that they are lying. I said you must tell us because we can also lie. Secondly, when we speak, these people speak too; they behave as if they are at a tavern. Thank you.]

The DEPUTY SPEAKER: The ruling I made on the hon Khawula stands. Are there further motions?

Mr M Q NDLOZI: Deputy Speaker, a point of order ...

The DEPUTY SPEAKER: Who's not finished?

Mr M Q NDLOZI: She's not finished about Magwa Tea Farm.

The DEPUTY SPEAKER: Yes, finish the last points you haven't read.

Ms A MATSHOBENI: Thank you, Deputy Speaker. I further move:

That the House—

- (6) acknowledges that the Eastern Cape leadership of the EFF visited the farm and saw the despicable conditions our people have been forced to live under, right under the noses of the ANC and Minister Zokwana;
- (7) notes that the Magwa Tea Farm had been for years a thriving agricultural business employing hundreds of people but collapsed when the clueless leadership of the ANC tried to impose itself, leading to the malaise the farm is in right now;
- (8) further notes that, as a result of the neglect, parents struggle to take care of their children who go to school on empty stomachs, without uniform, and bare foot;

- (9) calls on the Minister of Agriculture, Forestry and Fisheries to come clean and tell this House that he has failed on several occasions to respond to the crisis of Magwa Tea workers;
- (10) further calls on the Eastern Cape Rural Development Agency to put in place a management company that will oversee a turnaround strategy for Magwa Tea; and
- (11) also calls on the people of Lusikisiki to reject the ANC during the 2016 local government election.

The DEPUTY SPEAKER: Are there any objections to the motion?

Mr P J MNGUNI: The ANC objects. I am also from Lusikisiki. As a matter of fact, I object also as a person from Lusikisiki.

[Interjections.]

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

WORLD TOILET DAY

(Draft Resolution)

Mr M HLENGWA: Deputy Speaker, on behalf of the IFP, I move without notice:

That the House-

- (1) notes that World Toilet Day is marked on 19 November;
- (2) acknowledges that around 2,4 billion people around the world don't have access to decent sanitation, and more than a billion are forced to defecate in the open, risking disease and other dangers;
- (3) further acknowledges that poor sanitation increases the risk of illness and malnutrition especially for children;
- (4) recognises that the issue of access to decent sanitation in this country in particular has proven to be a recurring one with a failure to meet the demand from the government;
- (5) further recognises that the recent drought and resultant fresh water shortage have been particularly problematic in the past few months; and

- (6) calls on government to prioritise decent sanitation for the people as it is a matter that affects people's right to human dignity as enshrined in the Constitution.

Agreed to.

FATAL BUS ACCIDENT IN WARDEN

(Draft Resolution)

Mr P J MNGUNI: Deputy Speaker, I move without notice:

That the House—

- (1) notes with sadness the bus crash in Warden, in the Free State, in which two children were killed instantly on Friday, 13 November;
- (2) further notes that the bus was transporting 22 children when it caught fire while travelling and then crashed into an embankment on the N3 near Warden;

- (3) understands that one child sustained first degree burns while four others sustained minor injuries;
- (4) further understands that the driver also sustained 40% second degree burns and unconscionably jumped out of the bus, leaving it unattended;
- (5) supports the investigations by the enforcement agencies to determine the cause of the blaze on the bus;
- (6) conveys its condolences to the families of the deceased children and wishes those injured a speedy recovery; and
- (7) calls upon all road users to drive safely and to be extremely vigilant and cautious at all times, especially during the upcoming festive season.

Agreed to.

INTERNATIONAL DAY FOR ELIMINATION OF VIOLENCE AGAINST WOMEN

(Draft Resolution)

Mr M U KALAKO: Deputy Speaker, I move without notice:

That the House-

- (1) notes that 25 November is regarded as the International Day for the Elimination of Violence against Women;
- (2) believes that violence against women is a human rights violation;
- (3) further believes that everyone has a responsibility to prevent and end violence against women and girls by starting to challenge the culture of discrimination that allows it to continue...

Nks M S KHAWULA: Sihlalo lapho ngaphambili ... (*Translation of isiZulu sentence follows.*)

[Ms M S KHAWULA: Chairperson, there in front.]

Mr M U KALAKO:

prevent and end violence against women and girls by starting to challenge ...

Nks M S KHAWULA: Uxolo kancane bakithi. (*Translation of isiZulu sentence follows.*)

[Ms M S KHAWULA: Excuse me.]

Mr M U KALAKO:

the culture of discrimination that allows it to continue
...

The DEPUTY SPEAKER: Hon member, just hold on.

Nks M S KHAWULA: Sihlalo ngaphambili, hayi bengike ngayisho lendaba ukuthi lezi zingane ziyahlupha, zadla utshwala bokufulelwa. Kuyimanje zilokho zibhalana nezincwadi la. Bakhumbula esikolweni into ababeyenza behambisa izincwadi ngaphansi kwama-desk. Awubatshele ukuthi akukhona esikoleni lana. Akukhona ezinganeni. Thumela labantu ephalamende labo lezingane. Siyabonga. (*Translation of isiZulu paragraph follows.*)

[Ms M S KHAWULA: Chairperson, I have said that these children are troublesome; they are chattering nineteen to the dozen. Now they are busy writing notes here. They are reminded of what they

used to do at school, passing notes under the desks. Tell them that this is not a school. This is not a place for children. Send these people to the Children's Parliament. Thank you.]

The DEPUTY SPEAKER: Hon members, kindly stop your disruptive behaviour inside the House. Go ahead, hon member.

Mr M U KALAKO: Deputy Speaker, I further move:

That the House—

- (4) recognises that the costs and consequences of violence against women and children last for generations;
- (5) further recognises that violence against women and girls is not inevitable and prevention is possible and essential; and
- (6) calls upon all South Africans to galvanise action to end violence against women and girls, especially during the 16 Days of Activism for No Violence Against Women and Children campaign.

Agreed to.

**AMATEUR SAILORS TO REPRESENT SOUTH AFRICA IN WORLD'S LONGEST
OCEAN RACE**

(Draft Resolution)

Ms E R WILSON: Deputy Speaker, I move without notice:

That the House-

- (1) notes that Sewisa Lawrence Magane, a 23-year-old from Groblersdal in Limpopo, was selected to take part in the world's longest ocean race;
- (2) further notes that Sewisa has never been on board a boat before;
- (3) also notes that Sewisa lost his parents at a very young age and was forced to be the head of a child-headed home where he was assisted and supported by the Ndlovu Care Group;
- (4) acknowledges that Sewisa was one of eight young South Africans chosen to take part in the world's longest

ocean race as part of the Sapinda Rainbow Foundation relay team;

(5) further acknowledges that Sewisa and seven other young ambassadors will sail from Cape Town to Western Australia, with the South African sponsored team on the *IchorCoal*, a 70-foot ocean racing yacht which will be crewed by amateur sailors under the command of professional skippers;

(6) also acknowledges that the team, who started Race Three of the Relay, will cover 4 845 nautical miles across the notorious Southern Ocean; and

(7) congratulates Sewisa and the other young ambassadors who have been selected to participate in this event and expresses its confidence that they will hold the South African flag high.

Agreed to.

RUMOURED BUSINESS INTERESTS IN LESOTHO OF CYRIL RAMAPHOSA

(Draft Resolution)

Mr P G MOTEKA: Deputy Speaker, I move without notice:

That the House-

- (1) notes that the Deputy President of this Republic is known for many things, chief amongst which his canny ability to make money, regardless whether he makes that money outside accepted ethical practices or consequences for those involved;
- (2) further notes that the Deputy President was appointed as a special envoy to sort out the mess in Lesotho, but through that he saw an opportunity to make money out of the tragedy in that country;
- (3) acknowledges that, through his association with Bidvest, the Deputy President has managed to strike a deal with the Lesotho government to rent out a fleet to the government of Lesotho;
- (4) further acknowledges that the Deputy President has also moved to monopolise the metered taxi industry in Lesotho through investing in metered taxis, wrestling

away from the struggling people of Lesotho control of their own transport industry;

- (5) calls on the government of Lesotho to think of their people first and reject Mr Ramaphosa from Lesotho;
- (6) further calls on the Deputy President to have a conscience and recognise that many people who were killed as a result of his greed at Marikana were from Lesotho, and thus he must now leave the people of Lesotho alone; and
- (7) finally calls on all South African people to reject the ANC that Ramaphosa represents during the 2016 local government election.

Reject Ramaphosa; reject corruption.

The DEPUTY SPEAKER: Are there any objections to the motion?

The CHIEF WHIP OF THE MAJORITY PARTY: The ANC objects.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

RIGHTS OF BETHELSDORP COMMUNITY DISREGARDED BY CEREBOS

(Draft Resolution)

Mr T RAWULA: Deputy Speaker, I move without notice:

That the House-

- (1) notes that land dispossession lies at the centre of the history of this country;
- (2) notes that white monopoly capital developed directly as a result of massive exploitation of black people and their displacement from their land;
- (3) further notes that 1994 changed fokol, and that 21 years after the attainment of freedom, many black people are still getting displaced by huge corporations, lack freedom, and are not getting compensated for their loss
...

Mr M WATERS: Deputy Speaker, I don't know if I heard the hon member correctly. [Interjections.] Oh, did I? But the hon member

just swore in the House, and he should withdraw that. I will not repeat what he said.

Mr N PAULSEN: He said "fokol"!

The DEPUTY SEAKER: Hon member, what language is that?

Mr T RAWULA: It's Afrikaans. It means "nothing". That is what I mean.

The DEPUTY SEAKER: Hon member, I said earlier on that none of these motions must contain offensive language.

Mr T RAWULA: With respect, Deputy Speaker, how is "fokol" offensive?

The DEPUTY SPEAKER: We do not speak like that in the House, hon member. You have just repeated the word. Please withdraw it.

Mr N PAULSEN: Speaker, may I address you?

The DEPUTY SEAKER: To say what?

Mnr N PAULSEN: Mag ek u aanspreek? Die woord "fokol" beteken eenvoudig "niks". (*Translation of Afrikaans sentence follows.*)

[Mr N PAULSEN: May I address you? The word "fokol" simply means "nothing".]

The DEPUTY SEAKER: Hon member ...

Mnr N PAULSEN: Dit beteken eenvoudig "niks". (*Translation of Afrikaans sentence follows.*)

[Mr N PAULSEN: It simply means "nothing".]

The DEPUTY SEAKER: Hon member ...

Mnr N PAULSEN: Dit beteken eenvoudig "niks". U verstaan my nie nou nie, so hoe weet u? Gaan u hulle woord aanvaar bo myne? (*Translation of Afrikaans paragraph follows.*)

[Mr N PAULSEN: It simply means "nothing". You don't understand me right now, so how would you know? Are you simply going to accept their word over mine?]

The DEPUTY SPEAKER: Hon member, we do not speak like that in the House.

Mnr N PAULSEN: Dit beteken "niks"!

Die ADJUNKSPEAKER: Nee, nee, die beteken nie "niks" nie.

Mnr N PAULSEN: Dit beteken "niks"!

Die ADJUNKSPEAKER: Wat jy nou sê beteken niks. (*Translation of Afrikaans paragraphs follows.*)

[Mr N PAULSEN: It means "nothing"!

The DEPUTY SPEAKER: No, no, it does not mean nothing.

Mr N PAULSEN: It means "nothing"!

The DEPUTY SPEAKER: What you are saying now means nothing.]

The member will withdraw that word. Die woord is nie aanvaarbaar nie; trek dit asseblief terug. [That word is not acceptable; please withdraw it.]

Mr T RAWULA: I withdraw my understanding of "fokol" as "nothing". I withdraw, Deputy Speaker.

The DEPUTY SPEAKER: Hon member, when you withdraw, please do it unconditionally. It is just clean if you do it that way.

Mr T RAWULA: I withdraw, Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much. [Interjections.]

Mr T RAWULA: I further move:

That the House—

- (4) acknowledges that the community of Bethelsdorp in Nelson Mandela Metropolitan Municipality has recorded rights to land on which Cerebos is mining salt and that the community is complaining of being ripped off by the company's mining activities in the area;
- (5) further acknowledges that the community is not considered for jobs in the company, never compensated, and that the company does not engage the community on

social development plans to support community initiatives;

(6) calls on the Executive Mayor of the Nelson Mandela Municipality, Danny Jordaan, "Mr Fix It", to focus on uplifting socioeconomic conditions of the people of Nelson Mandela Bay Metropolitan Municipality instead of worrying about impending corruption charges against him for the corrupt activities his clique committed in securing the 2010 Fifa Soccer World Cup; and

(7) further calls on the people of Nelson Mandela Bay Metropolitan Municipality to reject the ANC during the 2016 local government election and the reactionary DA too.

The DEPUTY SPEAKER: Are there any objections to the motion?

The CHIEF WHIP OF THE MAJORITY PARTY: The ANC objects.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

Ms D CARTER: Deputy Speaker, I really want to make a proposal that perhaps Parliament, when they issue Constitutions, should actually also issue dictionaries to members of this House.

Dr W G JAMES: Deputy Speaker, this House must consist of members who share a basic core of civility. I sit next to the EFF Members of Parliament to my left, and I just want register my deepest objection to the use of words that don't belong in this House or any other House. [Applause.]

Mr M Q NDLOZI: I rise on a point of order!

The DEPUTY SPEAKER: The man is ... the hon member is ... I will give you a chance to speak. Take your seat, please.

Mr M Q NDLOZI: Deputy Speaker, it is procedural.

Dr W G JAMES: Deputy Speaker, let me just say ... I am addressing ... I have asked ...

Mr M Q NDLOZI: You have ruled on the matter, and the member has withdrawn. Please, Deputy Speaker, reign over the House! We must be directed from your seat, and you have closed the matter.

The DEPUTY SPEAKER: Hon member, let me direct you. Take your seat. Hon member, it is the right of the members to express their concerns in the House in whatever form. I do wish to express the unacceptability of us interrupting each other, and I have said so before. Let's not do that. [Interjections.]

Dr W G JAMES: I wanted to conclude by saying that unless we are capable of rising to a level of conduct that befits this House, which represents the best behaviour to the nation, we are not fit to sit in this Parliament. Thank you. [Applause.]

Mr N F SHIVAMBU: Deputy Speaker, the DA can't teach us how to speak and what to say, particularly this member who was rejected by his own party. He was defeated in the DA there. If he had this civility, he could have won inside his party. He was rejected by the majority of those people. He must go and teach his people those things there. We say what we want to say, in the manner we deem suitable. We can't be taught by the DA rejects what to say here.

The DEPUTY SPEAKER: Hon members, I wish ... [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, a little while ago we met as the Rules Committee to discuss the creation of a

disciplinary committee to deal with matters within this Parliament. I will really urge the Chief Whip of the Majority Party and the rest of the Whippers to try and get this committee passed before we rise next week because, really, to ask a member to withdraw such egregious use of foul language in this House is not good enough.

The hon Kohler-Barnard, when she mouthed those words in Parliament, had her salary docked, and she was suspended from Parliament. If we don't actually have a disciplinary committee that is empowered to be able to take action against members, we are going to consistently and flagrantly abuse Parliament. Then we are going to have them coming and saying those words on a daily basis, if it is just a matter of withdrawing. I can say it now and then say "I withdraw" and sit down. It doesn't help the matter, so I would ask you make an earnest appeal to the Chief Whip of the Majority Party and other Chief Whips to get this disciplinary committee up and going so we can bring some decorum back to the House.

Mr M S MBATHA: Deputy Speaker, I am one of those who consistently sit here next to the DA. I can assure you of the amount of insults the hon Paulsen has to endure, and we have never reported any of those things. If the DA ...

[Interjections.] ... you can even see now. I am on the floor. You can even see now. We have never raised this with any of the presiding officers.

The DA has consistently insulted the hon Paulsen without any reason, and we never rose here to complain because we thought perhaps it is standard practice that sometimes, or once in a while, you insult a member privately. Now if they want us to record all the insults, we can do that. They must not come here and clean up. [Interjections.]

The DEPUTY SPEAKER: Hon members, we would like to ensure that, as Members of Parliament, we remain respected, whatever our political views. I think - I am assuming - that we do want to act in a manner of which those who sent us here will feel proud. This includes our presence here and how we conduct our affairs.

Also, there should just be a level of decency between us; we work together here. It shouldn't be alright to hurl insults at one another, even for political reasons. It is not good. It doesn't create a good climate in the conduct of the work that we are responsible for in the House. So, please, let us be reasonable and considerate. This matter hopefully will be addressed by the Whips across the board on a regular basis.

VICTORY FOR BAFANA BAFANA AGAINST ANGOLA

(Draft Resolution)

Mr P J MNGUNI: Deputy Speaker, the ANC moves without notice:

That the House-

- (1) notes that the national team, Bafana Bafana, has beaten Angola, both at home and away, during the World Cup's first qualifying matches;
- (2) further notes that the first victory was a splendid 3-1 away win in Benguela, and it was followed by a 1-0 win at home in Durban last night to seal a 4-1 aggregate victory;
- (3) acknowledges that Bafana Bafana produced a breathtaking performance, especially in the first leg, when they became the first team to beat Angola at home in more than two decades;

- (4) further acknowledges this victory confirms their participation in the next round of qualifying for the 2018 World Cup in Russia;
- (5) congratulates Bafana Bafana for their victory against Angola and wishes them well in the next round of World Cup qualifiers; and
- (6) calls upon South Africans to rally behind Bafana Bafana in their upcoming World Cup qualifying matches.

Agreed to.

CALL FOR BETTER ROAD SAFETY PRECAUTIONS AROUND SCHOOLS

(Draft Resolution)

Mr A M SHAIK EMAM: Deputy Speaker, on the behalf of NFP, I move without notice:

That this House-

- (1) notes that on Tuesday, 17 November 2015, 4-year-old Grade R learner Kagiso Silangwe from Evergreen Primary

School in Havenside, Chatsworth, was seriously injured and is not doing well after having been knocked down by a motor vehicle.

- (2) further notes that the driver failed to stop and instead drove off hastily;
- (3) acknowledges that said vehicle is a white Toyota Yaris;
- (4) further acknowledges that when the road was recently resurfaced, the speed humps were removed but not replaced;
- (5) condemns the actions of the driver;
- (6) calls on the:
 - (a) members of the community to assist in identifying the driver;
 - (b) SAPS to do whatever is necessary to bring the callous perpetrator to justice;
 - (c) municipality to replace the speed humps urgently;and

- (7) extends its good wishes to the learner for a speedy recovery.

Agreed to.

CALL FOR BETTER ROAD INFRASTRUCTURE

(Draft Resolution)

Mr T E MULAUDZI: Deputy Speaker, I rise on behalf of the EFF to move without notice:

That the House-

- (1) notes that the month of December, and festive season, is generally well known for bringing with it enumerable deaths caused by car accidents;
- (2) further notes that as much as a sizeable number of these deaths are caused by reckless driving, a significant number is caused by poor road infrastructure, which is a result of years of neglect by the government;
- (3) acknowledges that the roads in Mpumalanga, Limpopo, and Eastern Cape have permanent potholes, to the extent that

the government sees it fit to erect road signs warning the drivers about the potholes;

- (4) further acknowledges that some of those roads are very bad gravel roads on which sedan vehicles cannot even drive properly and that these roads are only repaired in the event of an ANC politician visiting the area to lie to the people when they need votes;
- (5) recognises that even though vehicle owners in rural areas are required to pay the same licence fees as their urban counterparts, they do not benefit the same in terms of road maintenance;
- (6) calls on the Minister of Transport to realise that there can never be proper economic development without proper road infrastructure and to prioritise the improvement of road infrastructure in rural areas;
- (7) further calls on the Minister to stop wrongful things like warning people of potholes and to fix those potholes; and

- (8) also calls on the people of South Africa to reject the ANC in the 2016 local government election.

The DEPUTY SPEAKER: Are there any objections to the motion?

Mr P J MNGUNI: The ANC objects.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

POWER DISRUPTION AT CHRIS HANI BARAGWANATH ACADEMIC HOSPITAL

(Draft Resolution)

Mrs L V JAMES: Deputy Speaker, I move on behalf of the DA without notice:

That this House-

- (1) notes that yesterday, 17 November, Chris Hani Baragwanath Academic Hospital in Soweto experienced a power cut;

- (2) further notes that the loss of power came as a result of alleged cable theft in the area;
- (3) recognises that a generator to power the intensive care unit did not function immediately, and patients had to be evacuated to the recovery theatre;
- (4) expresses its concerns over yet another generator failure at this hospital, placing the lives of many sick patients at risk; and
- (5) commends the brave doctors and nurses of Chris Hani Baragwanath Academic Hospital whose swift action and intervention quite possibly saved lives.

Agreed to.

NOMINATION OF TOKYO SEXWALE AS FIFA PRESIDENT

(Draft Resolution)

Mr M U KALAKO: Deputy Speaker, I move without notice:

That the House-

- (1) congratulates Tokyo Sexwale for being among the top five candidates nominated for the Federal International Football Association, Fifa, presidency;
- (2) further notes that Tokyo Sexwale, Gianni Infantino, Jerome Champagne, Shaikh Salman bin Ibrahim Al Khalifa, and Prince Ali bin Hussein are the five candidates ratified by the Fifa ad-hoc electoral committee following the conclusion of an integrity check;
- (3) believes that with such incredible credentials, skills, and experience, Tokyo Sexwale is a credible candidate that can successfully restore Fifa to its former glory;
- (4) further believes that this is an African century, and it's time for Africa to have its own candidate to represent it as Fifa president; and
- (5) calls upon South African football lovers and the Confederation of African Football to rally behind Tokyo Sexwale and support his candidacy for the presidency of Fifa.

The DEPUTY SPEAKER: Are there any objections to motion?

Mr M Q NDLOZI: Deputy Speaker?

The DEPUTY SPEAKER: Yes.

Mr M Q NDLOZI: It's a bit confusing, and I seek your guidance.

[Interjections.] When we came here to propose the same motion, the ANC objected. Now because Tokyo Sexwale has been shortlisted, they bring back the motion to the House.

[Interjections.] It's a bit opportunistic. I mean, they rejected it. So, how do we deal with something that they rejected and that then comes back? It's a bit of opportunism that ...

The CHIEF WHIP OF THE MAJORITY PARTY: Point of order ...

The DEPUTY SPEAKER: Yes.

The CHIEF WHIP OF THE MAJORITY PARTY: On a point of order: Let me clear the confusion for the hon member. We told them that we objected to the fact that they called Tokyo Sexwale an apartheid activist. That's the reason why we objected to their motion. We are not objecting to Tokyo being promoted to any high level in any institution. [Applause.] [Interjections.]

Mr M Q NDLOZI: Deputy Speaker?

The DEPUTY SPEAKER: Hon member?

Mr M Q NDLOZI: That is not true. This is opportunism. We object to this motion. It's opportunism.

The DEPUTY SPEAKER: Alright. In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

UNUSED STATE-OWNED LAND

(Draft Resolution)

Mr K P ROBERTSON: Deputy Speaker, I move without notice:

That the House-

- (1) notes the large amounts of unused state-owned land throughout all areas of South Africa;
- (2) further notes that this House has never really resolved and adopted a fully transparent, comprehensive report which discusses the exact amount of unused state-owned land throughout the country;

- (3) acknowledges that the need for land, the expansion in the agricultural sector, and the tenure of land for previously disadvantaged citizens are at national crisis levels;
- (4) further acknowledges that 2018 is the final year to where the extension of the Restitution Bill is drawing nearer at a quickened pace, and government is no closer to distributing wealth to its people than what they were at the time of its extension; and
- (5) calls for the recruiting of a multiparty ad hoc committee to hastily recruit a panel of experts that are independent from the state who can comprehensively and transparently audit the availability of state-owned land so as to maximise the usage of that land and to alleviate poverty on a large scale.

The DEPUTY SPEAKER: Are there any objections to the motion?

Mr P J MNGUNI: Deputy Speaker, the ANC objects.

The DEPUTY SPEAKER: In light of the objection, the motion without notice becomes a notice of motion on the Order Paper.

DENYING OF BAIL TO POLICE OFFICERS ACCUSED OF KILLING SUSPECT

(Draft Resolution)

Mr A M SHAIK EMAM: Hon Deputy Speaker, I move without notice:

That the House-

- (1) notes that three police officers accused of shooting dead a suspect were denied bail in the Krugersdorp magistrate's court on Friday;
- (2) further notes that the magistrate rejected their bail application;
- (3) acknowledges that in terms of section 35(3)(h) of the Constitution, every accused person has the right to a fair trial, which includes the right to be presumed innocent;
- (4) recognises that the accused policemen all have fixed residential addresses, pose no flight risk as they have insufficient means and have families, and met all other preconditions for bail;

- (5) further recognises that by taking a decision to deny bail, the court effectively found the accused policemen guilty, which is not the purpose of a bail application;
- (6) also recognises that this sends a wrong message to criminals in this country;
- (7) expresses its concern at the premature finding of guilt by the court in contravention of the provisions of our Constitution;
- (8) urges members of the judiciary to refrain from treating bail applications as a platform to pronounce on guilt or innocence; and
- (9) calls on the authorities to treat all equally before the law.

Agreed to.

DEADLY MARKET EXPLOSION IN NORTHEASTERN NIGERIA

(Draft Resolution)

Prof N M KHUBISA: Hon Deputy Speaker, I move without notice:

That the House-

- (1) notes that on Tuesday, 17 November, at least 32 people were killed and 80 wounded after an explosive device went off at a market in the northeastern Nigerian city of Yola;
- (2) also notes that it is still unclear who is responsible for the blast but that the armed group Boko Haram has carried out attacks on Yola in the past, including suicide bomb attacks and other bombings, and are suspected of being behind the latest bomb blast;
- (3) further notes that the suspected perpetrators, Boko Haram, have pledged allegiance to the Islamic State and killed thousands of people in the northeastern part of the country during the last six years;
- (4) sends its condolences to the people and the government of Nigeria at the tragic loss of civilian lives in the bomb blast; and

- (5) urges the African Union to make every effort possible to facilitate peace-keeping efforts in the strife-torn northern part of Nigeria.

Agreed to.

DIVISION OF REVENUE AMENDMENT BILL

(Decision of Question on Second Reading)

There was no debate.

Question put: That the Bill be read a second time.

Division demanded.

The House divided.

AYES - 223: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanyana, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bongo, B T; Booi, M S; Boroto, M G; Buthelezi, M G; Capa, R N; Capa, N; Carrim, Y I; Cebekhulu, R N; Cele, B H; Cele, M A; Chikunga, L S; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Cwele, S C; Davies, R H; Didiza, A T;

Dirks, M A; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S;
Dlodlo, A; Dlomo, B J; Dlulane, B N; Dudley, C; Dunjwa, M L;
Esterhuizen, J A; Filtane, M L W; Frolick, C T; Gamede, D D;
Gcwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B;
Gordhan, P J; Gumede, D M; Hlengwa, M; Holomisa, S P; Jafta, S
M; Jeffery, J H; Johnson, M; Jonas, M H; Kalako, M U; Kekana, H
B; Kekana, M D; Kekana, E; Kekana, C D; Kenye, T E; Khoarai, L
P; Khosa, D H; Khoza, T Z M; Khubisa, N M; Khunou, N P;
Koornhof, G W; Koornhof, N J J v R; Kubayi, M T; Kwankwa, N L S;
Landers, L T; Lesoma, R M M; Letsatsi-Duba, D B; Loliwe, F S;
Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P
P; Mabija, L; Mabika, M S; Mabilo, S P; Madella, A F; Madlopha,
C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi,
D P; Mahambehlala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J
L; Maila, M S A; Majeke, C N; Majola, F Z; Makhubela-Mashele, L
S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H;
Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M C; Manana,
M N S; Mandela, Z M D; Mantashe, P T; Mapisa-Nqakula, N N;
Mapulane, M P; Martins, B A D; Masehela, E K M; Mashatile, S P;
Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B;
Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H;
Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M;
Mbalula, F A; Mdakane, M R; Memela, T C; Mfeketo, N C; Mjobo, L
N; Mkhize, H B; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi,

S G; Mncwabe, S C; Mncwango, M A; Mnganga - Gcabashe, L A;
Mnguni, P J; Mnguni, D; Mnisi, N A; Mogotsi, V P; Mokoto, N R;
Molebatsi, M A; Moloi-Moropa, J C; Mothapo, M R M; Motimele, M
S; Motshekga, M A; Mpumlwana, L K B; Msimang, C T; Mthembu, N;
Mthethwa, E M; Mudau, A M; Muthambi, A F; Nchabeleng, M E;
Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Nel, A C; Nene,
N M; Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nkomo, S
J; Nkwinti, G E; Nobanda, G N; November, N T; Nqakula, C;
Ntombela, M L D; Ntshayisa, L M; Nxesi, T W; Nyalungu, R E;
Nyambi, H V; Oosthuizen, G C; Patel, E; Phaahla, M J; Phosa, Y
N; Pikinini, I A; Pilane-Majake, M C C; Radebe, B A; Radebe, J
T; Radebe, G S; Ralegoma, S M; Ramaphosa, M C; Ramatlakane, L;
Ramatlhodi, N A; Rantho, D Z; Raphuti, D D; Semanya, M R;
September, C C; Shaik Emam, A M; Shelembe, M L; Shope-Sithole, S
C N; Sibande, M P; Singh, N; Sisulu, L N; Sithole, K P; Siwela,
E K; Sizani, P S; Skosana, J J; Skwatsha, M; Smith, V G; Sotyu,
M M; Surty, M E; Swart, S N; Thabethe, E; Thomson, B; Tleane, S
A; Tobias, T V; Tseke, G K; Tseli, R M; Tsoleli, S P; Tsotetsi,
D R; Tuck, A; Van der Merwe, L L; Van Rooyen, D D D; Van
Schalkwyk, S R; Williams, A J; Xego, S T; Zokwana, S; Zulu, L D;
Zwane, M J.

NOES - 17: Chewane, H C; Hlophe, H O; Khawula, M S; Kopane, S P;
Matiase, N S; Matshobeni, A; Mbatha, M S; Mhlongo, S P; Moteka,

P G; Mulaudzi, T E; Ndlozi, M Q; Rawula, T; Shivambu, N F;
Sonti, N P; Steenhuisen, J H; Steyn, A; Waters, M.

Question agreed to.

Bill accordingly read a second time.

**CONSIDERATION OF RECOMMENDATION OF CANDIDATES TO FILL VACANCIES
ON COUNCIL OF INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH
AFRICA, ICASA**

Ms J C MOLOI-MOROPA: Deputy Speaker and hon members, the Portfolio Committee on Communications considered two letters from the Minister of Communications. The first one was informing the National Assembly of four vacancies of councillors for the Independent Communications Authority of South Africa, Icasa. The second letter was informing of one vacancy, in all constituting five vacancies.

A subcommittee was formed for shortlisting and appointment and consisted of members from various parties as per the ratio of this House. The committee advertised the call for nomination of persons to serve on the Icasa council. In all, 85 nominations were received and considered by the committee.

Because the report is here for the second time, I will sum up most of the issues because they were brought before the House. The report of the committee was considered by the House on Tuesday, 23 June 2015, following an objection regarding Mr Ntenti, one of the recommended candidates. The report was subsequently referred back to the committee for further consideration.

On 3 November, the committee met to consider the referral from the House. After the corrections were reflected with regard to the State Security Agency's vetting process for personnel security checks for Mr Ntenti, the committee agreed that his name be removed from the list of the recommended candidates for appointment.

The committee's recommendation for this House will therefore be centred on four Icasa council vacancies that the Minister has to fill. The committee will advertise two vacancies, subsequently, following from this process. The first one will result from the dropping of the name from this process, and the second one is a vacancy arising from the Icasa chairperson's term of office coming to an end at the end of July.

The committee therefore recommends to the House the following seven names to be sent to the Minister in order to fill four vacancies for the Icasa council. The recommended names are the following: Mrs Botlenyana Mokhele, Adv Dimakatso Qocha, Mr Lumko Mtimde, Mr Yengwayo Kutta, Mr Peter Zimri, Mr Kaebetswe Modimoeng, and Mr Paris Mashele.

The DA objected to the name of Lumko Mtimde based on his pronouncement on the interest for a media tribunal and, subsequently, due to his alleged political affiliation. There is no substance to those objections. The portfolio committee therefore presents this report to the House. Thank you, Deputy Speaker.

There was no debate.

Question put: That Ms Botlenyana Mokhele, Adv Dimakatso Qocha, Mr Lumko Mtimde, Mr Yengwayo Kutta, Mr Peter Zimri, Mr Kaebetswe Modimoeng and Mr Paris Mashele be recommended for appointment as councillors to fill vacancies on the Council of the Independent Communications Authority of South Africa.

Declarations of vote:

Ms P T VAN DAMME: Deputy Speaker, this is the second time this report is being tabled before this House on recommendations of candidates to fill vacancies at Icasa. The first time, it took the DA to knock some sense into the ANC on the inclusion of Thami Ntentseni, who we believe to be unsuitable on account of a criminal record. The DA warned the committee before the report was tabled in the House that it was on public record that Mr Ntentseni had a criminal record, as he was involved in a high-speed crash where one woman was killed and three others injured.

We are therefore pleased that the ANC has come to its senses and agreed with us that his name be removed from the list. It is unacceptable, however, that Mr Ntentseni continues to serve on the Board of the Media Development and Diversity Agency, MDDA. He must be removed as a matter of urgency.

We are also disappointed that the committee does not agree with us that Lumko Mtimde be removed from the list. Mtimde is openly and unapologetically supportive of a media appeals tribunal. It does not matter that the media appeals tribunal is part of ANC policy. The public rejected it and will reject it again. We trust that the Minister will apply her mind to this list and choose candidates that will do the important work of the

independent regulations of the telecommunications, broadcasting and postal industries in South Africa. I thank you.

Mr M Q NDLOZI: Deputy Speaker, we don't want to be part of the rubber-stamping deployment activities of Luthuli House. However, it is critical to realise that Icasa needs to be given the necessary space to function as an independent body, particularly to go very hard on companies like MTN. It must develop the courage and the capacity to go hard on companies.

As a matter of fact, it is on record that even here in South Africa, as they did in Nigeria, MTN is distributing SIM cards that have not been registered in accordance with the Regulation of Interception of Communications and Provision of Communication-related Information Act. The R5 billion or those billions of rand that were recovered from Nigeria can also be recovered here and put back into the system to make sure that the cost of communication is reduced aggressively.

Vodacom, MTN, and all those people must be regulated to make sure not only that our tax base is not eroded, but also that we are able to reduce the cost of communication. So, Icasa must be given the necessary space to function. Beyond that, Icasa needs to be very hard next year in terms of the distribution of

allocated slots for elections. It must start with a tabula rasa; it must not give the ruling party an advantage by giving them more slots. We must object to that.

Everybody must be given a level playing field within radio and television so that we can air our advertisements. They must not go with things like saying the ruling party was there yesterday because that is to re-enforce them to also be advantaged in the next election. We must all be given the necessary space and an equal playing field to communicate our messages to the electorate so that they can make their decisions. So, we are not here at all to rubber-stamp the decisions of the deployment committee of the ANC. Thank you.

Ms L L VAN DER MERWE: Hon House Chairperson, the matter before us today has led to a number of important questions being asked about the way in which Parliament nominates individuals to serve on boards and councils.

The interview process for the Icasa council ended with a number of shortlisted candidates, some with questionable backgrounds, including a convicted criminal. Having been a part of a number of committees that dealt with appointing members to the SABC board, the IFP has always pleaded that positions should be

filled by the most competent, most passionate, and most appropriately qualified individuals.

However, it has become blatantly clear that candidates who make it through these processes, with a few exceptions, are drawn from a small pool of politically approved persons. In fact, many of the candidates who were nominated for the Icasa council were also nominated in the past to serve the MDDA, as well as the SABC. In other words, there is a strong indication of cadre deployment. Some candidates such as Mr Lumko Mtimde have already served the MDDA and the SABC. He is a staunch ANC member and is a known proponent of the media appeals tribunal. The proposed tribunal is just another attempt to execute state control over the media. His views on this matter are disconcerting therefore, considering the need for Icasa to be fiercely independent of government interference.

It is abundantly clear that shortlisted candidates are being drawn from a pool of persons determined to fit the bill before interview processes even start. This leads to serious concerns over the credibility of the entire process. For as long as boards and councils are abused by the ruling party as cadre deployment vehicles, we cannot support this process. I thank you.

Prof N M KHUBISA: Chair, Icasa has a very important function to regulate South Africa's communication and broadcasting. To fulfil its mandate effectively, efficiently, and in a transparent manner, Icasa must have a fully functional council comprising of qualified and experienced members.

The extraordinary number of vacant seats on the council is a cause for alarm, and the working of the council is now effectively paralysed. It is therefore a matter of urgency that the appointments be made as soon as possible.

The NFP is on record as saying that we reject the appointment of Mr Ntentsi, and we are now pleased that he is out of the race. The NFP is satisfied that the portfolio committee has adhered to the necessary processes and proceeded to shortlist the candidates whose names appear in the report. We would have liked to see more women and minority representation in the shortlist, but in general we support the report. Thank you.

Ms D CARTER: House Chairperson, on 5 May, the subcommittee shortlisted 12 candidates to fill the five vacancies on the Icasa board. The DA and Cope, amongst others, objected to two names.

What is of concern is that a statement was issued by the committee under the title, "Communications committee sets record straight", dated 25 March 2015. In the statement, it states that 96 nominations were received to fill the SABC board vacancies.

It states that "Parliament is currently in possession of copies of his qualifications, which were sent after the shortlisting process had closed". I repeat: "... which were sent after the shortlisting process had closed."

How could the subcommittee recommend names of those who missed the deadline? How did the committee agree with the subcommittee on the process? Is this not flaunting administrative processes? Or is it yet another prime example of political meddling, deployment, and cronyism?

Mtimde currently serves on 10 boards and panels, of which three are international boards. Can he give his all to Icasa? In the past, some of the boards had to distance themselves from the views Mtimde expressed publicly. Can Mtimde leave his ANC cap at home and put Icasa first? He was not able to do it in the past. What has changed now?

Then, it is quite shocking that, out of 96 nominations, we could only find two competent or capable women. That is a disappointment. The committee ignored the objections of, amongst others, the political parties with regard to Mr Ntentseni, which gave rise to the report being referred back to the committee. Cope cannot support the process. [Time expired.]

Ms D R TSOTETSI: Hon House Chairperson, the Act determines that members of the board should not hold executive positions in a political party. Presently, Mr Mtimde is not yet serving on the board. No person in his or her right mind will resign from any position only because he or she applied for membership of the board and was called for an interview. Even if you are shortlisted, you won't resign until there is confirmation of your appointment.

If indeed the candidate who is, of course, a potential board member was holding a position in a political party, he or she would resign pending confirmation of the appointment. If there is information which is contrary to the Act, we would appreciate the sharing of the information. People fought against the Secrecy Bill, but they are the ones who are actively involved in secrets even when the secret is to the detriment of the institution.

Over and above that, everybody has rules to abide by. That is our main concern. For instance, sections 5 and 6 of the Icasa Code of Ethics state that all councillors and chief executive officers must adhere to and comply with the requirements of the Icasa Code of Ethics. Therefore, Mr Mtimde is no exception.

Part of our mandate as the committee is to oversee boards. So, if there is any conduct contrary to the Act, the committee will take the necessary steps. The Independent Communications Authority of South Africa Act, Act 2 of 2014, makes provision for a complaints and compliance committee. So, why do you panic? Please read the Act. People must learn to make a distinction between fact and fiction, where they imagine things even before they happen. There is a saying that if you can't find what's good in me, try and find what's wrong in you. Please do likewise.

Mr Ntentseni's situation is resolved, and the matter has been put to rest. The names recommended by the committee are of people who are fit for and equal to the job. It is not the DA or any other opposition party who raised Mr Ntentseni's issue, but the security check. [Time expired.] [Applause.]

Question put: That Ms Botlenyana Mokhele, Adv Dimakatso Qocha, Mr Lumko Mtimde, Mr Yengwayo Kutta, Mr Peter Zimri, Mr Kaebetswe Modimoeng and Mr Paris Mashele be recommended for appointment as councillors to fill vacancies on the Council of the Independent Communications Authority of South Africa.

The CHIEF WHIP OF THE OPPOSITION: Madam House Chair, in terms of section 193(5) (b) of the Constitution, we require for commissioners to enjoy a majority of members of the Assembly's support. The only way you are going to be able to determine that is through a division, and we therefore call for one.

Division demanded.

The House divided.

AYES - 207: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanyana, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bongo, B T; Booi, M S; Capa, R N; Capa, N; Carrim, Y I; Cele, B H; Cele, M A; Chikunga, L S; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Cwele, S C; Davies, R H; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Frolick, C T; Gamede, D D; Gcwabaza, N E; Gigaba, K

M N; Gina, N; Godi, N T; Goqwana, M B; Gordhan, P J; Gumede, D
M; Holomisa, S P; Jafta, S M; Jeffery, J H; Johnson, M; Kalako,
M U; Kekana, H B; Kekana, C D; Kekana, E; Kekana, M D; Kenye, T
E; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khubisa, N M; Khunou,
N P; Koornhof, G W; Koornhof, N J J v R; Kubayi, M T; Kwankwa, N
L S; Landers, L T; Lesoma, R M M; Letsatsi-Duba, D B; Loliwe, F
S; Luyenge, Z; Luzipo, S; Mabasa, X; Mabe, B P; Mabe, P P;
Mabija, L; Mabika, M S; Mabilo, S P; Madella, A F; Madlopha, C
Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D
P; Magwanishe, G; Mahambehlala, T; Mahlalela, A F; Mahlangu, D
G; Mahlangu, J L; Maila, M S A; Majola, F Z; Makhubela-Mashele,
L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H;
Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M C; Manana,
M N S; Mandela, Z M D; Mantashe, P T; Mapisa-Nqakula, N N;
Mapulane, M P; Martins, B A D; Masehela, E K M; Mashatile, S P;
Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B;
Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H;
Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M;
Mbalula, F A; Mdakane, M R; Memela, T C; Mfeketo, N C; Mjobo, L
N; Mkhize, H B; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi,
S G; Mncwabe, S C; Mnganga-Gcabashe, L A; Mnguni, P J; Mnguni,
D; Mnisi, N A; Mogotsi, V P; Mokoto, N R; Molebatsi, M A; Moloi-
Moropa, J C; Mothapo, M R M; Motimele, M S; Motshekga, M A;
Mpumlwana, L K B; Mthembu, N; Mthethwa, E M; Mudau, A M;

Muthambi, A F; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S
T; Ndongeni, N; Nel, A C; Nene, N M; Ngcobo, B T; Ngwenya-
Mabila, P C; Nkadimeng, M F; Nkwinti, G E; Nobanda, G N;
November, N T; Nqakula, C; Ntombela, M L D; Nxesi, T W;
Nyalungu, R E; Nyambi, H V; Oosthuizen, G C; Patel, E; Phaahla,
M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Radebe, B
A; Radebe, J T; Radebe, G S; Ralegoma, S M; Ramaphosa, M C;
Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z; Raphuti, D D;
Semenya, M R; September, C C; Shabangu, S; Shaik Emam, A M;
Shelembe, M L; Shope-Sithole, S C N; Sibande, M P; Sisulu, L N;
Siwela, E K; Sizani, P S; Skosana, J J; Skwatsha, M; Smith, V G;
Sotyu, M M; Surty, M E; Thabethe, E; Thomson, B; Tleane, S A;
Tobias, T V; Tseke, G K; Tseli, R M; Tsenoli, S L; Tsotetsi, D
R; Tuck, A; Van Rooyen, D D D; Van Schalkwyk, S R; Williams, A
J; Xego, S T; Zokwana, S; Zulu, L D; Zwane, M J.

NOES - 67: America, D; Atkinson, P G; Bagrain, M; Baker, T E;
Balindlela, Z B N; Basson, L J; Bergman, D; Boshoff, H S;
Bozzoli, B; Brauteseth, T J; Buthelezi, M G; Cardo, M J; Carter,
D; Cebekhulu, R N; Chance, R W T; Dreyer, A M; Edwards, J;
Esterhuizen, J A; Figg, M J; Figlan, A M; Groenewald, H B;
Hadebe, T Z; Hlengwa, M; Horn, W; James, W G; James, L V;
Jongbloed, Z; Kalyan, S V; Kohler, D; Kopane, S P; Lotriet, A;
Mackenzie, C; Macpherson, D W; Majola, T R; Marais, E J;

Masango, B S; Matsepe, C D; Mazzone, N W A; Mbhele, Z N;
Mcloughlin, A R; Mhlongo, T W; Mileham, K J; Mncwango, M A;
Mokgalapa, S; Motau, S C; Mulder, P W A; Mulder, C P; Nkomo, S
J; Ollis, I M; Rabotapi, M W; Redelinghuys, M H; Robertson, K P;
Robinson, D; Schmidt, H C; Shinn, M R; Singh, N; Sithole, K P;
Steenhuisen, J H; Steyn, A; Stubbe, D J; Van Damme, P T; Van der
Merwe, L L; Van der Westhuizen, A P; Van Dyk, V; Vos, J; Waters,
M; Whitfield, A G.

ABSTAIN - 10: Filtane, M L W; Hlophe, H O; Ketabahle, V;
Khawula, M S; Majeke, C N; Matshobeni, A; Ndlozi, M Q; Rawula,
T; Shivambu, N F; Sonti, N P.

Question agreed to.

Ms Botlenyana Mokhele, Adv Dimakatso Qocha, Mr Lumko Mtimde, Mr
Yengwayo Kutta, Mr Peter Zimri, Mr Kaebetswe Modimoeng and Mr
Paris Mashele accordingly recommended for appointment as
councillors to fill vacancies on the Council of the Independent
Communications Authority of South Africa.

**CONSIDERATION OF REQUEST FOR APPROVAL BY PARLIAMENT OF
ADDITIONAL PROTOCOL TO THE TRADE, DEVELOPMENT AND CO-OPERATION
AGREEMENT, TDCA, BETWEEN THE EUROPEAN COMMUNITY, EC, AND ITS**

**MEMBER STATES OF THE ONE PART, AND THE REPUBLIC OF SOUTH AFRICA,
OF THE OTHER PART, TO TAKE ACCOUNT OF THE ACCESSION OF THE
REPUBLIC OF CROATIA TO THE EUROPEAN UNION IN TERMS OF SECTION
231(2) OF THE CONSTITUTION**

The HOUSE CHAIRPERSON (Ms M G Boroto): I now invite the hon Fubbs to introduce the report. If the hon Fubbs is not here, I will put the question.

There was no debate.

Those in favour of the Order being agreed to, say "aye".

HON MEMBERS: Aye!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against will say "no".

HON MEMBERS: No!

The HOUSE CHAIRPERSON (Ms M G Boroto): I think the ayes have it. Yes, hon member?

Mr M Q NDLOZI: House Chair, we want to make a declaration.

Declarations of vote:

Mr N F SHIVAMBU: Chair, the request to the House is that we approve the Trade, Development and Co-operation Agreement, TDCA, between the European Community and South Africa, not because it does not exist - it has been there throughout - but because Croatia is now part of the European Community. We need to agree on that Trade, Development and Co-operation Agreement, taking into cognisance the inclusion of Croatia.

Minister of Trade and Industry, I think we should, in this process, radically rethink and revise the agreement that we have with the European Community because the agreements on customs and tariffs will inherently disadvantage South Africa's trade capacity and the industrial prospects and aspirations we speak about every day. We will not be able to compete with established European industries.

So, there must be a rethink, consistent with the discussions that we had yesterday on the Promotion and Protection of Investment Bill. Certain things must be rethought because part of what will lead to successful industrial expansion should be the strategic substitution of some unnecessary imports from the European Community. That can only be achieved through the

revision of our tariff regime and customs and duties, in relation to Europe and the European products and services.

So, it is within that context that we think there must be renewed discussion on the whole issue. Obviously, because Croatia is part of the European Community, it must be part of this agreement. However, as a matter of principle, there must be a renewed discussion on that issue. Thank you very much.

Mr D W MACPHERSON: House Chairperson, the DA supports the report before the House today. I think it is important after the body blow that South Africa took yesterday with the adoption of the Promotion and Protection of Investment Bill that we really need to cast our net as wide as possible. So, any further investment that can come from European countries included in the protocol is most welcome. I can see that the hon Minister Davies is muttering away.

Minister, in truth, we will see, in years to come, the devastation that yesterday's Bill was for this country. We are going to give all those people that lost their jobs your telephone number so that they can phone you and tell you of the plight they are in at the moment.

However, for now, we will support this report and hope that it can bring more investment into this country and that we can somehow change that neon-lit sign that says "Closed for business" back to "Open for business". Thank you.

Mr J A ESTERHUIZEN: Chairperson, the European Union's trade policy is and has always been a balance between different national approaches and philosophies - in short, between a different liberal view of world trade and a more protectionist stand by some of its members.

This TDCA that aims to enhance regional co-operation and achieve EU trade policy, coherent with respect to South Africa, proposed that the EU grant South Africa duty-free access. Consideration must be given to the effect of duty-free access on other Southern African countries and which particular sectors of those countries will be at high risk of South African competition. This would most likely occur in agriculture and industrial products and vehicle and related industries.

As with the initial trade agreement signed in 1999 and May 2004, the revised agreement signed in 2009 made a number of interesting changes, namely domestic principles such as human rights and the rule of law. The purpose of this was to step up

the bilateral dialogue supporting South Africa in the process of economic and social transition.

It should also be noted that seven new articles have been inserted to put more focus on internal safety. From a development perspective, better co-operation in respect of these new areas was a point of favour on, or for, the Kleinmond revised agreement in 2009, the aim being to combat poverty and provide better living conditions for all South Africans. The IFP supports the protocol. Thank you.

Mr M U KALAKO: Chairperson, the government of the Republic of South Africa and the European Community and its member states signed a Trade, Development and Co-operation Agreement on 11 October 1999. The TDCA is the first free-trade agreement South Africa concluded with developed countries outside the borders of Africa, cementing trade relations with the European Union and providing sanctity to South African exporters.

One of the main objectives of the TDCA is to strengthen existing ties through the creation of a free-trade area between South Africa and the European Union. The TDCA contributed to positive trade trends and created a greater degree of certainty in the trade policy environment for both parties. Since the TDCA came

into force, total trade has grown by 128%. Since the SA-EU TDCA, the EU has enlarged three times, firstly in May 2004 when it expanded from 15 to 25 member states, when 10 central and east European countries joined the EU, secondly, on 1 January 2007, when Bulgaria and Romania joined the European Union and, thirdly, on 1 July 2013, when the Republic of Croatia joined, thus becoming the 28th member of the EU.

The EU is South Africa's largest trading partner and our main source of foreign direct investment. The enlargement of the EU will improve South Africa's market access into Croatia and strengthen relations with the larger EU market. This will lead to the creation of jobs ... The ANC supports the report. [Time expired.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, I now put the question again: Are there any objections to the approval by Parliament of Additional Protocol to the Trade, Development and Co-operation Agreement as it appears on the Order Paper?

Those in favour will say "aye".

HON MEMBERS: Aye!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against will say "no".

HON MEMBERS: No!

The HOUSE CHAIRPERSON (Ms M G Boroto): I think the ayes have it.

Mr N F SHIVAMBU: Please, register the objection of the government-in-waiting, the Economic Freedom Fighters.

[Interjections.]

Additional Protocol to the Trade, Development and Co-operation Agreement, TDCA, between the European Community, EC, and its member states of the one part, and the Republic of South Africa, of the other part, to take account of the Accession of the Republic of Croatia to the European Union approved (Economic Freedom Fighters dissenting).

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT OF
PORTFOLIO COMMITTEE ON PUBLIC ENTERPRISES**

There was no debate.

The CHIEF WHIP OF THE MAJORITY PARTY: I move:

That the Report be adopted.

Declarations of vote:

Ms N W A MAZZONE: Chairperson, the Portfolio Committee on Public Enterprises oversees some of the largest and most complex state-owned entities, or SOEs. It is because of this that it is imperative that this committee has full access to shareholder contracts, signed with the state-owned entities, something that the committee has repeatedly requested.

We have suggested to the Minister that there is an urgent need for her to strengthen and increase oversight with the state-owned entities through robust and regular interaction with the chief executive officer, board members, audit committees, regular oversight visits and visits to big construction sites such as Medupi and Kusile.

The Auditor-General pointed out the following issues as matters of concern with regard to SOEs: quality of annual financial statements, prevention of irregular or fruitless and wasteful expenditure, management of procurement and/or contracts, management of strategic planning and performance, human resources and consequence management, and internal audit and audit committees. What was incredibly worrying was the state of

two of our state-owned entities, in particular, Eskom coming in worst with R713 million in irregular expenditure and R51 million in fruitless and wasteful expenditure and Transnet next with R32,2 million worth of irregular expenditure and R23 million in fruitless and wasteful expenditure.

While we support this report and appreciate the opportunity that we had as a committee to draft this report, we must be realistic. The time has come for us to look seriously at ways to ensure that our entities become self-sustaining and, in fact, contribute to economic growth.

Mr N PAULSEN: Chairperson, the EFF rejects the adoption of the BRRR of the Portfolio Committee on Public Enterprises. The Department of Public Enterprises is inherently incapable of ensuring that state-owned entities function, let alone contribute to state-led development.

Eskom was taken to some war room, managed by Cyril Ramaphosa, because it was on the verge of collapse. The country experienced unprecedented blackouts. South African Airways, SAA, is now with National Treasury because the department also failed to ensure that the national carrier is managed in a sustainable manner.

We have been calling consistently for all state-owned entities to be under line-function departments: Eskom must move to Energy, Denel must go to Defence, Transnet to Transport, and so forth. The department has, in fact, rendered key state-owned entities' ability to contribute positively to any possible industrialisation useless. If this is not done, what we have is a department that is a custodian of enabling legislation for these state-owned entities without any technical know-how and expertise.

The committee recommendations without this understanding are as useless as the department itself. How is the department expected to strengthen capacity with critical specialists while line departments are also struggling? This is a clear indication that the ANC-led government does not understand the strategic importance of key state-owned entities in government-led development. There must be a radical shift in what government does with state-owned entities considering the amount of money spent by these entities.

We call on the people of South Africa to reject the ANC in the 2016 local government election. Thank you very much.

Mr N SINGH: Hon Chairperson, the IFP supports the recommendations as contained in the BRRR of the Portfolio Committee on Public Enterprises.

However, I wish to highlight some concerns. Firstly, some of the recommendations that were made this year were also made last year and were not acted upon. It is therefore important, moving forward, that the department be held to timeframes to report back to the committee on the implementation steps it has taken. A case in point is the tabling of the Government Shareholder Management Bill, which will regulate the way SOEs currently operate.

Secondly, the arm's-length approach by the department in monitoring SOEs is not conducive to ensuring that they run on a profitable basis. Thirdly, when one looks at the ways some of the SOEs operate, they think that taxpayers' resources are channelled into an ATM, which gives them the right to draw whenever they want to. We are all aware of the government bailouts that have been made to SA Express, Eskom, and other SOEs.

Finally, the institutionalisation of the recommendations of the Presidential Review Committee on State-owned Enterprises needs

to be expedited. State-owned entities, especially the current six falling under the supervision of the department, need to be transferred, we believe, to line-function departments. For example, SA Express could fall under the control of the Department of Transport; Eskom could fall under the Department of Energy; the SA Forestry Company (Ltd), or Safcol, could fall under the Department of Agriculture, Forestry and Fisheries. We think that in this way the need to have a Department of Public Enterprises will be obviated. There is no need anymore. There are only six public enterprises there. One has been taken over by Treasury, that is SAA, and the other by Communications - Broadband Infracore. We will, however, support this report and the recommendations. Thank you.

Mr N L S KWANKWA: House Chair, the UDM supports the Budgetary Review and Recommendation Report of the Portfolio Committee on Public Enterprises. The first thing, obviously, is the concern that was raised by my colleague the hon Singh, who said earlier that there were recommendations that were made in the previous financial year that were not acted on. As a result, you find that the recommendations that are contained in the report are exactly the same as the previous year's ones. That means that we are not making progress on the issues that we highlight and identify when we play our oversight role as a committee.

The second issue I want to talk about - one can say that it is unrelated to this report per se - is the matter surrounding and pertaining to SAA. One could say and argue that it falls under Finance, but it is a public enterprise nonetheless. The issue is ...

... nintlungisile u-Eskom, uza kakuhle uyachacha, kodwa nixakiwe ngoku ngu-SAA. Andiyazi laa nto iqhubeka phaya. Andazi nokuba sibheka phaya okanye siza nganeno kusini na. Bayatyholana kwaye bayaphikisana. (*Translation of isiXhosa paragraph follows.*)

[... you fixed Eskom, and you are improving, but you are still struggling with SAA. I do not know what is happening there. I do not know whether we are coming or going. They accuse each other, and they argue with one another.]

The problem needs leadership.

Ngudyobha sityikitya kwaye sixakiwe ukuba ukuba benikwazile ukulungisa u-Eskom ngomzuzwana omfutshane, yintoni enixakileyo ngo-SAA. Omnye umba obalulekileyo ngoku ngowokuba ...

(*Translation of isiXhosa paragraph follows.*)

[They accuse each other, and we are confused about the fact that you managed to fix Eskom in a short space of time but find it so difficult to do the same with SAA. The other important issue now is ...]

... once more, obviously, the challenge that there aren't enough punitive measures in place ...

... ukuqinisekisa ukuba abaphathi abalawula amashishini karhulumente xa bemoshile kubakho izohlwayo. Ukuba akunjalo abantu ... (*Translation of isiXhosa paragraph follows.*)

[... to ensure that the management who controls the state entities institute penalties when mistakes are made. If it is not so, people ...]

... do as they please and then after that they get golden handshakes, they get shifted from one department to another, or they act forever. In that period of acting, none of them actually takes responsibility for some of the mistakes they make because six months into their jobs they get shifted to another job. Then, what do you do? Then they appear in front of portfolio committees, and we start from scratch again. It's back to square one. We go back to the drawing board.

I would like to recommend that the next time you want to go back to the drawing board, we go to the UDM drawing board. It's on the fifth floor of Marks Building. We'll sort you out. Thank you.

Mr M L SHELEMBE: Hon Chairperson, the long list of recommendations contained in the BRRR of the Portfolio Committee on Public Enterprises tabled here today should raise some concerns in this honourable House. It is a strong indicator that all is not well in the Department of Public Enterprises.

The department has a comparatively small budget, yet we find that there is underspending of 7,6% in the amount of R24,5 million. This high level of underspending follows the trend set in the previous financial year and should be addressed urgently. A significant proportion of the underspending is due to the inability of the department, for the second year in a row, to fill vacant posts.

The Auditor-General's report also gives cause for concern. It shows that the department is flouting procurement procedures and that the department has failed in numerous instances to provide sufficient and appropriate audit evidence of price quotations and bid awards. The Auditor-General also raised a concern about

employees being employed without following proper processes, and about employees being paid performance bonuses which they were not entitled to.

We can add to the above list of defects and challenges. The department has achieved only 64% of its targeted performance on average, a mere 25% of its target for its legal and governance programme, and 30% for its strategic partnership programme.

What is worrying to the NFP is that the department is tasked with an oversight duty to ensure that state-owned enterprises function in accordance with legislation, regulations, and other prescribed processes. How is it possible for the department to fulfil its mandate if it cannot comply with its own internal control mechanisms? Perhaps it's time for a change in senior management before this department slides into chaos and confusion, like so many other departments. The NFP reluctantly supports the portfolio committee report. [Time expired.]

Ms D CARTER: Chairperson, I hear the cats starting to meow on that side already. Cope is shocked that the Minister is unable to compel her department to comply with the Public Finance Management Act.

The Auditor-General noted this year that instability or vacancies in key positions stood at 33% in the department. Even more alarming was the rating of the department at 33% for lack of consequences for poor performance and transgressions by staff. Even so, the Minister and the director-general are still holding office.

Cope also questions the Performance Monitoring and Evaluation Ministry in this regard. Officials who contravene relevant legislation and policies, shockingly, are not subjected to appropriate consequences. Why?

The very first responsibility of a Minister and the director-general is to ensure 100% compliance with legislation with the focus being on supply-chain management. It is time that Parliament ask the Minister pointedly why transactions on goods and services above a value of R500 000 were made without inviting competitive bids, as required by Treasury Regulations. What actions did the Minister and the director-general take against the accounting officers who blatantly contravened the Public Finance Management Act and Treasury Regulations? Corruption is certainly very rife in the department and entities. Even goods and services procured below the value of

R500 000 happened without price quotations. Officials are clearly making merry at taxpayers' expense.

I am going to skip the rest of that point because I am running out of time. Treasury should, without further funding of the department, reduce the Minister's salary to R10, and the same should apply to the director-general. The Hawks should investigate the criminality that is rampant in this department and the entities under review. Cope will not be supporting the report. Thank you.

Ms D B LETSATSI-DUBA: Chairperson, having considered the annual report of the Department of Public Enterprises, and on behalf of the ANC, we now recommend the adoption of this report. We do so based on the following factors.

The state-owned enterprises within the portfolio of the Department of Public Enterprises continue to support the developmental and transformational imperatives of the National Development Plan and the New Growth Path by focusing on interventions to address four pillars, as defined by the department itself within its framework: skills development, job creation, procurement, and corporate social investment. That is the reason why the ANC supports this intervention.

We did note the concerns raised by the Auditor-General, and we also noted the concerns raised by our members that the previous recommendations were not fully implemented. However, we strongly feel, with the approval of the budget, that the department will be able to address those challenges, including the filling of vacant posts. Thank you, Chairperson. [Applause.]

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT OF
PORTFOLIO COMMITTEE ON WATER AND SANITATION**

There was no debate.

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

That the Report be adopted.

Declarations of vote:

Mr L J BASSON: Chairperson, Minister Mokonyane has no plan for the water crisis in South Africa, and once again the Minister is absent. The Auditor-General's report for the 2014-15 financial

year showed that the department failed to spend 15% of its allocated budget, amounting to R2 billion. This includes R1,6 billion, which was meant for infrastructure, and National Treasury denied a rollover for the current financial year. The department once again delayed the eradication of bucket toilets in informal areas, despite the Minister's budget speech announcing that this would be done by the end of December this year. The new target date has been changed to June 2016.

The Minister is to be blamed for the water crisis and water shedding due to her department's inability to expand, maintain, manage, and finance the country's water infrastructure. Minister Mokonyane is denying South Africa the release of the Blue and Green Drop report. The DA had to bring a Promotion to Access of Information Act application on Monday to get this report released within 30 days. The DA cannot support this report.

Nks M S KHAWULA: Njengenhlango ezophatha kusasa, i-EFF, siyasichitha lesi sabiwomali. Into eyenza ukuthi sisichithe wukuthi laphayana eJozini kunedamu elikhulu kodwa umphakathi awusizakali neze, uphuza uPongolo, umfula ogcwele izingwenya. Umphakathi wawuzisholo wona ukuthi uthwele kanzima kule ndawo ngoba uvika izingwenya.

Laphaya eGoli umphakathi wakhona ushoda ngamanzi baze bayowathenga ezitolo amanzi, kangangokuthi izitolo zaseGoli zigcina sezidayisa amanzi.

E-Eastern Cape nakhona amanzi bawezwa ngendaba ngoba bawathwala ngamakhanda bewalande emihosheni, akukho ngisho nalezi zimoto ezibizwa ngama-*waterkarre* eziletha amanzi.

Laphaya eMbashe, Ixopo, kwa-Ward 8 akukho namathoyilethi kusukela iminyaka engama-21 uhulumeni we-ANC ephethe. Uthungulu abantu abanamanzi kuze kube manje. Uhulumeni we-ANC waphetha ngokubulala abantu ababemashela izidingo zabo.

Laphayana eGiyani eLimpopo, uMongameli wathembisa abantu amanzi, kuze kube yimanje labo bantu abanamanzi. UMongameli wakhuluma iphutha elikhulu ekhohlisa abantu ethi uzobalethela amanzi ngoba efuna amavoti.

Lohulumeni we-ANC ukhombisa ngokusobala ukuthi abantu abamnyama akanandaba nabo, ikakhulukazi abangenamali; kangangokuthi laphaya eJozini, eMkhanyakude, kunamapayipi achitha indle. Abantu abanawo amanzi.

Nomvula Mokonyane akakhombise ukuthanda abantu bakubo eNingizimu Afrika ngokuthi abalethele amanzi. Sikhathele; siyasichitha lesi sabiwomali. *(Translation of isiZulu speech follows.)*

[Ms M S KHAWULA: Chairperson, as the future ruling party, the EFF rejects this budget. We reject it because, in Jozini, there is a huge dam, but it is of no use to the community; instead they use the crocodile-infested Pongola. The community did indicate that they were struggling, as they always have, to try and avoid the crocodiles when they use that river.

The Johannesburg community is experiencing water shortages; they end up having to buy water. Shops in Johannesburg are now selling water.

The Eastern Cape also has water issues. People get water from streams and they have to carry it on their heads, as not even those water trucks called "waterkarre" are available.

At Mbhashe, in Ixopo, Ward 8, there are still no toilets, even after 21 years of the ANC being the ruling party there. People still don't have water at uThungulu until this day. The ANC-led government chose to kill people who were protesting for their needs.

When visiting Giyani in Limpopo, the President promised to provide water, but to this day there is no water. The President lied just to gain votes.

This ANC-led government has made it clear that it does not care about black people, especially those that don't have money, so much so that in Jozini and Mkhanyakude there are pipes for sewerage systems but not for water.

Nomvula Mokonyane should express her love for her fellow South Africans by providing them with water. We are tired! We reject this budget.]

Prince R N CEBEKHULU: House Chair, South Africa is experiencing some of the worse drought conditions we have ever had, yet the department only managed to spend 85% of its budget for the 2014-15 financial year, with reasons given as being the slow appointment of contractors, bad weather, and poor performance by contractors when in fact it should just truthfully be stated as poor performance by the department. The department's qualified audit opinion for the financial year 2014-15 speaks volumes as it does not assist in curbing the water crisis we face today in South Africa.

Chairperson, I must hasten to point out that this department still has a lot of work to do when addressing water challenges in the country. This work begins with an effective and administratively sound department. How can one expect to provide proper service delivery when all about one is in chaos?

The historic divide that previously existed in respect of dams built in areas of poor black residents, but which provided water exclusively to surrounding farms, leaving people without access to drinking water, must be changed. Water must be made available to all communities within the surrounding areas of these dams.

Other challenges, such as water contaminated by raw sewage flowing into the dams and rivers, acid mine water from mine shafts flowing into the rivers, and its seepage deep into the water table, contaminating underground water, are killing vegetation, rendering borehole water unusable.

There are a great many challenges, but they can only be met by a competent department. This must be the first priority. Thank you, Chairperson.

Mr M L W FILTANE: Chair, water is life - socially and economically. Without it, we are hardly there for any further life.

Underexpenditure in this department reflects very badly of two elements: project management and contract management. Both can be overcome. All it would need is for political leadership to be absolutely dead serious to resolve this. It is about the political will to resolve the matter.

That it continues and results in what we see is only because there is insufficient political will to resolve the problem. It can be overcome. After 21 years of uninterrupted management of such a life-saving resource, it cannot be that we continue to have problems of underexpenditure and poor infrastructure management just because people lack the capacity to manage projects as well as programmes.

The health hazard resulting from the discharge of untreated effluent into water courses is going to lead to a distortion of the national fiscus where all of a sudden there will be an enhanced and increased need for fiscal management in the health sector just because of this problem. It can be overcome. We

strongly suggest that it be managed efficiently and as soon as possible. Water is needed. We do support the budget. Thank you.

Mr M L SHELEMBE: Hon Chairperson, South Africa is in the middle of a water crisis which the NFP had been warning about since last year. The current drought, which is crippling the provinces of KwaZulu-Natal, Free State, and Limpopo, is making the water crisis worse, and water shedding has now become a reality.

When we look at the lengthy BRRR tabled by the Portfolio Committee on Water and Sanitation, we can see that we are dealing with a department that is not as efficient and effective as it could be. We have whole communities who rely on infrequent water availability from water tankers, whilst other communities in rural areas are forced to draw water from the muddy and polluted rivers and streams. The reason why these communities are struggling to get water is simple: There are no taps, and there is no infrastructure. Also, 21 years after we attained our democracy, we still have whole communities forced to use the bucket toilet system, despite the government's assurances, year after year, that the system will be eradicated.

Yet, despite this desperate need of our people, we find that the department has underspent 15% of its budget - a staggering

R2 billion. The BRRR shows that R637 million was underspent on the regional bulk infrastructure grant, and R484,5 million was underspent on the sanitation programme. This, hon Chairperson, is an outrage.

How are we, as the representatives of the people, expected to accept such incompetence and insufficiency? Why is the Minister of Water and Sanitation and the senior management of the department not called to account? If change cannot come from the top, then it will come from the bottom, and the NFP will be at the forefront of the change next year in the local government election.

Isimo manje sithi kubi koMkhanyakude; siyaphoqa ukuthi wonke umuntu asichithe lesi sabiwomali. (*Translation of isiZulu sentence follows.*)

[The situation now at Mkhanyakude is appalling; we urge everybody not to support this budget report.]

Ms D CARTER: Chairperson, the lack of infrastructure for sanitation in South Africa in historically disadvantaged areas is a ticking time bomb. Shockingly, the department left an amount of R2 billion unspent, R637 million on the regional bulk

infrastructure grant, and R484 million on the sanitation programme. Why? The reason is the slow appointment and poor performance by contractors. The department gave the same excuse for the underspending of R618 million on the Bucket Eradication Programme. Even if this function was transferred from Human Settlements, it would have come with prior arrangements and preparation.

Parliament should have a serious problem with the executive. Here is yet another department that accepts poor planning as one of the reasons for underexpenditure. It had not planned the implementation phases. How much longer will such excuses be tolerated?

Is the ruling party willing to face the people of South Africa and say that they had the money but that, because of poor planning or a lack of planning by government, it let down people, and they will have to continue to use the bucket? Will government do that? Will the government also go out to the nation and say to the people that, after 21 years, it was still working with research institutions and that it still had no answers to the sanitation problems?

The department also had problems with the Auditor-General. Shockingly, it did not maintain records of regional bulk infrastructure grant projects and municipal water infrastructure grants. This is as fundamental as it gets. It is fair, indeed, to smell corruption when the most essential records are absent. But where is our Minister? Our Minister is missing in action. As untreated sewage is running and streaming down our rivers, the Minister is missing in action. [Time expired.]

Mr M JOHNSON: Chairperson and Deputy President, the people's movement, the ANC, supports the BRRR.

We support the recommendations that move South Africa forward in improving the lives of ordinary people for the better. We need to put it on record that the DA and the EFF do not support this Budgetary Review and Recommendation Report of the Portfolio Committee on Water and Sanitation and object to this budget. They are saying, in a nutshell, our people must not get more water, and our people must not get decent sanitation.

[Interjections.]

Fact number one: South Africa's people have moved from 60% in 1994 to 99% access to water. Fact number two: Access to decent sanitation moved from 40% in 1994 to 83% in 2011. These are not

ANC statistics, but statistics released by Statistics SA. Fact number three: The apartheid legacy is still upon us with old asbestos pipes that both local and national government are hard at work to change the situation for the better.

Fact number four ... [Interjections.] I love a person who speaks the truth! Fact number four: The Department of Water and Sanitation said that the bucket system in informal dwellings shall have been eradicated by end of 2015 December. However, having assessed the situation and concluding that this target was ambitious, the committee unanimously recommends that the target be extended to the end of June 2016.

Fact number five: We want to send a clear message to those who continue to vandalise and steal our water infrastructure. Your days are numbered, as legislation is being finalised - just awaiting the commander-in-chief to issue that command through a signature - that shall inflict a maximum penalty of 30 years' imprisonment per transgression. Fact number six: A National Treasury-driven environmental levy will ensure that ... The ANC supports the report. [Time expired.]

Mr M Q NDLOZI: Chair, fact number eight: His time is up!

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi, please don't assist me. I did not ask for your assistance.

Motion agreed to (Economic Freedom Fighters, Democratic Alliance and Congress of the People dissenting).

Report accordingly adopted.

**CONSIDERATION OF BUDGETARY REVIEW AND RECOMMENDATION REPORT OF
PORTFOLIO COMMITTEE ON COMMUNICATIONS**

There was no debate.

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

That the Report be adopted.

Declarations of vote:

Ms P T VAN DAMME: Hon Chairperson, the DA's position is that the Ministry of Communication is a waste of money, and we should go back to the old configuration of one department of communications and telecommunications. We therefore cannot support a budget being given to this department. That does not

however mean that we will not monitor the Minister and her department's performance.

Let us state the facts and not beat around the bush. Minister Muthambi's leadership of the Department of Communications has been a hot mess. Her biggest indictment is the mismanagement of the SABC which is in a permanent state of chaos. Just today the chief executive officer of the SABC has been suspended, and neither Parliament nor the public have been informed of the reasons.

This is also the Minister who sought to exert control over the SABC and reduce the board to just a rubber-stamp, the Minister under whom the deadline of the digital migration was missed, the Minister who appointed Hlaudi Motsoeneng as permanent chief operating officer, in defiance of the Public Protector and without following due process, and also the Minister who spent over half a million rand on a nine-day trip to a luxury goods show in the USA.

We therefore cannot support a budget that will, firstly, make sure that the department continues to exist and, secondly, allow Minister Muthambi to carry on like a wrecking ball. I thank you.

Mr M Q NDLOZI: Hon House Chairperson, fact number 10 is that the EFF rejects this budget because this is indeed the taxpayer's money. The Department of Communications must fall. This department has been in existence effectively just over a year and was given full administrative powers from April this year, but, over this short period, it has wreaked havoc.

Mr M JOHNSON: Hon House Chairperson, can I ask the member a question?

The HOUSE CHAIRPERSON (Ms M G Boroto): This is declarations of vote, hon member. We do not take questions during declarations.
[Interjections.]

Mr M Q NDLOZI: Over this period, it has wreaked havoc on everything that it has touched, including the most recent evidence of the removal of the SABC chief executive officer, possibly because they disagree with Motsoeneng as well as the Minister.

Hon Faith, we still do not have faith in you. Whilst rejecting sick proposals like a media tribunal, which will lead to the ruling party dictating and suppressing media freedom, it remains

a fundamental concern that media space remains white monopoly dominated, white owned, particularly in the pay-TV space.

Transformation in the pay-TV market is not taking place at all. There are even rumours that the hon Faith is protecting white-owned monopoly pay-TV as per the letter addressed to her office by the new black entrants in the market. The Minister is not acting on the national sports of interest properties to make it available to new black entrants.

Rugby, local soccer, and cricket are owned by white monopoly, and new entrants cannot gain access to these properties to create fair competition. This is despite the fact the ICT sector has set the black ownership target at 30% to be achieved by entities in the sector. The Minister is not acting on the sharing of the infrastructure. A total of 6 million pay-TV households have been bought top boxes to access content, and we do not understand why the Minister does not act on making sure that new black entrants can access this infrastructure, which can lead to job creation.

As a result of focusing on petty issues, the Minister has failed to ensure that the country meets the target of migration to

digital broadcasting by 17 July 2015. So, we reject it. Hon Faith, your department must fall. [Time expired.]

Ms L L VAN DER MERWE: Hon House Chairperson, the BRRR makes a number of recommendations the IFP agrees with, but we also want to place it on record that we believe that the mismanagement of the Department of Telecommunications as well as the Department of Communications is grossly unacceptable.

We also want to, again, draw attention to the public broadcaster. The public broadcaster recorded another R400 million loss during the year on the review. The Auditor-General told Parliament that the SABC's financial health remains cause for concern. This is partly because South Africans are not paying their TV licences, but South Africans will not pay their TV licences for as long as the public broadcaster lacks credibility in the eyes of the public, and it will struggle to convince South Africans that paying TV licences is the right thing to do.

The SABC's integrity has been tainted over many years due to a lack of credible leadership and poor decisions, poor decisions such as paying R42 million in golden handshakes over the past six years to former executives, poor decisions such as defying

the Public Protector's report, defying the courts, and increasing salaries of the executives without justification. Leadership instability has again been brought to the fore today at the SABC, as we hear of the suspension of yet another chief executive officer, the ninth since 2009. It means that things are still not well at the SABC. One must say that, for the SABC to be credible, politics must be removed from it. Then only will it be able to execute its mandate in the interest of the public.

The IFP wishes to pay tribute to the staff and journalists of the SABC, especially the team here at Parliament. They continue to produce quality work in the interest of our nation and often under difficult circumstances. They are the men and women who keep the SABC afloat. I thank you.

Mr A M SHAIK EMAM: Hon House Chair and hon members of this House, the NFP welcomes the BRRR tabled by the Portfolio Committee on Communications. The report contains several important recommendations, which we support and encourage the Minister to take speedy action on.

In particular, the NFP is in support of the recommendation that the hon Minister develop a business model to ensure that the public broadcaster secures adequate funding from government. The

SABC has a very important function to ensure that all people have access to information, be it by radio or television and also for entertainment and educational purposes.

We also wholeheartedly support the recommendations of the portfolio committee that the hon Minister should put in place mechanisms to prevent underspending in the department and its entities and to do a comprehensive review of the process of awarding and paying bonuses which are performance related and which are paid out in instances where such payment is not justified. Most importantly, we support the portfolio committee's recommendation that the hon Minister develop and implement a system that will ensure that tender processes within the department and its entities adhere to government's procurement policies.

A common thread which runs through the observations and recommendations of the portfolio committee about the entities of the department is the concern over the high level of staff vacancies. This is particularly prevalent in Icasa, the Government Communication and Information System, GCIS, and the MDDA. The NFP believes that the lack of filled vacancies is directly correlated to the lack of performance in several of these entities and, as such, must be given high priority. In

conclusion, the NFP supports the Portfolio Committee on Communications' BRRR tabled here. I thank you.

Ms J C MOLOI-MOROPA: Hon House Chairperson, focusing on facts, it is a fact that the majority of South Africans have been excluded from accessing information services, which are so fundamental to development.

Communications has a key role to ensure that the impacts of the apartheid past is halted and all South Africans have affordable access to all communications platforms, are able to receive and disseminate information and opinions freely or affordably and make their voices heard in national debates, and are able to do so in languages of their choice.

The policy of the ANC respects the need for editorial independence of the media in South Africa and recognises that the media is not bound to report on or agree with everything our government does. However, it also recognises the need for diversity of opinions and perspectives in our media, whether print, broadcast, or internet based. There is a need to embark on a national dialogue to achieve a diverse media perspective that accurately reflects balanced views in our society. This will ensure that events and processes are accurately, reliably

and fully reported and are available on platforms affordable to all South Africans. A tribunal will be required here, and it must be supported.

Digital migration is a priority for our country and a necessity that shouldn't be ignored at all. The committee notes and commends the stability in the entities of the department. Also noting that they have to implement Outcome 14: Nation-building and Social Cohesion, the Films and Publication Board has to assist on the protection of children from pornographic material and child trafficking, amongst others.

Brand South Africa has to profile South Africa internationally and conscientise South Africans to be patriotic to their own country - not only be preoccupied with investments from overseas and forget that charity begins at home. We would like to support this reviewing process. Thank you.

The HOUSE CHAIRPERSON (Ms M G Boroto): I will put the question again. Those in favour, say "aye".

HON MEMBERS: Aye!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against, say "no"!

HON MEMBERS: No!

The HOUSE CHAIRPERSON (Ms M G Boroto): I think the ayes have it.

Mr M WATERS: Chairperson, will you please note the objection of the DA.

Mr M Q NDLOZI: House Chair, this is a very unnecessary department. It has to close down.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Ndlozi, what are you saying? Are you objecting?

Mr M Q NDLOZI: We are calling for a division. We need to save money.

Division demanded.

The House divided.

AYES - 188: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanyana, V; Basson, J V; Bekwa, S D; Beukman, F; Bhengu, P; Bhengu, F; Bhengu, N R; Bilankulu, N K; Bongo, B T; Booi, M S; Buthelezi, M G; Capa, R N; Capa, N; Carrim, Y I; Cebekhulu, R N; Cele, B H;

Cele, M A; Chikunga, L S; Chiloane, T D; Coleman, E M; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Frolick, C T; Gamede, D D; Gcwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Gumede, D M; Hlengwa, M; Holomisa, S P; Jeffery, J H; Johnson, M; Kalako, M U; Kekana, H B; Kekana, E; Kekana, C D; Kekana, M D; Kenye, T E; Khoarai, L P; Khosa, D H; Khoza, T Z M; Koornhof, N J J v R; Khubisa, N M; Khunou, N P; Kubayi, M T; Landers, L T; Lesoma, R M M; Letsatsi-Duba, D B; Loliwe, F S; Luyenge, Z; Luzipo, S; Mabasa, X; Mabe, B P; Mabe, P P; Mabija, L; Mabilo, S P; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Magwanishe, G; Mahambehllala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H; Maluleke, J M; Maluleke, B J; Manana, M N S; Manana, D P; Mandela, Z M D; Mantashe, P T; Mapulane, M P; Martins, B A D; Masehela, E K M; Mashatile, S P; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A; Mdakane, M R; Memela, T C; Mfeketo, N C; Mjobo, L N; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwango, M A; Mnganga - Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Mogotsi, V P; Mokoto, N R; Molebatsi,

M A; Moloi-Moropa, J C; Mothapo, M R M; Motimele, M S;
Mpumlwana, L K B; Msimang, C T; Mthembu, N; Mthethwa, E M;
Mudau, A M; Muthambi, A F; Nchabeleng, M E; Ndaba, C N; Ndabeni-
Abrahams, S T; Ndongeni, N; Ngcobo, B T; Ngwenya-Mabila, P C;
Nkadimeng, M F; Nkomo, S J; Nkwinti, G E; Nobanda, G N;
November, N T; Nqakula, C; Ntombela, M L D; Nyalungu, R E;
Nyambi, H V; Oosthuizen, G C; Phaahla, M J; Phosa, Y N;
Pikinini, I A; Pilane-Majake, M C C; Radebe, G S; Ralegoma, S M;
Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z; Raphuti, D D;
Semenya, M R; September, C C; Shope-Sithole, S C N; Sibande, M
P; Singh, N; Sithole, K P; Siwela, E K; Sizani, P S; Skosana, J
J; Skwatsha, M; Smith, V G; Thabethe, E; Thomson, B; Tleane, S
A; Tobias, T V; Tseke, G K; Tseli, R M; Tsenoli, S L; Tsotetsi,
D R; Tuck, A; Van der Merwe, L L; Van Rooyen, D D D; Van
Schalkwyk, S R; Williams, A J; Xego, S T; Zokwana, S.

NOES - 84: America, D; Atkinson, P G; Bagrain, M; Baker, T E;
Balindlela, Z B N; Basson, L J; Bergman, D; Boshoff, H S;
Bozzoli, B; Brauteseth, T J; Cardo, M J; Cassim, Y; Chance, R W
T; Chewane, H C; Davis, G R; De Freitas, M S F; Dreyer, A M;
Edwards, J; Esau, S; Figg, M J; Figlan, A M; Filtane, M L W;
Gana, S M; Groenewald, H B; Grootboom, G A; Hadebe, T Z; Hlophe,
H O; Horn, W; Hunsinger, C H H; James, L V; James, W G;
Jongbloed, Z; Kalyan, S V; Ketabahle, V; Khawula, M S; Kohler,

D; Kopane, S P; Krumbock, G R; Kwankwa, N L S; Lotriet, A;
Mabika, M S; Mackay, G; Mackenzie, C; Majeke, C N; Majola, T R;
Masango, B S ; Matiase, N S; Matshobeni, A; Mazzone, N W A;
Mbhele, Z N; Mcloughlin, A R; Mhlongo, T W; Mhlongo, S P;
Mileham, K J; Mncwabe, S C; Mokgalapa, S; Motau, S C; Moteka, P
G; Mulaudzi, T E; Ndlozi, M Q; Paulsen, M N; Rabotapi, M W;
Rawula, T; Robertson, K P; Robinson, D; Ross, D C; Schmidt, H C;
Shaik Emam, A M; Shelembe, M L; Shivambu, N F; Sonti, N P;
Steenhuisen, J H; Steyn, A; Stubbe, D J; Terblanche, J F; Van
Damme, P T; Van der Westhuizen, A P; Van Dyk, V; Volmink, H C;
Vos, J; Walters, T C R; Waters, M; Whitfield, A G; Wilson, E R.

Motion agreed to.

Report accordingly adopted.

The House adjourned at 17:45.

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