# TUESDAY, 20 OCTOBER 2020

***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

The House met at 14:00.

The Acting House Chairperson Mr Q R Dyantyi took the Chair and requested members to observe a moment of silence for prayer or meditation.

# ANNOUNCEMENT

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Hon members, I wish to announce that the vacancy which occurred in the National Assembly owing to the resignation of Mr M A Maimane has been filled by the nomination of Mr D Stubbe with effect from 3 September 2020. The vacancies which occurred in the National Assembly due to the passing of Ms T G Mpambo Sibhukwana and Adv H Mohamed, have been filled by the nomination of Mr D W Bryant and Ms L N Moss with effect from 3 September 2020 and 29 September 2020, respectively.

The members have made and subscribed the oath with the Deputy Speaker through the virtual platform. I welcome you, hon members. [Applause.]

# STATEMENT BY THE MINISTER OF EMPLOYMENT AND LABOUR ON DISBURSEMENT OF UNEMPLOYMENT INSURANCE FUND

(Statement by Minister)

The MINISTER OF EMPLOYMENT AND LABOUR: Hon Acting House

Chairperson, hon members, members of the media and ladies and gentlemen, thank you for this opportunity.

By way of context, let us start by casting our eyes seven months back to the onset of COVID-19 pandemic and the terrible journey that ensued. The health crisis which took the lives of over 18 000 fellow South Africans and affected the lives of many more. The lockdown to slow the spread of the virus and with it, the economic impact on livelihoods. From the side of government, the need to move rapidly to put in place wholly new systems to mitigate the impact both of the pandemic and the consequent lockdown and economic fallout.

As the Department of Employment and Labour, we were directly involved in the following areas: With regard to the Unemployment and Insurance Fund, UIF, designing and putting in place systems to distribute the COVID-19 Temporary Employee Relief Scheme, TERS, benefit; from the side of the Compensation Fund, putting in place measures to support workers infected at the workplace; and Inspection and Enforcement Branch, which is the Labour Inspectorate.

However, today, my focus will be on the UIF COVID-19 TERS benefit, which has attracted everyone’s attention. With regard to the UIF, the task was to create and deliver the wholly new COVID-19 TERS benefit to provide income support to temporary laid off workers.

The process and consensus-building was very important. Remember, the UIF was faced with massively increasing the volume of disbursements. In fact, a tenfold increase.

It was the agreement at the Nedlac with social partners to make mass disbursements through the bargain council and employers payrolls that provided the breakthrough, allowing the COVID-19 benefit to be distributed on this unprecedented scale.

Acting House Chairperson and hon members, this particular decision of paying through the bargaining council and employers payrolls

was one of the major ones. With this decision, we definitely prevented a catastrophic disaster that was waiting to explode of top of the COVID-19 disaster. I have no doubt whatsoever that if we did not approach the mass disbursement of the TERS funds in that fashion, we would have totally undermined the health and safety protocols. There would have been massive rallies in front of our labour centres.

As of 19 October, since the beginning of the lockdown,

R49,5 billion benefits have been disbursed in the form of over

11 million payments reaching some 5 million laid off workers. At the same, R7,8 billion was disbursed in 1,4 million payments in the normal UIF benefits. I need to flag that from the start. The UIF was wide awake to the fraud risk with the new COVID-19 TERS system especially given the large sums involved.

I must also state for the record that I directed the UIF that they must not make any TERS benefit until there were clear systems and verification tools in place. I also directed the risk management unit from the onset that they must begin to identify fraudulent transactions and any suspected corruption activities. They did this and have already identified and acted on the cases. They also put in place a strategy of following up on the money so that all monies paid are accounted for.

We also made this very clear to the employers in our Nedlac engagements as well as in the directives that we issued and said, we will support you and your workers, but when this is over, you will be audited.

The scale of support is unprecedented. We must admit that there were challenges and delays particularly in the beginning as we developed the appropriate policies and directives, which called upon the UIF to be completely repurposed to meet the new mandate and in turn it necessitating changes to processes, procedures and systems. Let me be clear Acting House Chairperson, I have said this several times that the UIF is not some money tree with unlimited resources.

So, as we repurpose the fund to deliver to temporary laid off workers, we built in the necessary financial controls and ensured the liquidity and the long-term sustainability of the fund itself. The UIF also have mandatory responsibilities that they cannot abandon the normal UIF benefit considering the bloodbath of retrenchments that we have seen in the period leading to COVID-19 and during the lockdown period and they are still continuing as we speak. Normal TERS is supporting employers in distress and all other labour activation programmes.

Acting House Chairperson and hon members, I must clearly indicate that even before the work and the findings of the Auditor-General, the UIF internal audit committee as well as the risk management unit of the UIF were hard at work and the matters that they pick up that needed tighter controls or investigation, they share them with the top management of the UIF. Amongst others, that’s why I took the decision to place the management on precautionary suspensions because ultimately operational responsibility for ensuring adequate financial controls lies with the top management of the fund. We shall take action after the investigations have been completed.

The department and the acting management of the UIF have taken the necessary steps to address the Auditor-General’s findings and recommendations. Addressing the main findings of the Auditor- General regarding verification of identity numbers and banking details have been largely implemented with the co-operation of banks and the relevant departments and entities. This is a problem that originates in part from the silo mentality of government, where each department maintains its own database and there is no cross-referencing, which we all agree must change to integrated systems in order to avoid the double-dipping. This has been addressed on a bilateral basis with the relevant departments.

The challenges we experience have also fuelled a serious conversation in government about how we better align and link the databases and systems across government. The process of overhauling the supply chain management, SCM, processes of the UIF is also underway and it is also part of the Special Investigating Unit, SIU investigation.

On 4 September 2020, all COVID-19 TERS payments were put on hold in order to implement the adequate controls and mitigate the identified risks. The effectiveness of these new controls were then tested and assured by the risk internal management and the internal audit.

During the first payment run, on 21 September 2020, after the suspension of the COVID-19 TERS payments, were errors were detected, payments were rejected as part of the new controls. So, the holes are being plucked.

Looking forward, the Auditor-General is currently auditing all the payments made from April to June 2020 and these new controls were fully implemented on 21 September 2020. The Auditor-General’s second report may identify the same findings prior to 21 September 2020.

However, the comprehensive audit action plan has been submitted to the Auditor-General. The SIU is investigating to identify and charge individuals who benefitted from the illegal payments and to recover the money. In some cases, bank accounts have been frozen and assets seized, people have been charged and arrested. [Applause.] R3,5 billion of wrongful payments have been recouped. Thanks to the many honest and responsible employers who returned overpayments after realising a mistake has been made. Often, benefits were calculated on the basis of incorrect information.

For others who returned overpayments, conscience is a wonderful thing but it also helps if you know that the Auditor-General is looking into the payments and that the SIU is investigating.

As I mentioned earlier, the UIF has also commenced its own programme to follow the money and tracking every payment made. Eight audit and forensic audit companies have been appointed nationally to fast-track the process. The National Treasury’s Technical Advisory Centre, GTAC, has been working with the UIF to improve the systems’ functionality and enhance user-friendliness. They are also strengthening the normal UIF systems in preparation for the post-COVID-19 period. In the long-term and in an attempt to proactively address long-standing underlying systemic problems, the director-general has launched a process to conduct an organisational architecture review for the UIF and the

Compensation Fund. In simpler terms, every aspect of the two funds, business models, systems, structures and procedures will be reviewed and where necessary, re-engineered with the intention of optimising their effectiveness and service to the clients.

Hundred and fifty-seven cases have allocated for investigation; falling into the following categories: employer withholding or underpaying employee’s benefits, 38 cases; employers using incorrect UIF reference numbers, four cases; overpayment of the UIF to employers, one case we have identified thus far but there are many; individual claims blocking companies’ claims, 10 cases; incorrect banking details, eight cases; suspected fraudulent claims, 90 cases, which include the following subcategories: ghost employees work and draw benefits, that’s a company claiming while it was fully functional; company claiming for terminated employees; collusion between the employer and employee to lodge fraudulent claims; noncompliance of employers with the UIF Act, there are six cases. Sixty-seven cases have been finalised with 90 cases still pending.

The House will want to know if criminal cases have been opened. Three cases have been instituted by the complainant. The UIF has instituted seventy-five criminal cases ... [Applause.] ... Eleven

people have been arrested and 10 have already appeared before the court.

Acting House Chairperson, I would like to confirm that the UIF COVID-19 TERS benefit is implemented as it was intended to cushion that employees that have been temporarily laid off and the money of the workers is managed and disbursed properly as required. The Auditor-General’s findings have been acted upon and are ongoing.

Lastly, fraud and corruption are being dealt with decisively and corruption is being rooted out.

I must say to this House, all outstanding claims, which are legitimate, where we have delayed those claims, we are going to process them ... [Applause.] ... as long as they have been lodged. We will correct them as long as they have been put in the system. Thank you Acting House Chairperson. [Applause.]

Dr M J CARDO: Hon Chairperson, the DA welcomes the announcement by the Minister that there will be an architectural overview of the Unemployment Insurance Fund, UIF. However, what we really expected today and what we really came to hear was that the COVID-19 Temporary Employer-Employee Relief Scheme, Ters, benefit would be extended further into this year. That announcement has not been made. Such an announcement would’ve provided a much-needed life

raft to all those workers who have not been able to return to work because of the national lockdown and those who are receiving reduced pay for reduced hours.

Let’s be frank; all the UIF’s interventions will not solve the unemployment crisis in South Africa. They will not help the 2,2 million people who lost their jobs in the second quarter of this year because of the economically catastrophic lockdown imposed by your government. It will not do anything to fix or alleviate the deep systemic problems that have plagued the UIF since the inception of the Ters in March.

We hear the Minister crowing at regular intervals about how much money the UIF has disbursed on the Ters. We are told that almost R50 billion has been paid to date, R10 billion more than was originally set aside. That is all well and good. There is a steadily declining supply of petrol in the Ters tank, so we are led to believe, fuelling millions of hard-up workers. The problem is that thousands of workers are living on the sniff of an oil rag. Many still haven’t seen a drop of what the Minister promised them seven months ago. Some workers still haven’t received their Ters benefits for May and June, let alone for July, August or September. Many have been short-changed. Others have been swindled.

At first, employees were told that only their employers could apply for the Ters on their behalf. At one stage they were told that they could apply directly themselves and then they were told once more that their employers had to apply for them. The result is disorder, destitution and desperation.

South Africans have been swimming against the tide during the COVID-19 pandemic and lockdown. We are all in the same big fire- pool with some in the shallow end; some in the deep end. However, the Minister of Employment and Labour has proven himself to be a poor lifeguard. He has blown the whistle at employers trying to do their best instead of at UIF employees not doing enough. He has taken his eye off the ball and fixed his glare in the wrong places, and when the Minister dithers, the workers suffer.

From the very beginning of lockdown, the DA suggested that the SA Revenue Service should take over the processing and payment of the Ters benefits from the UIF. They would’ve done a much more efficient job, but the Minister dithered and the workers suffered.

There has been a series of knock-on effects on ordinary UIF claims. Mothers are at their wits’ end waiting for their maternity benefits; fathers wait in vain for their retrenchment benefits.

Meanwhile, the Minister dithers and the workers suffer.

The Ters is racked with fraud and financial irregularities. The Minister claimed now that he put financial controls in place to prevent fraud. The truth is that the Minister dithered and the workers suffered.

The Auditor-General, Kimi Makwetu, audited the Ters claims in April and May amounting to R28 billion, and he uncovered a staggering lack of verification and controls. Over R140 million was paid to applicants who had already received benefits from other state institutions, including R10 million to students receiving National Student Financial Aid Scheme, NSFAS, stipends and R41 million to public servants who were getting full pay anyway. Over R30 million was paid to people with invalid identity numbers. Over R400 000 was paid to dead people; over R200 000 was paid to applicants under the legal working age; and over R170 000 was paid to prisoners. The Minister needs to follow up on each and every one of these cases and ensure that criminal action is taken if it is warranted. If he dithers, the workers will suffer.

Finally, the Minister must take the nation into his confidence about how much money is left in the UIF’s pot; how long it will last; and what steps the government is taking to ensure the UIF’s long-term financial sustainability. In June, I questioned the Minister about this. He replied that the UIF’s actuaries had

presented the department with four scenarios. One, where the unemployment rate peaks at 41% and the Ters benefit costs

R48 billion; two, where the unemployment rate peaks at 41% and the Ters benefit costs R68 billion; three, where unemployment peaks at 53,7% and the Ters benefit costs R48 billion; and four, where the unemployment rate peaks at 53,7% and the Ters benefit costs

R68 billion.

In the first two scenarios, the UIF becomes financially unsound but can still pay claims. In the third scenario, the UIF wouldn’t be able to pay claims on time and it would have to implement measures much like the Road Accident Fund to prioritise payments. In the fourth scenario, the fund would be in dire straits and would have to reduce benefits. We are rapidly approaching the worst-case scenario. The expanded unemployment rate is sitting at 42% and it’s probably on its way up to 50%. Millions of youth are not in education, employment and training. They have no source of income. Millions of workers have lost their jobs. Meanwhile, all that this government can do is to promise job opportunities through public employment programmes. These opportunities, such as they are, constitute a Band Aid over the giant haemorrhaging wound of joblessness in South Africa.

Minister, for how long will your top management at the UIF remain on precautionary suspension? How much money is left in the UIF pot? What consequences will there be for financial misconduct at the UIF? Minister, you need to play open cards with the South African nation. If you dither, the workers will suffer. Thank you. [Applause.]

Ms C N MKHONTO: Thanks Chair. COVID-19 has exposed what we as the EFF has always said about the incompetence of the ruling party and the failure of an inefficient administration.

The UIF, the Compensation Fund and all other entities that fall within the Department of Employment and Labour are entities on paper and do not exist in reality. More than 10 million people who are willing and ready to work cannot find work. We must all ask ourselves the question as to why this department exists.

It is workers alone who can unshackle the chains of exploitation. The ruling party is more afraid of white people, white racist farmers and white bosses in factories and companies, than a poverty-stricken, exploited labour force and millions of unemployed, hungry young people roaming the streets of our country.

The EFF remains the only radical leftist, anti-capitalist and workers’ movement pursuing the struggle for economic emancipation; the only emancipation that matters to workers. As the EFF, we have been on the side of workers and will always be on the side of workers.

That is why when the government announced the lockdown — and we know that the racist economy hates workers and it is only loyal to profits — and that workers were going to be casualties, the EFF established a labour desk. We established a labour desk because we received calls from workers all the time, including in the early hours of the morning, because the UIF, as expected, had collapsed and workers were left stranded, starved and on their own.

The EFF labour desk started operating at the beginning of the lockdown and officially introduced an efficient and sophisticated system on 28 May 2020 that allows for the submission of queries through all forms of communication.

Since the introduction of the labour desk system, we have received more than 3 000 cases of ... UIF. Many of these cases are as a result of incompetence, corruption and the complete collapse of the administration. More than 4 000 workers of LSC Staffing Solutions are stranded as they wait for the Ters. We raised the

matter and it was escalated to the highest office in the UIF’s administration. Till today, workers have not received their money and this is in spite of our efforts.

Workers at Wimpy in QwaQwa only received their first payment last week Thursday after they had applied in April, and five of the workers are still waiting.

... [Inaudible.] ... SA submitted a claim in March and only got paid in April, but since May workers have not received a cent. When the EFF labour desk intervened we were told that the application is not yet processed and some employees, despite proof that they had paid monthly contributions with UIF numbers, are not found on the system.

COVID-19 did not only expose the collapse of the UIF but it also exposed the fact that the Minister is incompetent and has failed to build any administrative system to deal with the corruption and collusion between the UIF and companies. They process claims and keep the money amongst themselves when workers cannot feed their families.

More than 20 workers from La Montagne in KwaZulu-Natal are still waiting for their UIF money, even though the company has received

money from the UIF. They are not the only ones. SuperSpar in Sebokeng, Moncho Motors in Dobsonville, Uno Engineering in Alberton and many other companies claimed the UIF money but never paid workers. The government cannot ensure that workers receive their money.

Some companies go as far as claiming money when their workers continued to work. E55... EZ-Link, which employs more than

100 workers, continued to operate at full capacity but claimed UIF money and got paid. Workers never received a cent.

All these are clear signs of a failed administration and an administration led by people whom we have correctly ... [Time expired.]

The CHAIRPERSON (Mr Q R Dyantyi): The hon member’s time has expired. I now recognise hon Ngwezi. Hon Ngwezi, you knew that you were going to speak. I’m going to ask members who are going to speak, you know where you need to sit and wait for your opportunity. Thank you, hon Ngwezi.

Mr X NGWEZI: Thank you very much, hon House Chairperson, hon members, nina beSilo [subjects of the King] and fellow South Africans, our country has not been the only one adversely affected

by the pandemic. COVID-19 has left millions of our people without employment and as a result without means by which to support themselves or their loved ones. The IFP has seen and noted with concern the desperation that many of our people have plunged into since the National State of Disaster was enforced. The COVID-19 Temporary Employer-Employee Relief Scheme, TERS, administered by the Department of Employment and Labour has been instrumental in trying to assist those who have been left desperate by the pandemic.

*IsiZulu:*

Nakuba Ngqongqoshe siqonda ukuthi basebaningi abantu bakithi abasakuthola kunzima ukuba bacoshe isibonelelo kulesi sikhwama se- UIF. Esithokoza ukuthi ikhona imizamo eyenziwayo futhi esifisa ukuthi kwenzeke lokho ngokukhulu ukushesha, ngoba siyayazi imiphumela eyenza ukuba abantu bengasitholi ukuthi isimo sinjani emakhaya.

*English:*

The IFP also acknowledges that the fund is not an internal pot of gold. As the year progresses, fewer funds are available to purchase our existing social security mechanism which because of the pandemic has been stretched their limits. To our understanding, since the beginning of the lockdown, TERS has paid

out more than R49 billion in the form of 11 million payments. A further R7,5 billion has been disbursed under the existing UIF benefits. According to you, Minister, the fund now has approximately R50 billion left. Without further assistance from the government, this sum must carry us through to a place where unemployment is no longer standing between families and starvation. That place is still far on the horizon.

The Minister said that the department was aware of the fraud raised before disbursement. It is therefore concerning that we saw a hold on the payments in September due to corruption. We saw payments made to deceased persons, even after the hold indicating a poor control system at the department. We saw desperate people being denied access to TERS due to clerical errors that were only resolved one civil society steps in. This indicates a lack of empathy and or capacity on the part of the department officials.

The IFP wishes to express its concern over the uncertain plans for unemployment solutions in this country. As it is clear that this issue will last longer than the available funds. Thank you.

Ms H DENNER: Thank you, hon House Chair. I must commend the Department of Labour for the initiative taken with the Unemployment Insurance Fund, the UIF TERS fund for stepping up and providing relief in the form of a fund that has never been done

before, to relieve much hardship during the economic and employment crisis that was and still is, the COVID-19 pandemic. This must be commended. We must give credit where credit is due. However, it seems not even good initiatives can escape the curse that is poor implementation, poorer administration and the lack of oversight and accountability that we have so gotten used to under the ANC government.

Yes, nearly R50 billion has been paid out to workers, but Mavis Mokgele from Bloemfontein who works as a waitress in a restaurant, has not received one cent since the start of funds at the beginning of the lockdown. Fifty billion makes no difference at all and yes, she is registered with the fund. Yes, her contributions were paid up to date. Yes, her employer applied on her behalf. Yes, her employer inquired from the fund. Yes, everything was in order from the employer’s side. Yes, her colleagues did receive their monies, but, no, Mavis did not. Mavis is a breadwinner in her family. She has two small children and the UIF has failed her. Mavis is not the only one, not by a long shot.

My question to the Minister today is: While there are many workers who benefited from the TERS fund, why are there still so many like Mavis? Is it because of the lack of proper controls and administration? Is it because of poorly integrated systems? Why

are there so many workers who slips through the cracks? I predict the Minister will be quick to refer to the employers, as he has already done today and usually does, who do not pay over the TERS money – the TERS money that they receive on behalf of their workers. [Interjections.] Yes, that is also a problem. Those employers must be named and shamed because their actions are unacceptable, but that is not what I am referring to.

The backlog must be addressed as a matter of urgency. Saying that it will be addressed somewhere in the future after the money was followed, is simply not good enough. Workers are suffering now.

The UIF has appeared before the Committee of Labour a few times, especially during the first few months of the National lockdown where feedback was given on the status of disbursement of the TERS funds, as well as fraudulent activity and the theft of TERS money, due to glitches in the system and innovative fraudsters. But my question has never been answered. Why are they still so many Mavis’?

We have taken out the suspension of the Commission of the UIF and other managers and while the buck probably stops with Mr Maruping. He has gone out of his way to assist with queries and problems surrounding TERS claims. We sincerely hope that those who are truly responsible for fraud and theft of TERS funds will be held

accountable and welcome action steps already taken, though they are not nearly enough.

*Afrikaans*:

Hoewel daar reeds miljarde rande in die vorm van die tussentydse verligtingsfonds uitbetaal is, wil dit voorkom asof gewone werkloosheidsversekeringsfonds-eise agterwee gelaat word. Ons as die VF Plus het verskeie klagtes ontvang van gewone werkloosheidversekeringsfonds, WVF-trekkers, wat onder andere nie hul kraamvoordele, pensioen- of WVF-uitbetalings weens afleggings ontvang het nie. Hulle sukkel steeds om sodanige uitbetalings te ontvang. Die TERS-hulplyn, terloops, was ook die in die meeste gevalle van nul en gener waarde, omdat dit of nie beantwoord word nie, of desperate beginstigters meegedeel word dat hulle nie gehelp kan word nie.

*English:*

I conclude hon Chairperson with the following, a good initiative is only as good as its implementation. You can have the best plans on paper and deliver the most wonderful reports to the portfolio committee and to us here in Parliament, but if the workers on the ground whose livelihoods depend on these funds do not receive it. These initiatives have failed and unfortunately so as the UIF, the Department of Labour and the ANC government. I thank you.

Mr S N SWART: Thank you, Chairperson, the ACDP welcomes today’s statement by the hon Minister which sets out severe challenges with the TERS payments. I must appreciate that some 50 billion has already been paid out. It must be deeply concerning that the fund set up to assist workers in need, has been plagued with incompetency, fraud and corruption, particularly at the time when so many are dependent on these payments to survive after thousands of businesses closed their doors during the hard lockdown with almost 2,2 million people, workers losing their jobs. This is not only concerning but is also disgraceful.

So, we support the steps that the Minister has taken with the management being placed under precautionary suspension. However, we do believe that far more can and should be done. The inaccurate and misrepresented data captured on the UIF portals and fuelled by the damning report by the Auditor-General, has added frustrations of all involved. The numerous cases of nonpartial and incorrect payments have led to employers and employees losing trust and patience with the TERS system.

Minister, I am sure you will agree that no worker can afford to wait up to seven months for payments which are due and owing to them by fund. They and their families’ dependent on these payments and it is inhumane to deny or delay these much-needed payments. We

as politicians are paid fully. Officials are paid fully. These are desperate workers that need to be paid what is due to them. We in the ACDP, like many Members of Parliament, MPs, across all political parties have been inundated with complaints regarding TERS payments. This is unacceptable and we need to address this issue, Minister.

In addition, the Auditor-General outlined the level of fraud and corruption. Minister you referred to this, some 90 companies apparently claimed for employees that don’t exist. They claimed for workers who could do their work as per normal circumstances. Some even claimed for employees who had left the company before the pandemic. This has resulted in billions of rands going down the drain. This is scandalous given the financial constraints already facing the nation, as well the constraints under which the UIF had to operate. It has, together with the other COVID-19 related corruption, resulted in unprecedented public outrage.

Swift action has understandably been demanded and must be taken.

The ACDP looks forward to the speedy payment of all claims to workers, as well as more arrests and the recovery of ill-gotten gains from those who have defrauded the TERS system. We are encouraged by the early freezing of bank accounts that have already taken place. Clearly, however much more needs to be done

in this regard. The ACDP looks forward to see that take place and that all workers will receive what is due to them. I thank you.

Mr N L S KWANKWA: Hon Chair, I am not going to switch my video on because it usually affects my connection.

*IsiXhosa*:

Mphathiswa, sifuna ukuyithetha le nto singajikelezi. Ekuqaleni salibulela kakhulu siyi-UDM inyathelo elalizama ukwenzela abantu lula ngokuthi ...

*English*:

...these Unemployment Insurance Fund, UIF payments should be done via the employer payrolls...

*IsiXhosa*:

... kuba ibisenza kube lula kwaye abantu bangafoli emigceni emide bezibeka emngciphekweni yokosulelwa yintsholongwane ye-COVID-19. Sasilixhasile inyathelo elithi ...

*English*:

... the UIF COVID-19 Tax Benefit which was created to provide support to temporary laid off workers was going to assist with the

necessary relief that South Africans and workers in particular needed. However, the challenges ...

*IsiXhosa*:

... ezikhoyo ngoku ngoku sithethayo kukufumanisa ukuba abanye abantu bahleli eQonce abakwazi ukubuyela eKapa kuba ...

*English*:

... their payments have been delayed, payments have not been made.

*IsiXhosa*:

Umzekelo apha eKapa eKhayelitsha sinabantu abakhalayo besithi bawafaka kudala amabango eemali zabo kwaye baxelelwa ukuba babhatelwe abaqashi ekubeni bona bengafumenanga zimali. Abanye bafumene iziqingatha nomyinge omncinci kakhulu kwiintlawulo ebezilindelekile. Kukho izityholo ezithi, abaqeshi bathathe le mali bayisebenzisa, bayifaka kwiingxaki zemali zamashishini abo endaweni yokubhatala abasebenzi aba kulindelelke ukuba ba ...

*English*:

... benefit from the process.

*IsiXhosa*:

Mphathiswa, kukho le nto intsha ...

English:

... that is also prevalent in the Traffic Department. There are officials from the Department of Employment and Labour who are taking advantage in the backlog of the UIF claims, the entire backlog. They are taking bribes in order to fast-track people’s applications. We have been told about this in Gugulethu, Khayelitsha and some parts of Port Elizabeth where workers are complaining saying that they have been expected to pay people money in order for their claims to be fast-tracked and for some of the irregularities to be overlooked, so that some of the claims can actually be expedited. We would like the department to investigate that because it is wrong. The other issue is ...

*IsiXhosa*:

... siyazibuza ukuba lo rhulumente uye wahlalelani ixesha eli lonke kuba kaloku isibhengezo sokuba kuzakusetyenziswa imali ...

*English*:

... from the UIF to provide relief was known before we went into the hard lockdown in March. Why did the government not try to put some systems in place that would be for control measures so that the system is not abused? We can’t wait for a situation where we have to wait for the Auditor General to tell you about things that

are really eco nonsensical and should have been put in place long before the payments and the relief was provided to South Africans.

We are of the view that you have not been able to identify the fraudulent transactions enough and that once a proper and a full scale investigation is done into the R49,5 billion disbursed so far, we might find that even the figures that are cited here ... [Interjections.]

*IsiXhosa:*

USIHLALO WENDLU OBAMBELEYO (Mnu Q R Dyantyi): Ixesha lakho liphelile, Mhlonipheki. [Uwelewele]

Mnu N L S KWANKWA ... zincinci kakhulu. Niqalile ke aniyifuni i- UDM xa ithetha inyaniso.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): I now recognise the ATM. [Interjections.] I now recognise hon Shaik Emam. [Interjections.]

*IsiXhosa*:

Mnu N L S KWANKWA: Awusifuni wena. Bayinike ixesha thina

...[Ayivakali.]

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Surgeant at arms and ICT, please remove hon Kwankwa from the session. Thank you. I now move to hon Shaik Emam from the NFP.

Mr W M THRING: On a point of order, Chair.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Your point of order?

Mr W M THRING: On a point of order, Chair. It’s hon Wayne Thring from the ACDP. Chair, I think that your decision to remove hon Kwankwa might not have been the right one because from my side I did not hear you tell him that his time is up and he may have not heard you as well. The only thing that I heard is you announcing that it is time for the next hon member to come up while hon Kwankwa was still speaking. So, from our side, on the virtual platform, we did not hear you. [Interjections.]

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Thring. I did tell hon Kwankwa of the UDM that his time is up. I said it in Xhosa and he did hear me. Your point of order is not upheld. Thank you. I proceed to hon Shaik Emam.

Mr A M SHAIK EMAM: Chair, to the hon Minister, thank you for your presentation and the NFP welcomes the presentation. Allow me, first of all, to thank government for the initiative, particularly with deters of contributions to people that may have lost their jobs permanently or temporary.

Minister, I think what you paid, what you have not paid and all those people that are still waiting and have to continue to wait for seven months and longer periods of time is not the problem here. The problem that we want to work and put in measures after the fact. Surely we ought to have anticipated this knowing the level of looting that takes place in the country currently. We ought to have known that we are going to have the same problem even with temporary employer/employee relief scheme, TERS, like in any other department. So, why not put measures in place to close these gaps before it is done? Now we are going to be spending hundreds of millions of rands in investigations - money that could have been spent assisting our people.

Minister, I want to bring to your attention that there are many other problems for people on the grant, over and above some of them not able to receive their monies. Companies are taking on casual staff right now because it is cheaper to do that than to

call back their permanent workers. These are some of the problems that they are actually experiencing.

That level of communication between your department, even with us public representatives trying to intervene on challenges that people are facing, is a mammoth task because there is no one in your department dedicated to that – someone we can pick up the phone or send an email to and get some action to deal with these problems.

Another thing that I want to draw your attention to is that I like what the EFF said about people not being given food. I want to tell the EFF that members in your own party who have been working for you for six years since your inception have never received a contract or benefits. They too do not have food. Charity begins at home before you find faults. Go home and feed your own before you come out here and find fault. Your very own staff has no contract and you give them no benefits since your inception and now you come out here to say you give a better life to the people ... [Interjections.]

Ms H O MKHALIPHI: Chairperson? [Interjections.]

Mr A M SHAIK EMAM: ... feed your own people first. Let me continue, hon Chairperson. Another thing that I want to draw your attention to is the ... [Interjections.] There is a point of order, Chair. Can I continue?

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Continue, hon Shaik Emam.

Ms H O MKHALIPHI: Chairperson, I’m calling a point of order.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Is there a point of order?

Ms H O MKHALIPHI: Yes, Chair.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Hon Hlengiwe Mkhaliphi?

Ms H O MKHALIPHI: Yes, Chair. Can the hon member on the podium stop misleading the nation? Otherwise he must bring this thing to Parliament in terms of the Rules or withdraw what he is saying against EFF.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Mkhaliphi but that is not a point of order and it is not sustained. Continue, hon Shaik Emam.

Mr A M SHAIK EMAM: Minister, I would like you to tell us what measures are being put in place to provide some kind of benefits, particularly to the workers in the frontline - the healthcare workers and those in the retail sector who were forced to go back to work and lost their lives. What measures is your department going to put in place to assist those who have lost their loved ones who had gone back ... [Time Expired.]

Mr L M NTSHAYISA: Hon Chairperson, we welcome the statement by the Minister of Employment and Labour, Thulas Nxesi. Chairperson, updating the nation on 21 April 2020, following the declaration of the national state of disaster on 15 March 2020 that was brought about by the COVID-19 pandemic, the President updated the nation on the progress made by in light of the government’s economic response to addressing the aftermath and consequences of the lockdown.

In his address on 23 March, the President announced that our response to the pandemic will be backed by a R500 billion relief package. Amongst other measures that were introduced to mitigate

the effect of the lockdown, a wage support grant through the UIF was introduced.

Hon Chairperson, the COVID-19 temporary employee/employer relief scheme benefit, the audit of the Auditor-General on the COVID-19 relief fund revealed was at the best poorly implemented by the UIF. On the UIF alone the report of the Auditor-General reveals that about R84 228 713 was over paid to 1 183 applicants. We also established, through the report, that there were underpayments totalling to R250 919 667 for 1 700 applicants. One employer, the report revealed, was paid three times for the same application.

Hon Chair, the payment of R5,7 million from the UIF offered to be earmarked for 200 workers was paid to a single person. Hon Chairperson, to understand the tough reaction informing our attitude to what has docked UIF one only needs to read section 5 of the Unemployment Insurance Act which requires the fund to provide payment of benefits in terms of the Act. It cannot be then said that the dereliction of this legislative duty offers the very scheme of the Constitution which is founded on the values of dignity amongst others.

Chairperson, apart from the haste which the fund was suspended, there is little evidence to show that the Auditor-General’s

recommendations have been implemented to the latter. For instance, has the UIF reviewed its calculation regime to determine the correctness in line with the gazetted regulations as the report recommended? Has the UIF introduced necessary triggers to verify the existence of the registered ... [Time Expired.] Thank you very much.

Mr M G E HENDRICKS: Hon Chair, we would like to support the Minister’s statement and we join other hon members. We refer to the innovative measures that were taken to defraud the Minister and the UIF department. They even used artificial intelligence, internet affairs to try and find ways and means to rip off the government and the UIF department.

Now that the Minister seems to be fully in control, and we are very confident that he is in control, Al Jama-Ah would like to suggest that the Minister comes up with a completely new benefit. It is no use complaining about this benefit and that benefit. The Minister will make the nation proud if he comes up with a completely new benefit to take the country forward - something that has not been on the table. For example, we know that there are contributors to the UIF fund and you build up a credit and we feel that maybe that credit can be converted to an actuarial

reserve and be used to benefit the workers who have contributed to the fund for many years.

Lastly, hon Chair, I would like to ask the Minister to be understanding that we know that if you resign you cannot apply for UIF, but with the COVID-19 pandemic regulations, people that have resigned ... it was not really resignation. The Minister must please consider an exemption to that. Thank you very much, hon Chair.

Nksz M L DUNJWA: Mandibulise Sihlalo ohloniphekileyo, amaLungu eNdlu yoWiso-Mthetho, uMphathiswa wezeNgqesho nezabaSebenzi, abaPhathiswa bonke, amalungu amameleyo emakhaya, nabantu boMzantsi Afrika. Singumbutho we-ANC masiqale ngokuthi, ewe baninzi abasebenzi abaphulukene nobomi babo ngakumbi abasebenzi bezempilo. Into endivuyisayo kwaye endenza ukuba ngamanye amaxesha ndizingce kukuba, ilizwe loMzantsi Afrika lide layiqonda into yokuba aba basebenzi bezempilo, ngabasebenzi abazincamayo. Sithi ke kumakhaya abo nakwizihlobo zabo, kubuhlungu nakuthi.

Namhlanje ingumnqa into yokuba i-EFF ithi ine ...

*English*:

... labour desk ...

*IsiXhosa*:

... kodwa phaya kwiindibano zekomitini isoloko isithi sifuna ukuba nee ...

*English*:

... labour desks.

*IsiXhosa*:

Phaya kwiindibano zekomiti xa kusithithiwa mabeze nazo ezi zinto bazifumanayo, abezi nazo siziva namhlanje. Asitsho ukuthi abantu mabangazithethi, kodwa xa sizifuna siyibizile nekomiti, uMphathiswa kunye noMqondisi Jikelele (Director General) ukuba beze phambi kwethu, injongo yethu kukubanika yonke le miqathango.

Sonke apha siyabizwa ngeemfono-mfono kusasa, emini nangokuhlwa, kodwa akuyonyaniso ukuba abantu abahoywa lisebe lezeNgqesho nezabaSebenzi. Siyacela Mphathiswa sisithi, ezi zinto bezithethwa apha sizakuzilandelela phaya ekomitini. Ingumnqa namhlanje into yokuba kungabikho mntu uthethayo ...

*English*:

... in particular the DA. Talking more on the challenges that ...

*IsiXhosa*:

... abasebenzi ababekwa kuzo ngabaqashi. Abaqashi ...

*English*:

... that have put our workers the majority of them in a situation that is unpalatable.

*IsiXhosa*:

Batsala iimali zabo kodwa ezo mali bangazidluliseli kwiNgxowa-mali yabangaphangeliyo, (UIF). Bathi banabasebenzi abali-10 kodwa kwi- UIF babhalise abasebenzi abahlanu. Xa lisithi iSebe le...

*English*:

... Employment and Labour, we are going to follow our money and it was not that the department has never had any programme in ensuring that all the challenges that are there are being followed. That is why even before the Auditor-General’s, AGs report there was what was called “follow your money”. And when the money was followed ...

*IsiXhosa*:

... bathi abo banaso isazela beze ngaphambili bachaze ukuba thina sifumene imali eninzi.

*English*:

And when others were checked, companies were not there. Yet some of them are your friends and your members. [Applause.]

Hon Chair, yes, we do understand that there has been a blockage. We do understand that workers and employers have been frustrated. However, through the leadership of the Minister and we are not saying that he is thee Minister, but he has ensured that all those blockages are then unblocked by ensuring that there is a system called “harambe”. Members of the opposition parties today do not know that. [Applause.]

Harambe is a system that was to ensure that all blockages in terms of enquiries, payments and in terms of late payments and for God’s sake why is that today nobody knew that we will be subjected to a pandemic. Nobody knew that today as we are standing here we will have a system called TERS which was to ensure that every worker is not subjected to poverty because the employer was not paying what was supposed to be paid. That is why the NAC-led government pay even those that their monies were not send, as long as the employer is going to do what is called acknowledgement of debt. [Applause.]

This is because the ANC that has pity for our people? No good people. I think I agree with the EFF when they say give credit

where is due. And we are not implying that the employment and labour has no shortcomings like any other department. What we want to put across here today, that is why I have decided hon Chief Whip that I am not going into figures. For there is a lot that has been said outside confusing our people as if this government is not doing anything.

It is then going to be important that – and today Members of Parliament are sitting here asking for the AG’s findings. We are to call the department because we want the department to take us through finding per finding. And we are happy that there are people who were suspended, but Minister we hope that it is not only going to be the senior managers but, even the junior managers.

*IsiXhosa*:

Uyabona ke, kukho le ngxaki yokucinga ukuba abantu abenza urhwaphilizo ngaba bakwizikhundla eziphezulu, kanti naba baphakathi kunye naba basezantsi bayabandakanyeka, kaloku banabahlobo. Siyabacela ke abantu baseMzantsi Afrika ukuba babenethemba kumbutho we-ANC, bayazi ukuba i-ANC – ewe njenge nkokheli, iziphene zakho kufuneka uzamkele kwaye uvume ukuba wonile, ukuze ngomso ukwazi ukulungisa.

*English*:

It can never be correct hon members that we stand here and politic on issues that we know that some of them are not the issues. For when we were all subjected to the pandemic, nobody would have been prepared or any government would have been prepared. Yes, we know that normal Unemployment Insurance Fund, UIF, claims got a little bit a knock because the department had to balance normal UIF and TERS. For that matter: Why are we not talking about families that have corrupted the UIF of R5,7 million? Why are we quiet about employers that have squandered the money of their workers?

We know that some of us have domestic workers. Have we ensured that those domestic workers are covered by tariffs? It may be a joke because you do not care. [Applause.] We cannot bring in issues of farm workers here, issues of TERS should be expanded and extended that is not about that today. No, no. Today we are here to say as the Employment and Labour Committee led by the ANC we are going to conduct our oversight with that department led by the ANC without any fear or favour. We want to ...

*IsiXhosa*:

... ukumxelela uMphathiswa uNxesi ukuba, nokuba zeziphi na iziphene ezithe zafumaneka ukusuka entloko ukuya ezantsi, sizakuphinda sibuye size apha, sibaxelele abantu boMzantsi Afrika

ukuba urhwaphilizo asingekhe silunyamezele nokuba lwenziwa ngubani na. Njengoko simi kule ndawo, sibulela loo maqela akwaziyo ukuya ekomitini aqondayo ukuba ikhona imisebenzi eyenziwayo. Into esingenakho ukuyinyamezela kukuhlala apha sicinge ukuba izinto ziyenziwa kube kungakhathalwa. Sithi ke onke amasebe kwinto ... [Kwaphela Ixesha.]

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): [Time expired.]

The MINISTER OF EMPLOYMENT AND LABOUR: Hon Chairperson and hon members, thank you all hon members for your comments and contributions. We learn and improve constructive criticisms and suggestions. But when we do that, hon Cardo, we must be balanced. We must condemn the employers even if they are our allies who claimed and overclaimed and got the money and never took that money to the workers. We must be balanced and admit that on both sides there are people who have not done things properly.

The success of the Unemployment Insurance Fund, UIF, is far more than the problems. If more than 11 million payments were made, that is a huge success and relief to the workers. Coronavirus gave us no time to prepare. It gave us no time to research. It gave us no time to put together a comprehensive plan that would have been tested several times to ensure that it would stand – that it would

stand up under the complex pressure of the Covid-19 and the lockdown. Let’s remember colleagues that even here in Parliament

and all over in different workplaces, there were no workers. Remember that during level 5, level 4 and level 3 and even with us, almost all our labour centres were closed during that particular time. So, let’s not think that everything was well and so on.

I just want to raise a few issues. Hon Cardo, you raised a very big issue regarding an expected large scale retrenchments in the region of 2 million. It might even be more than that. This is a question in part about the Economic Reconstruction and Recovery Plan which was announced by the President last Thursday. I won’t repeat that. Safe to say that it includes 800 000 additional public employment opportunities, but you cannot say if government employ 340 000 school assistants to help teachers those are the jobs. I don’t know what you are talking about. Assistant teachers have always been there in other schools but not in disadvantages schools. Assistant teachers that are hired are the unemployed graduates and matriculants. The massive infrastructure projects are the employment creator.

There is going to be thousands of jobs. That is why we have announced as government through the President the massive infrastructure projects and we are ready to spend money.

Economists will tell you that whatever you compromise in your budgets when you have constraints, you can’t compromise spending on infrastructure because it is an investment and it creates jobs.

I can also say that the President consulted fully with all sectors of government as well as social partners in the National Economic Development and Labour Council, Nedlac who were specifically invited to make proposals - even business supported but also questioned like everybody is questioning. Implementation is going to be very key in dealing with this issue of job creation. From the Department of Employment and Labour I can be able to point out that the role of the Commission for Conciliation, Mediation and Arbitration CCMA and normal Temporary Employee Relief Scheme, Ters, is saving jobs.

In terms of section 189 retrenchments applications to the CCMA, over 50% of those jobs are saved. I will also point to the labour activation programme designed to retain and create jobs, support new ventures and provide for training and retraining of the unemployed people, including the retrenched workers for the

demands of the labour market. Of course, the normal UIF which continues to function without interruption during lockdown is there to assist the retrenched workers, but we expect to employ millions of workers.

Let me also raise this issue about the UIF resources and the issue of the sustainability of the fund. Before the UIF committed to pay the Covid-19 Ters benefits, this was done after consultation with the board and the actuaries. But remember the UIF special Ters was not part of what was budgeted for. It came as a result of us thinking about what will happen to the millions of workers, hence we went into discussions at the level of Nedlac. We agreed with all social partners, the labour movement and the business- community partnerships that this idea from government should be implemented.

Initially, we budgeted for R40 billion for three months. But remember now that we went beyond the three months. We had even up to 15 October. We kept on saying that we are extending; we are extending to the following month and so on. That meant resources which were never budgeted for. We kept on recalling our investments which we have made as the UIF. So, with the extensions, the lockdown and the continuing need for income

support to laid off workers, we projected that we need the budget for R60 billion.

The liquidity and sustainability of the fund is under constant monitoring and review. We have actuaries and they are able to tell

us this is where we are now. I did not hear the hon Cardo announce that we are extending. That will be unilateral. It must be a product of discussion by social partners, but we must also look at the liquidity and the sustainability informed by the economists and the actuaries. I cannot just come here and be populist and make that announcement.

I should mention that the Covid-19 Ters benefit and ordinary UIF benefits are an important part of the economic stimulus package. Let me also say that I was assured and I still want to repeat this. I was assured that controls were indeed in place, but in the end the UIF was caught between a rock and a hard place. We were under pressure to start making payments to laid off workers with no time to test and refine those controls. I will give the House this comfort that from the start we should put in place a comprehensive backstop - the follow the money programme which Comrade Dunjwa referred to. [Time expired.] Thank you, Chairperson. [Applause.]

The CHIEF WHIP OF THE OPPOSITION: House Chair, I am terribly sorry to interrupt – that is why I waited for the Minister to finish.

House Chair, the Chief Whips in Parliament have a WhatsApp group that we communicate on and we do so, so that when we are on a hybrid system, we keep the operation of Parliament running smoothly. I completely take the point that you’ve raised about the hon Kwankwa. I agree with you that at that time it seemed disruptive but the hon Kwankwa has explained to us that there was a time lag and he was actually not able to join on the virtual platform and he did not realise that you were calling him to order. I wonder that if given the circumstances, it wouldn’t be fair to allow him in. In light of the good spirit which we are trying to operate in the House could you perhaps allow the hon Kwankwa to rejoin the meeting and be allowed to apologise as he didn’t realise that there was this time lag. I think it just goes to cordial behaviour that the Chief Whips have been enjoying, and I don’t think that it was intentional for the hon Kwakwa to disrupt you, Chair. Thank you.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Mazzone, I have been listening to you. Hon Swart?

Mr S N SWART: Thank you. House Chair, may I just rise to support my colleague in as much as the sentiment has been expressed that

the hon Kwankwa did not intentionally do anything bad. The challenge is that we have condolences now and he being the Whip of the UDM I am sure he would like to participate in those

condolences. I would ask you humbly to reconsider your ruling in that regard. We admit that there is a lapse when it comes to online issues. My colleague raised the issue and you made a ruling and I would just ask you to consider that, particularly with the fact that we have condolences now. Thank you, House Chair.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Swart, I hear what you say.

The CHIEF WHIP OF THE MAJORITY PARTY: Thank you very much, House Chair. Having spoken to the hon Kwankwa, indeed there was a time delay on his side. He did not hear you and at the time he connected, he thought he was still at the platform and still given those minutes. We really want to apologise for that time delay on his behalf. He was not intending to undermine your ruling. I therefore support other members to allow Comrade Kwankwa in. Thank you very much.

Dr C P MULDER: Hon House Chairperson, I can’t add anything. I think the colleagues have said what needs to be said. Thank you.

Mr A M SHAIK EMAM: Thank you hon Chairperson, I would like to concur with my colleagues that sometimes with the other

disruptions in the House and through the virtual system meeting, it is sometimes very difficult for one to hear. I would plead with you Chairperson to consider that and allow the hon Kwankwa to participate in the rest of the meeting ... [Inaudible.].

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Thank you Shaik Emam. Is there any other Chief Whip in the virtual system who wants to say something before I make a ruling? Because I am going to make a ruling. [Interjections.] None? Thank you very much.

I have listened to the concerns raised by the various Chief Whip, it is clear the presiding officer is being mobilised ... [Laughter.] ... to reconsider his ruling. I want to say that I sympathise with all the Chief Whips who have spoken on this matter and I want to say that I have made a ruling as a presiding officer and a ruling was made on a member who not once responded back to the presiding officer on a completely irrelevant issue. There was an effort on the part of the member, not once. Therefore, we have been very consistent with these rulings in this House and after that I have already made a ruling on another member, Chikunga, to leave the House. The hon Kwankwa - like we all know that if there

is an issue that he is not happy with regarding the ruling of the presiding officer - knows what to do. There is a route to take to remedy that situation. There is a separate issue members are raising which is an emotional issue – that he was going to participate in the condolences. It is completely a separate matter. But the hon Nqabayomzi Kwankwa remains removed in the session. I really want to make that point, and I would want to appeal to you to live with my ruling. Thank you very much. Let us proceed.

# MOTION OF CONDOLENCE

*(The late Mrs D D Dlamini)*

The CHIEF WHIP OF THE MAJORITY PARTY: The Chief Whip of the Majority Party moved:

That the House —

1. notes with sadness the sudden passing on of African National Congress (ANC) Member of Parliament (MP), Ms Dora Dunana Dlamini, at the age of 57, on Wednesday, 10 June 2020;
2. recognises that Ms Dlamini was one of the 231 representatives of the ruling party sworn-in as a member of the Sixth Parliament following the 2019 elections, just few hours after she logged out of plenary.
3. recognises that Ms Dlamini was one of the 231 representatives of the ANC sworn in as a member of the 6th Parliament following 2019 National Government Elections.

*IsiXhosa*:

1. Kananjalo, ilungu eli belikhe layinxalenye yabameli be-ANC kwiNdlu yoWiso-Mthetho yePhondo KwaZulu-Natal.
2. Sivakalisa ukuba uthe akufika apha uye wayinxalenye yeKomiti ejongene nezamashishini karhulumente.

*English*:

1. acknowledge that she worked diligently from her constituency office in KwaZulu-Natal, as we were monitoring the re-opening of schools on the 8 June, she went to a school to address all learners in that particular school, that on its own demonstrated how committed the hon member was to service the people;
2. further acknowledges her last act of duty which saw her attending assembly plenary;
3. we remember comrade mama Dlamini as a dedicated public representative who served until the last moment;
4. this House extend its heartfelt condolences ...

*IsiXhosa*:

... kusapho, izihlobo nezalamane. Asizanga nanto ukuza emhlabeni, kusekuhleni ukuba asingephume nanto.

Thuthuzelekani, yena icekwa ulibekile ebandla. Enkosi.

The ACTING HOUSE CHAIRPERSON (Mr Q R DYANTYI): Before I recognise the list of speakers, may I take this opportunity to recognise and welcome three family members in the gallery of the four that have fallen. We have the Dlamini family in the gallery represented by members of the family, brother and daughter with us. We have in the gallery the Peter family represented by wife and son with us today. We have in the gallery the Mohammed family represented by brother sister and his son. You are all welcome. [Applause.] Thank you very much.

Mr G K Y CACHALIA: Hon members, as you have heard that Dorah Dlamini was a fellow Member of Parliament who served on the Public Enterprises Committee and a constituency in KwaZulu-Natal as Provincial Committee Member for Conservation, Rural Affairs and Community Safety. She died an untimely death after attending a plenary session via zoom.

When a fellow human being dies more so one who has served in close proximity to you, as Dorah Dlamini did with me in the portfolio committee, it is incumbent on us to put our differences aside and to focus on what makes us one.

A common humanity and a commitment to serve and help create a better world is what bind us. We may differ on the route to get there but the shared destination unites us. Our thoughts are with the family, here comrades and all who were touched by her in her journey.

Allow me to share with you a poem by Shannon L. Alder which has sustained me in times of loss. I hope it provides solace to those mourning in these difficult times.

It says and I quote:

Hope is above, not found in the deep, I am alive in your memories and dreams when you sleep, I will greet you at sunset and with the moon’s evening smile, I will light your path home.. every last lonely mile, My friends, have no fear, my work was done well, In this life I broke the waves and rode the swell, I found faith in those that I called my crew, My love will be the compass that will see you through, So don’t look for me on the ocean’s floor to find, I’ve never left the weathered docks of your loving mind, For I am in the moon, the wind and the whale’s evening song, I am the sailor of eternity whose voyage is not gone.

Dorah Dlamini has passed the earth to go to the ancestors. Hamba kahle Nkosazana enhle. [Fare-you-well.] Thank you.

Ms R N KOMANE: House Chair, let me take this opportunity to thank the Chairperson of the House, Members of Parliament, both in the House and virtual platform, the leadership of the EFF and greet all the members of South Africa. I rise on behalf of the EFF to convey our condolences to the Dlamini family, the ANC as the organisation that Ms Dlamini was serving under and having served both in the NCOP and the National Assembly, I wish to state that

in times like these, we need to move away from being partisan and for that as the EFF, we convey our heartfelt condolences.

We further would like to thank the family for the dedicated member they have given to us as the Portfolio Committee on Public Enterprise. She has served the committee until the last day with determination and selflessness, and for that we will remember her. We will remember her for the kindness that most of us lack and which is of most need. For that, as the EFF, we say to the members of the ANC and the Dlamini family ...

*Setswana:*

Lalang ka ntho madi a tshologa. Tshidisegang. [Legofi.]

Mr N SINGH: [Inaudible.] I was going to say, hon Ngwezi.

Mr X NGWEZI: Hon House Chairperson, I am sorry for this delay. Hon Chair, hon members and the Dlamini family, the IFP would like to convey its heartfelt condolences to the family and friends of hon Dora Dunana Dlamini, as well as her colleagues in the ANC and those members that served alongside her in the Portfolio Committee on Public Enterprises. As we gather here today, we recognise and express our thanks for hon Dlamini to our constitutional democracy.

We are also celebrating her life. A life dedicated on improving the circumstances of her fellow South Africans, building and developing our country to create a better future. Hon Dlamini passed away most unexpectedly on the evening of 9 June after dutifully fulfilling her responsibilities and participating in a hybrid plenary sitting of the National Assembly. The previous day, despite the obstacles created by COVID-19 pandemic, she was performing her role as a servant of the people and conducting oversight to schools to determine if they will be safe and welcome and learners back to their classrooms.

We were all shocked and saddened to hear of her untimely passing. Hon Dlamini was deployed to Parliament in 2019, having previously served as a member of the provincial legislature in KwaZulu-Natal for five years. In both national and provincial legislatures, she was known as a dedicated representative. I again echo the heartfelt condolences of the IFP President, Leader of the Opposition in KwaZulu-Natal, hon V F Hlabisa and the entire KwaZulu-Natal legislature caucus, as well as those of our leader in Parliament, Prince Mangosuthu Buthelezi and all the IFP members in the National Assembly. May your soul rest in peace. Thank you. [Applause.]

Mr W W WESSELS: Hon House chair, if there’s anything that COVID-19 has taught us, is that we should make the most of each moment of life that we are given. I would like to believe that hon Dlamini did exactly that. I am sure that her passing has left a void in the lives of her loved ones, and all the days they can fill that void with fond memories of her, and that she will live on their hearts and minds until they meet again.

I would like to extend the sincere condolences of the FF Plus to hon Dlamini’s family, friends and to the ANC. Hon Dlamini was a public servant who served as a member of KwaZulu-Natal legislature, and most recently, as a member of the National Assembly. I am sure that the colleagues, especially members from her party, the ANC, will miss her very much and also the contribution she made, but surely her family and the loved ones will miss her the most.

I would like to give the following message so eloquently spoken by Helen Keller: “What we have once enjoyed, we can never lose, all that we love deeply, becomes part of us.

*Afrikaans:*

Rus in vrede.

*English:*

I thank you.

Mr W M THRING: Hon Chairperson, the ACDP conveys its prayers and sincere condolences to the family, friends and colleagues of the late hon Dora Dlamini. This was hon Dlamini’s first term in the Sixth Parliament where she served in the Public Enterprise Portfolio Committee, and like most of us newbies, she had to find her feet quickly and she acquainted herself with the frenetic pace of Parliament. The untimely passing of hon Dlamini serves as a reminder to those of us who remain on this side of eternity that life indeed is flicky.

Allow me to quote Psalm 103 from verse 15, the Psalmist writes and he says: “As for man, his days are like grass; he flourishes like a flower of the field; the wind blows over it and it is gone, and its place remembers it no more. But the mercy of the Lord is from everlasting to everlasting on those who fear him, and His righteousness to children’s children, to such he keeps his covenant, and those who remember His commandments to do them.

Again, on behalf of the ACDP, to the family and to all those close to the late hon Dlamini, may the love, grace, mercy and peace of

God be your portion during your time of bereavement. Thank you, Chair

Ms T L MARAWU: Acting House Chairperson...

*IsiXhosa*:

... mandithabathe eli thuba egameni le-ATM ndidlulise amazwi ovelwano nentuthuzelo kusapho lakwaDlamini, ndidlulise amazwi entuthuzelo kumbutho obungowakhe we-ANC. Sithi kuye maz’enethole, ugqatso ulufezile. Simbonile esebenza gokuthembeka, esisicaka sabantu esithembakeleyo. Ngesintu sithi xa sithetha, isitya esihle asidleli. Maz’enethole. Kusapho lwakhe sithi, malungaqumbi luqalekise njengabantu abangenalo ithemba. Iintlungu zakaloku nje azinakufanekiswa nobuqaqawuli obusezakutyhilwa kulo olwa sapho.

Kusapho lwe-ANC sithi, uThixo akathathi nto angabeki nto.

*English*:

May her soul rest in eternal peace. Thank you very much. [Applause.]

Mr A M SHAIK EMAM: Acting House Chair, on behalf of the NFP allow me to extend our heartfelt condolences to the family, friends and loved ones of hon member of the House, the hon Dora Dunana Dlamini and also to the ANC on your great loss. It very evident and clear

that the hon member served with distinction, with the highest level of integrity, she belonged to various portfolio committees; first of all, I think Portfolio Committee on Public Enterprises, she has been an Alternate Member in Portfolio Committee on Agriculture, Land Reform and Rural Development, also an Alternate Member in Transport Committee, she also served as a Member of Premier and Royal Household Committee for a period of time, very committed and dedicated to her constituency. An ideal example of a public representative who knew and understand, and I think to her family and friends, you should be proud that she is leaving a legacy behind, one with level of high integrity, that she served with a good name that she has.

I have always find that in a short of time that she’s been here in Parliament, that she was always very humble and respectable person. On behalf of NFP, allow me to extend our condolences with family, friends, once again and also the soul rest in eternal peace. Thank you. [Applause.]

Mr L M NTSHAYISA: Acting House Chairperson, on behalf of AIC, let me convey our condolences to the family of Dora Dlamini. She was a true servant of the people, as the Member of Portfolio Committee on Public Enterprises and other committees, she did her work very good. The sterling work she exemplified during her tenure in the

Department of Public Enterprises cannot be overemphasized. She was prepared to deal with the underperforming state-owned enterprises, SOEs. She did her part as a Member of Parliament, we wish that her family will find closure in this, during this difficult time. May her soul rest in peace. Thank you very much. [Applause.]

Mr M G E HENDRICKS: Acting House Chair, hon Dora Dunana Dlamini, she contributed to the country until her last minutes and we heard how strict she has been in serving the country in so many ways.

This also mystified me that, there are many Members of Parliament that we really don’t know and it’s only when they pass on that we do some research to find out more about [Inaudible.] Members of Parliament. So, when we started to research, we find that hon Dlamini, she is not only served the ANC very well, she served her constituency office very well, she served Parliament very well and these never come to the fore, we don’t realise how hon Members of Parliament stretched themselves to serve the nation. So Al jama-ah met with the sad news of sudden death by a committed member Ms Dlamini [Inaudible.] as a hard worker in her constituency, in the KwaZulu-Natal, KZN, Province. We extend our heartfelt condolences to the Dlamini family, friends and colleagues, the ANC and fellow members of the Portfolio Committee on Public Enterprises on which she served. May her soul rest in peace.

Mr S N GUMEDE: House Chair, greetings to the hon members, the bereaved families, leadership from provinces and the regions, ladies and gentlemen, as I present this motion I would like to thank you for giving me the opportunity to pay Comrade Dora my last respects.

Many of us will be well aware that Comrade Dora was one of those that had forsaken their families and she sacrificed her youthfulness to join the liberation struggle so that many of the South Africans could be liberated and enjoy their freedom.

This Parliament is the product of many comrades who sacrificed their lives to liberate the country. Comrade Dora was a true soldier, a combatant, a community worker, a true organiser, a negotiator, a very diligent Member of Parliament, one of the gallant fighters, very friendly but selective, with an open heart but short tempered and she was also humble but firm.

Comrades will remember Comrade Dora as an aspiring business woman. As many of you know that she had an informal business on the side where she was trading on African attire and garments. In addition, she ran a small poultry farm in her backyard. With all that said, she never missed a meeting or failed to complete any of her assignments.

She was very unique in character, full of energy and hardworking. A character she kept until her last day. A day on which after parliamentary meeting, which many of us would have called it a day but not Comrade Dora, she continued and submitted her recruiter pack as subscriptions to the ANC office before going to her constituency office in KwaMashu. It was on that day that she succumbed to the tragedy and passed on.

As a Member of Parliament, Comrade Dora was my mentor. She had a better understanding of the Rules and procedures in Parliament. She served on Public Enterprises committee and was the lead person for Transport. She believed that Transnet had a great potential in the global trade. She saw an opportunity for job creation, learnerships and skills training to benefit the communities. She was very much obsessed with the idea of alignment in the appointment of executives and the board of directors.

She was very much against the perpetual acting positions; she believed that a person in an acting position does not give their full potential. We are thankful to the Chief Whip for promptly giving us a person with the calibre of hon Adv Mpumlwana to assist in fulfilling the objectives and goals of the committee.

Comrade Dora left many tools for us to choose from. We hope her spirit remains with us for long. To the Dlamini family, your loss is our loss for her organisation and Parliament, one loss is too many. Rest in peace Comrade Dora, we shall miss you. Long live the spirit of Comrade Dora, long live! Thank you, Chair.

Debate concluded.

Agreed to, members standing.

The ACTING HOUSE CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon members. The presiding officers associate themselves with this motion. The condolences of the House will be conveyed to the Dlamini family. The second motion on the Order Paper is in the name of the Chief Whip of the Opposition. I now recognise the Chief Whip of the Opposition from the Chamber.

THE CHIEF WHIP OF THE OPPOSITION / NEM/23.10.2020 / TAKE ENDS AT 15:45

# MOTION OF CONDOLENCE

*(The late Mrs T G Mpambo-Sibhukwana)*

The CHIEF WHIP OF THE OPPOSITION: Thank you, House Chairperson. The DA moves without notice:

That this House –

1. notes that Mrs Thandi Gloria Mpambo-Sibhukwana - an educator, legislator and gallant fighter for the poor, women and the youth trapped in substance abuse - sadly passed away in Cape Town aged 55, on 19 June 2020;
2. acknowledges that Mrs Mpambo-Sibhukwana served as a Member of Parliament for the Democratic Alliance, first serving as a permanent delegate of the Western Cape in the National Council of Provinces during the Fifth Parliament, and in the National Assembly since the start of the Sixth Parliament;
3. recognises that, after teaching IsiXhosa at Wynberg High School for many years, Mrs Mpambo-Sibhukwana served the people of the Western Cape as a senior official in the office of the premier, before becoming a Member of Parliament in 2014;
4. recalls that Mrs Mpambo-Sibhukwana continued to dedicate her life and career to preserving her home language, IsiXhosa, and by ensuring that her public service was known to all;
5. further recalls that Mrs Mpambo-Sibhukwana was a very kind and dedicated member to the Democratic Alliance and a kind and dedicated friend to all who knew her; and
6. conveys its heartfelt condolences to the Mpambo- Sibhukwana family, and thank the family for allowing us the honour and a privilege to have called her not only a colleague, but a sister and a friend. May she rest in peace. [Applause.]

Mr D M STOCK: Thank you very much, hon House Chairperson. Members of the bereaved family, ladies and gentlemen, the African National Congress notes with great sadness a passing of a Member of Parliament, Mme Thandi Mpambo-Sibhukwana, on Friday 19 June this year, in Cape Town after a short illness. We note that Mrs Mpambo- Sibhukwana was an educator by profession, whose last post before taking up a post at a provincial government was a teacher of IsiXhosa in Wynberg Girls High School. We also understand that she joined the national legislator in 2014, as a Democratic Alliance

permanent delegate to the National Council of Provinces. After the May 2019 national and provincial government elections, she became a member of the National Assembly.

I personally had an opportunity to serve with her in the National Council of Provinces in the Select Committee of Education and Recreation as well as in the Portfolio Committee on Social Development. I can clearly attest to the House today, House Chairperson, that she was a kind-hearted person, devoted, passionate and also a delegate public representative - one that

was also vested on the issues that the communities were grappling with. Those that served with her know very well that they would be greeted with her warm smile and a hug at all times. This is now during before the portfolio committee or the select committee meetings even our oversight responsibilities that were

...[Inaudible.] ... from the NCOP into the National Assembly.

She fought tirelessly to ensure that the socioeconomic issues that confronted our people such as poverty, unemployment and also the employment of social workers receive the necessary attention within the portfolio committee. She also believed in the education system. She was also passionate and proud member of the Democratic Alliance, and also never shied away from representing the issues

that affected the ordinary people on the ground. We also like to take this opportunity, hon House Chairperson, to send our sincere condolences and also our heartfelt condolences to the Democratic Alliance, the bereaved family, friends and members of the Western Cape and also the country at large. Lala ngoxolo sisi Thandi [Rest in peace sisi Thandi.] We will always remember the selfless contributions that you committed yourself towards changing the lives of ordinary people on the ground.

The ANC extends its heartfelt and sincere condolences to the family, friends, staff of Wynberg Girls High School and also the Democratic Alliance. I thank you.

Ms D B NGWENYA: Hon House Chair, I rise on behalf of the EFF to speak about hon Thandi Mpambo-Sibhukwana. It is with deep sadness and pain that we bid hon Thandi Mpambo-Sibhukwana farewell. I had the privilege to serve with hon Mpambo-Sibhukwana in the NCOP in the previous term on the same Select Committee of Social Services and had the honour to serve with her now in the NA on the Portfolio Committee on Social Development.

She was a dedicated and committed Member of Parliament and committed to the call to serve this country and her people with honour, to serve respectful and honourable at all times. I loved

the way she always expressed herself in her mother tongue, eloquently and with passion. She always wore her headgears with dignity, the way only she could.

The Portfolio Committee on Social Development and this country have lost one of a very few members of Parliament who still remembered the oath they took before God when they were sworn in to be Members of Parliament.

Her sincere and meaningful contributions will be missed and always be treasured. To her family, especially her two daughters, Psalm 34:18 says: The Lord is close to the broken-hearted and saves those who are crushed in spirit. May they trust in the Lord and find comfort in the Lord.

*isiXhosa:*

Lala ngoxolo, Mathandis,...

*English*:

... as I fondly and affectionately called you.

*isiXhosa:*

Lala ngoxolo, Mbokodo entle.

*English:*

Thank you, Chair.

Ms L L VAN DER MERWE: Hon Chairperson, with the passing of the hon Thandi Gloria Mpambo-Sibhukwana in June this year, this country lost a champion of social justice. The DA lost a leader committed to serving our people and our country lost a woman of tremendous courage, optimism and hope. I personally lost somebody I looked up to.

While the hon Mpambo-Sibhukwana only joined the NA in May of last year, I had already come to count on her presence in the Portfolio Committee on Social Development. Perhaps it was because we shared a mutual love for the portfolio committee we served on, but somehow my colleague and I connected right away.

She was a people’s person – kind, friendly and very warm. In fact, it struck me that she was not your typical politician, as she never concerned herself with which party anyone belonged to. She was just simply motherly towards all of us.

I regret now that we never made time to do what we so often spoke about before the lockdown – going for lunch. She had also promised

to take me to all her special stores she knew where she purchased her beautiful work dresses.

With her bubbly beautiful personality, I can just imagine the fun we would have had together. Although we never had the chance to do so, we had the opportunity to share our passion fighting for the empowerment and rights of the most vulnerable of our people. Her compassion for our nation’s poor and downtrodden, made her an outspoken champion on their behalf.

On the Portfolio Committee on Social Development, she was committed to upholding our constitutional mandate, to scrutinise and oversee executive action and she fulfilled this function with passion and dedication.

Her life was a testimony to this passion and commitment. It was indeed an honour serving alongside her in the NA. I know today that we share the sentiments of the former students of Wynberg Girls’ High School when we say that we will miss her.

On behalf of the IFP President, Prince Mangosuthu Buthelezi, our President Emeritus, and on behalf of my entire IFP parliamentary caucus, I express our deepest condolences to her husband, her daughters and her extended family. I extend our sympathy to the

interim Leader of the DA, hon John Steenhuisen, the DA Chief Whip, Ms Mazone and the entire DA family on the loss of your colleague.

Mama, may you watch over us as we continue to fight for the rights of the most vulnerable, as we work to restore the dignity of every grant recipient, and as we look after the interest of the most vulnerable children and people with disabilities. May this faithful servant of our country and our people rest in eternal peace. I thank you.

Dr C P MULDER: Hon Chairperson, I would like to start off by associating myself and the FF Plus with the motion before the House proposed by the hon Chief Whip of the Opposition. It is a tradition and a very good one that we pay our respect to our colleagues that have passed in this way.

*Afrikaans*:

Die agb Thandi Mpambo-Sibhukwana was ’n lid van hierdie Huis vanaf 2014 en het haar rol op ’n baie mooi manier gespeel. Op ’n waardige manier het sy haar altyd na vore gebring en het ons haar in hierdie Huis in aksie gesien, wanneer sy op die portefeuljekomitee gedien het of wanneer sy ook al in die Huis gepraat het en haar party en haar standpunte verteenwoordig het.

Wat vir my altyd opvallend was was haar voorliefde vir haar taal, IsiXhosa. Ek dink sy het daardeur vir baie van ons ’n goeie voorbeeld gestel om op ’n waardige manier haar tradisie en haar taal te respekteer. En ons eer haar daarvoor.

Voor sy na die Parlement toe gekom het, soos kollegas reeds genoem het, was sy ’n onderwyseres, ’n opvoeder, waar sy ook haar moedertaal met groot liefde oorgedra het aan die leerders van die Wynberg Hoër Skool.

Nou is dit so dat ons aangaan met ons lewens. Ons gaan aan met ons dagtake hier, maar sy laat ’n familie na, ’n man en twee dogters, wat haar sal onthou en wat haar elkedag gaan mis. Ek wil graag namens die VF Plus ons opregte medelye betuig aan haar gesin en die DA wat ’n kollega verloor het. Ons wil vir u baie sterkte toewens op die pad vorentoe. Ons eer haar nagedagtenis. Baie dankie.

Ms M E SUKERS: Hon Chair, I rise on behalf of the ACDP to convey our condolences to the family and the DA, her political home, on the passing of hon Thandi Mpambo-Sibhukwana on 19 June 2020. Hon Thandi will be remembered as a proud African woman who carried her heritage like a beautiful garment. Few of us will forget the melodious sounds of her voice in the Portfolio Committee on Social

Development and the beauty of the IsiXhosa language coming from her lips. She captured your attention with her speech, even if you did not fully understand her.

Ma Thandi, we will not forget the pride with which you served. Your death saddened us because your presence was felt through the warmth you possessed. Death, we know, is not the end of life for the believer; it is the doorway for eternal life. We will not forget you.

Hebrews 12:1 says and I quote:

Since we are surrounded by such a cloud of witnesses, let us throw off everything that hinders us and the sin that so easily entangles. Let us run with perseverance the race marked out for us.

Sis Thandi, your race is finished. You joined the crowd of witnesses watching from the clouds. I thank you.

Mr A M SHAIK EMAM: House Chair, allow me on behalf of the NFP to extend our heartfelt, condolences to the family friends and loved ones of the late hon member of this House, Thandi Mpambo- Sibhukwana and also to the DA on a great loss. Hon Sibhukwana was

very passionate, committed and dedicated member of the DA. I had the opportunity on one occasion to speak to her and she was very passionate about isiXhosa. Her concern was with the younger generation not to lose sight of their mother tongue. She was very passionate about it.

She also expressed concerns about the high levels of poverty and inequality in the country. Indeed, she was a person that was concern but very passionate and committed in wanting to bring about change in the lives of the people on the ground. I think her passing on is a great loss particularly in the DA to the Portfolio Committee on Social Development and the country at large. My words to the DA and to others is that, a loss must not be regarded as a loss but we indeed must follow in what she strived for. Remember, we have plans, but God has bigger and better plans for us. To the family once again I want to say, our deepest condolences to you and may her soul rest in peace. Thank you very much.

Mr L M NTSHAYISA: Chairperson, we would like to convey our condolences to Ms Thandi Mpambo-Sibhukwana, she did her good work as a member of the Portfolio Committee on Social Development and also as a member of the *Ad Hoc Joint Committee* on the Appointment of Board Members to the National Youth Development Agency.

Her non-racialism politics resonated with the founding values of our culture rather of our Constitution. As the AIC we commiserate with her family. You are not alone in this loss we are also affected. Sis Thandi was a very diligent member. We wish her a good journey. She was a good, committed and dedicated member. May her soul rest in peace. Thank very much, hon Chairperson.

Mr M G E HENDRICKS: Hon Chair, we still have four years to go for the 6th Parliament and once again, we are not going to benefit from the commitment, dedication and also the wisdom of Ms Thandi Gloria Sibhukwana.

We note with much sadness of her passing. She served as a member of the DA she will be remembered as an outspoken person who raised concerns over social ills and conditions of the poor in our country. Our condolences to her family, friends, colleagues and the DA her political party. May her soul rest in peace. Thank you very much, hon House Chair.

Ms B S MASANGO: Hon Chairperson, when I met Thandi Gloria Mpambo- Sibhukwana for the first time in May 2014, it was connection at first sight. We were part of a small but amazing team of the DA permanent delegates to the NCOP. Whenever we got a short break we would either meet at her office or mine and pray for the issues we

would have been discussing in the NCOP caucus and it extended to praying for ourselves, our families and the nation at large. It was and still unbelievable that the women I met and instantly connected with in 2014 as a fellow permanent delegate to the NCOP is no more.

Thandi was a passionate activist and advocate for social development. Anyone who has spoken to her can attest that her first lit up whenever she spoke about what we ought to do to help the poor, the homeless, those suffering from substance use disorder, the victims and survivors of gender-based violence. She always listened with can and never missed an opportunity to help. Yet, for all her kindness she never shied away from asking difficult questions to protect the rights of the poor.

She was an elegant embodiment on compassion and curiosity. I noticed her generosity when she went oversees on Parliament business, she brought back a gift for each of us DA members of the NCOP. This is the type of a giver Thandi was. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon Masango, hold on a moment please. Hon Ntshayisa, switch off your microphone. Please continue hon Masango.

Ms B S MASANGO: Thank you, Chair. She was an elegant embodiment of compassion and curiosity. I noticed her generosity when she went oversees on Parliament business she brought back a gift for each of us DA members of the NCOP. That is the type of a giver Thandi was. We also had a lot of fun together. She would gentle bully me to come to her side of Cape Town, to spend time either at her home or at one of the malls. She would say ...

*IsiXhosa*:

... mhlobo wam, masambe siyokuphunga ikofu.

*English*:

We would sit and talk lot of nonsense and laugh for hours. From our days in the NCOP to our transition to NA, she became more than a friend to me. She was my prayer partner, my advisor and a supportive colleague in matters of social development.

I had the privilege of being part of Thandi’s funeral service and hope it will as they always say provide me with some closure. I was so wrong, every time I step into the parliamentary precinct, I am reminded of Thandi’s influence in my life. She was a passionate teacher of isiXhosa who first taught the language at Wynberg High School prior to joining politics. Such was her love for IsiXhosa that she offered to teach the entire caucus the language. Her

mission was that our entire caucus should be able to converse in IsiXhosa by the time the term ends. For many like me who could speak a little bit of IsiXhosa she took upon herself to make sure that we keep improving eloquence.

Thandi’s election in the 5th Parliament, in her own words, provided her a platform to seek solutions to the many issues that rendered many South Africans destitute and hopeless. That was the fight she fought till her last breath through the Portfolio Committee on Social Development. Her legacy will leave on, as we continue to fight the fight she so relentlessly and selflessly waged.

Thandi loved and cared for her family deeply. I knew her two lovely girls and her husband before I met them, because Thandi would be sharing their hard work and successes at university with pride and gratitude to God for her family. I can therefore not imagine how her children her husband her family are coping with losing her.

There is not enough time for me to share with you all the awesome time we spent together where in one sitting we would cry, pray, laugh and fight as we would disagree about something. All I am grateful to God for is bringing Thandi into my life. I thank her

family for sharing their mother, the wife and sister with us. I would like to leave this House with the words from the bible referring it to Thandi’s journey as I know it I the last six years.

2 Timothy 4:7-8, and it says and I quote:

I have fought the good fight, I have finished the race, I have kept the faith. Now there is in store for me the crown of righteousness, which the Lord, the righteous Judge, will award to me on that day. Thank you, Chairperson. [Applause.]

The HOUSE CHAIRPERSON (Mr C T FROLICK): Thank you hon member. May I request other hon members who are on the platform to ensure that their microphones are muted. You are causing a disturbance and you are disrupting the speaker at the podium.

Hon members, that concludes the speaker’s list on this matter. I take it that there are no objections to the motion being adopted. Will members please rise to observe a moment of silence in memory of the hon Thandi Mpambo-Sibhukwana.

Moment of Silence.

Please be seated. The Presiding Officers associates themselves with the motion and the condolence of the House will be conveyed to the Mpambo-Sibhukwna family.

# MOTION OF CONDOLENCE

(The late *Mr Z J Peter*)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon House Chair and hon members, July was a double blow to the ANC. In July I lost two members. One in the National Assembly and one in the NCOP.

1. Allow me to request this House to note with great sadness of the passing on of one of the ANC members, Comrade Zamuxolo Joseph Peter u-bishop [The bishop.] who had succumbed to COVID-19 on 31 July 2020;
2. the House recognises that Comrade Peter was born on 10 January 1665 from a small rural town Riebeeck East in Makhanda was a long-standing ANC leader. He served in various levels of the ANC. At the time of his passing on he was the member of the provincial executive committee of the ANC. He also served during the time of the United Democratic Front; [Laughter.]
3. further recognises that Comrade Peter served in the Sixth Parliament as a member of the National Assembly in the Portfolio Committee of Tourism as well as the Standing Committee of the Auditor-General;
4. further acknowledges that he was one of the humblest member of the Portfolio Committee on Tourism and he was strongly passionate about diversity in the tourism sector;

*IsiXhosa*:

Kubalulekile ukuba sichaze indlela ebezinikele ngayo kwaye kude kube lixesha lokunduluka kwakhe, engazange awuhlazise nakanye umbutho we-ANC.

*English*:

We recall that he served as a ward councillor and not just a PR councillor from 2000 to 2011. Eleven solid years of being a councillor tells a lot, from 2011 to 2015 he was the Executive Mayor of Makana Municipality in the Eastern Cape.

*IsiXhosa*: UMngwevu lo ...

*English*:

... he was selfless and consummate servant who immersed himself well in the workings of the ANC Caucus and the National Assembly;

*IsiXhosa*:

... uMngwevu lo, uSkhomo ...

*English*:

During the passing on kamama uNoloyiso one of the messages from uMgngwevu lo he said and I quote, “Make it a point that at all times you keep social distancing, you must wash your hands, you must sanitise and put on your mask.”

*IsiXhosa*:

... ngokungathi uyayolela, kanti eli gongqongqo selihleli kuye. Tutwini kuwe maTshonyane uhleli phaya kula galari ...

*English*:

... better half ...

*IsiXhosa*:

... katata uPeter abantwana bakhe bonk, izihlobo nezalamane kunye nomama ekhaya. Mkhululeni ahambe, asinamzi apha. Siziindwendwe kweli hlabathi. Kulo mhlaba siyancwina kodwa thina silangazelela

ukuya ngasentla. Hamba ke, hamba ke Skhomo, hamba ke Mhlatyana, umzamo omhle uwuzamile, ugqatso ulufezile. Lala ngoxolo. Enkosi.

Mr H S GUMBI: Hon House Chair, the hon Gumbi will speak from the Chamber one of the privileges given to us AS Members of Parliament is to serve the people of South Africa in the highest Chambers of our constitutional democracy. As we enter these Chambers occupied by very few men and women of all walks of life a true representation of our diversity and maturing democracy, we come across many South Africans of strong conviction, patriotism and character. They are never perfect but full of purpose. South Africans who give of themselves in service of others.

At the end of July this year, we received the devastating news of the passing of one of these South Africans. The late hon Zamuxolo Joseph Peter. Hon Peter was not just a politician. More importantly he was a husband, he was a farther, he was a thoughtful inquisitive mind, he was a calm spirit, he was a warm smile and at times he was a daring character.

The coronavirus pandemic has taken so many from us. It has been the single biggest salient reminder to the world of our limited time on earth to fulfil our purpose and to live deliberately. I have no doubt that hon Peter did exactly that during his time.

Even as we may have often fought against each other, separated by our political differences whether from his time in the Eastern Cape or a short time in our company here in Parliament and for some of us in the Portfolio Committee on Tourism. Those differences were always mended by our desire to improve the quality of lives for all South Africans.

In these trying times, as we mourn the hon Peter and those who have departed with him during this global pandemic let us absorb that salient lesson that their parting has gifted us to fulfil our purpose and to live deliberately. For those of us who are privileged to serve in these Chambers to do so knowing how we impact those outside this House who depend on us so that they too can fulfil their purpose and so that they can live deliberately.

On behalf of the DA I would like to pass on my heartfelt condolences to all the friends and family of the hon Peter. To his political party the ANC and to all those who were fortunate enough to cross his path in life. May his soul rest in eternal peace.

Thank you. [Applause.]

Mr P G MOTEKA: Chairperson, greetings to the Peter family, people of South Africa and the leadership of the EFF. Let me begin by quoting the first line from the poem by John Donne, “Death, be not

proud, though some have called thee Mighty and dreadful, for thou art not so.”

The EFF is here sending condolences to the Peter family for the loss of their father, brother, husband and the son. To his wife, we’re saying, be strong mama [ma’am] as you are now a dad and a mom at the same time. You are the backbone of the family, the pillar, the supporter; may the almighty bless you with strength and power.

*Sepedi*:

Homotšegang mma, o sware thipa ka bogaleng.

*English:*

To the Eastern Cape people, Xaxadu distrct, Makana Municipality, you have lost a leader of good heart and vision. Have courage and be strong enough...

*Sepedi*:

Re re nxanxae bagešo

*English*:

To the ANC, as an organisation he was part of, Mr Peter was so passionate about the land issue. I was calling him “My Force” in

the committee of tourism. When we talk of land, he was so passionate and he was speaking through to power. So, he believed that expropriation of land without compensation will resolve the whole transformation issue of South Africa.

So, we’re saying to the ANC, don’t ever betray what Mr Peter believed in and divert from the processes that we are engaged in; Mr Peter was not a coward.

To the Portfolio Committee on Tourism, I can say we have lost a friend, a brother, a fighter who never compromised principles for mediocre. The man was fighting for transformation; as we know tourism industry is most untransformed sector amongst all. So, we were together fighting this untransformed sector. To the committee members...

*Sepedi*:

... a re tšweleng pele re hlabaneng ntwa, lefase le boeleng go beng ba lona.

*English*:

May his revolutionary soul continue to rest in peace. Re a leboga [Thank you]. [Applause.]

Mr K P SITHOLE: Hon House Chairperson, the IFP wishes to express its deepest condolences to the family, friends and colleagues of hon Zamuxolo Joseph Peter, who passed away on 31 July 2020.

His death came at a time where we are presently reminded that COVID-19 is destructive, not only to the lives that succumbed to it, but to those it leaves behind to mourn the loss of their loved ones. May we continue to do all that we can to minimise the effects of this harmful pandemic.

Hon Chairperson, despite the opposition he held, Mr Peter remained a humble man. I had a pleasure of working with him in the Portfolio Committee on Tourism and found his open and unpretentious nature endearing.

I will fondly remember the time he spent in Howick, where we got to know each other more. He was one of the MPs who personified the spirit of ubuntu [humanity].

Although his in the NA was brief, Mr Peter’s participation in the portfolio committee and the inputs he made in helping to transform the tourism sector were invaluable. It saddens me to think how much more we still had to gain from his keen contribution in the portfolio committee and from his exemplary leadership.

Nevertheless, I find comfort knowing that the years he was given were spent and serviced the community. His work as a community leader, a mayor and a councillor in the Eastern Cape and as a member of the NA have ensured that his service and leadership will never be forgotten.

On behalf of our leader, Prince Mangosuthu Buthelezi, and all members and staff of the IFP, we send our deepest condolences to the family, friends, the ANC, his political party, and the country as a whole; may his soul rest in peace.

*IsiZulu*:

Ngiyathokoza, lilele iqhawe abalamukele abakubo. Ngiyabonga.

Mr W W WESSELS: House Chair, many times we sit across from each other in the NA chamber and virtually; and in committees as opposition and colleagues without thanking of each other, also as fathers, brothers, sons, uncles and friends. We focus on the work, the mandate, the message, the differences and the politics of it all. I never stop to think that there is also another component to each and every one of our lives; a family life, a personal life, where we are even more valued than in this chamber and in our political parties.

Therefore, I would like to extend my deepest condolences on behalf of the FF-Plus to the family, friends and loved ones of hon Peter. Our condolences are also extended to the ANC, where’s lust and loyal and dedicated member.

May you rest in eternal peace and may read, who are still to live our lives, remember the words, death is a challenge, it tells us not to waste time. Let the COVID-19 virus also remind us hereof. I thank you. [Applause.]

Mr W M THRING: Hon Chair, on behalf of the ACDP I wish to extend our heartfelt commiserations to the wife, children, family and colleagues of the late hon Zamuxolo Joseph Peter; who succumbed to respiratory failure.

Hon Peter had an illustrious political career, having served as a community leader, ward councillor and mayor of Makana Municipality between 2011 and 2015; before being appointed by his party to serve on the Parliament’s Portfolio Committee on tourism.

Of course, I did not sit on the same portfolio committee as the hon Peter; a quick research of his biography reveal that he was a champion of the poor and one determined to root out corruption in

government. How we need more men and women of his ilk in government and South Africa in general.

Allow me to quote from Ecclesiastes 3, which tells us that ‘To everything there is a season’:

a time to every purpose under heaven, a time to be born and a time to die,

a time to plant and a time to plough what is planted, a time to kill and a time to heal,

a time to breakdown and a time to build up, a time to weep and time to laugh,

a time to mourn and a time to dance,

a time to cast away stones and a time to gather stones, a time to embrace and a time to refrain from embracing, a time to gain a time to lose,

a time to keep and a time throw away, a time to tear and a time to sow,

a time to keep silence and a time to speak, a time to love and a time to hate,

a time of war and a time of peace.

In honour of the memory of the late Mr Peter, may we all rise up at this time and call it a time, a time to champion the cause of the poor and to be resolute in our fight against corruption.

Once again, on behalf of the President of the ADCP, the reverend, Dr Kenneth Meshoe, and all of the members of the ACDP, to the family, relatives and the ANC and friends of Mr Peter, we pray that the God of peace and comfort be your portion during your time of bereavement. Thank you, Chair. [Applause.]

Mr A M SHAIK EMAM: Thank you, hon House Chair, and allow me to start off with the quote by Albert Schweitzer, and he said:

The purpose of human life is to serve and to show compassion and the will to help others.

A very fitting quote in tribute to our hon Joseph Zamuxolo Peter. Hon House Chair, former Member of Parliament and the African National Congress served this House with distinction. He was a member of Standing Committee of Auditor-General, and more importantly, I think, he was also a member of the Portfolio Committee on Tourism, particularly in the Sixth Parliament.

However, I think what stands out for me is that he has resolved one thing, to transform the tourism industry, particularly

domestic tourism, and taking tourism to the length and breadth of this country.

Every time we meet this hon member, and I must admit that he was very humble, always smiling, his mannerism and the way he articulates himself, indeed. On behalf of the National Freedom Party, I want to take this opportunity of extending - to his family and the African National Congress - our deepest condolence. May his soul rest in peace. Thank you very much.

Mr M G E HENDRICKS: Thank you, hon House Chair. When I tuned into the virtual funeral of the late hon member, one expected that people - because of coronavirus disease 2019, Covid-19, at that time the regulations were very strict - would stay in the house. We saw people coming out from the mountains, coming out from the streets, coming out from wherever you looked, and you saw people coming to pay their last respect. That is how we remember the hon member. He must have been a giant of a man to have such kind of a support. Al Jama-ah sends its heartfelt condolences to the family, friends and colleagues of Mr Joseph Peter, the ANC at large, the family members he was committed to and the United Democratic Front, UDF, activist in the Eastern Cape.

He will be remembered for his role in the apartheid struggle, his time served in Parliament and his role to transform the tourism industry by serving at the Portfolio Committee on Tourism. May his soul rest in peace.

Ms M M GOMBA: Thank you, hon House Chair. We are gathered here today to convey our sincere condolences to the family of the ANC cadre who departed, a committed Member of Parliament, hon Zamuxolo Peter. It is unfortunate that death could not face him when he was still strong and healthy, but it only waited for this pandemic and used the opportunity to take him away from us. Nevertheless, we agree with John Donne who once said: “Death should not be proud.”

As the Tourism Portfolio Committee, we are grateful to his wife and family for allowing us to learn a lot from our departed member. The member who was kind ... [Interjections.] ... As the Tourism Committee... [Interjections.] ... Thank you. As the Portfolio Committee on Tourism, we are grateful to his wife and family for allowing us to learn a lot from our departed member. The member who was kind, warm-hearted and respectable. His contribution always added value to the committee. Everyone in the committee was inspired by his deep knowledge of various sectors, especially tourism.

We are, however, consoled by the good legacy he left in our portfolio committee. Hon members, as I conclude, I wish to say that the chain that we had as Tourism Portfolio Committee has broken, but we are confident that God will always see us through. Rest in peace, hon Peter Joseph Zamuxolo. I thank you, Chair. [Applause.]

Debate concluded.

The HOUSE CHARPERSON (Mr C T Frolick): Thank you, hon member. Hon members, that concludes the Speakers’ List on this motion. I think that there are no objections to the motion being adopted. May I request the hon members to please rise to observe a moment of silence in memory of the hon Zamuxolo Joseph Peter.

Thank you, hon members, the presiding officers associate themselves with the motion, and the condolences of the House will be conveyed to the Peter family. The last motion on the Order Paper is a motion in the name of the Chief Whip of the Majority Party. The hon Chief Whip!

Agreed to, members standing.

# MOTION OF CONDOLENCE

*(The late* Adv H Mohamed*)*

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Chairperson, this was the fourth blow, June July, August. I move: That the House –

1. notes with deep sadness the sudden passing of ANC MP, Advocate Hishaam Mohamed on 24 August 2020, after suffering a heart attack. Comrade Hishaam chaired a study group in the morning, he passed on at run about 17h00 in the afternoon as he was preparing to attend strategy meeting. He died with his boots on;
2. we acknowledge that he served as the Provincial Head of the Department of Justice and Constitutional Development in the Western Cape for over a decade;
3. further acknowledges that he focused on providing access to justice and improved services by promoting community participation in the criminal justice system, particularly, at courts serving in rural and informal settlements for them to know what their rights were;
4. recognises that he established the first Family Courts, Tax Court, Environmental Court, Mobile Courts and the development of Community Safety Fora;
5. further recognises that Comrade Hishaam chaired several forums in the criminal and civil justice system at provincial level;
6. this House must also recall that he joined the United Democratic Front, UDF, as an activist when it was not fashionable to be in the organisation in the highest depression time in 1985, as he was detained for leading school marches and protesting against the arrests of UDF leaders;
7. further recalls that in 1987, he attended the University of the Western Cape to study law and continued his involvement in UDF as an activist both on and off campus;
8. understands that after qualifying with his degree, he demonstrated his dedication to human rights advocacy and justice through his participation in a number of human rights structures and professional bodies. Today sitted on the gallery, it’s his brother, Saleem, his three children,

Imran, Uzair and Haneem. Thank you very much for having shared your father with us;

1. further understands that he served as a Public Prosecutor at the Mitchell’s Plain Magistrates Office from 1993 to 1994, and was appointed as a Senior Family Advocate in the Office of the Family Advocate in Cape Town. He left us at a time when we wanted genuine men amongst us, men who would say, not in my name, and no to gender-violence and femicide;
2. remembers that during this period, he was also elected as the ANC’s first Chairperson of its Southern Suburbs Region, where he remained actively involved until his death; and
3. we convey our heartfelt condolences to the family and to all those who were touched by his activism. He shared time with us and his family. We will be forever thankful for the strides of Comrade Hishaam. May His Soul Rest in Eternal Peace and May His Soul Rest in Power. Thank you very much.

Debate concluded.

Agreed to, members standing.

Adv G BREYTENBACH: Hon House Chair on the virtual platform.

The HOUSE CHAIRPERSON (Mr C T Frolick): You are welcome.

Adv G BREYTENBACH: Mr Mohamed was elected to Parliament in the National Assembly after the 2019 general election, where he represented the Constituency of Grassy Park. He served on the Portfolio Committee of Justice and Correctional Services, and he was the ANC whip on the committee. Hishaam spent 27 years serving in the Department of Justice prior coming to Parliament and left the department holding the position of the Provincial Head of the Department.

Having started off as the Prosecutor in Mitchells Plain and the office of the Family of Advocate for five years. He was intricately involved in the establishment of family courts, mobile courts, tax courts and also the development of community safety forums. Hishaam was deeply rooted in his community and contributed in his community in many different ways. He demonstrated his commitment by launching the three legal advice centres in 2009 for the Southern suburbs community. He was a passionately committed member of the ANC, and was a prodigy of the late Minister of Justice Dullah Omar.

He made a significant contribution to the greatly improved function of the justice portfolio committee in the 6th parliament. Hishaam was always a gentleman, always willing to listen to and consider the arguments about the parties and weigh them on their merits, this approach was both refreshing and appreciated. He always sought consensus and always treated everyone with respect. It was always clear that he took his responsibility seriously and his presence in the committee is both felt and missed.

His sudden death came as a great shock and a great loss to the ANC and his family. The Democratic Alliance again expresses its sincere condolences to the ANC but also to Hishaam’s family, his wife Rachamt and their three children Imraan, Haneem and Uzair. I thank you.

Mr M N PAULSEN: House Chair, I rise on behalf of the EFF and the revolutionaries across the country to once again share our deepest sympathies on the loss of our dear brother, friend and comrade, Adv Hishaam Mohamed, to his surviving brothers Ahmad, Ashfak and Saliem, his sisters Hafizah and Gadija, his wife Rachmat, his children Imraan, Haneen and Uzair and all his family, friends and comrades who have indeed lost the man that can truly be hailed as the champion of the poor and we share your grief and your sense of loss. We are grateful that you’ve shared this beautiful soul with

us and to the ANC, you have lost one of your finest. I had the honour of sharing the platform with brother Hishaam on a number of occasions at many community events. His love and appreciation for others was expressed not just in his words but more importantly with his deeds. The last time I saw brother Hishaam was at the launch of an event that we create opportunities for many other youths, who both expressed a hope that it would help improve conditions for our youth especially in the Cape Flats, that even during lockdown we all seated and we were about to start, incomes Hishaam Rashid from his day’s activities of food distribution.

Hishaam was hands on in addressing the plight of the poor and the vulnerable. He didn’t take it for granted that someone has to do it. So, his work was [Inaudible.] and kids, alongside, Nadeem Hendricks, A K Adams and many other community activists.

Thousands of people were short of meals during the lockdown and not just through assisting financially but through his actual participation. Hishaam was on the frontline in the battle against hunger during COVID-19. Hishaam’s response to the needs of vulnerable was a practical one. He served as a Chairperson of the nongovernmental organisation, NGO, which he founded Southern Suburb’s Legal Advice Centre, which provided legal assistance to especially poor and vulnerable women. He recorded a series of

videos that educated women on the proposed amendments to free laws to fight the scourge of gender-based violence and femicide.

He wanted our people to have access to justice and to participate in the processes of Parliament. Hishaam also worked with and mentored many young people including members of Street Law, University of Cape Town, UWC, what a wonderful bunch of student, what a wonderful student organisation. On 02 September I accompanied members of Street Law UWC, Jordan Samuels, Hishaam’s brother Saliem and sister Hafizah and his son, Hishaam’s three children on a sanitary towel drive to Springfield Primary School in Mitchells Plain. The drive was planned along with Hishaam before his passing and continued in his honour.

The students addressed the matter of menstruation with such sensitivity. It was a fitting tribute to a man who gave up himself, so unselfishly, to the poor and the vulnerable. May we all continue with his legacy of selflessness and practical service to, especially poor and vulnerable communities. Hamba kahle [go well] comrade till we meet again. Thank you very much Chairperson.

The HOUSE CHAIRPERSON (Mr C T FROLICK): The next speaker is hon Msimang, I recognise hon Msimang.

Mr X NGWEZI: House Chairperson...

The HOUSE CHAIRPERSON (Mr C T FROLICK): Yes, hon member.

Mr X NGWEZI: It looks like hon Msimang has some problems, I will read the condolence motion here, in the Chamber of Parliament.

House Chairperson, the IFP...

The HOUSE CHAIRPERSON (Mr C T FROLICK): ...please proceed hon member.

Prof C T MSIMANG: House Chairperson, [Laughter.] [Applause.] the IFP expresses its deepest condolences to the family, friends and colleagues of Adv Mohamed, who sadly passed away in late August of this year. Adv Mohamed was a well-established and astute lawyer with the passion for human rights and the rule of law. His career exemplified and characterised what it is be a good and righteous human being. His strong moral values underpin all that he did as a Member of Parliament in service to the people of South Africa, and his intelligent interactions and submissions to the Portfolio Committee of Justice and Correctional Services, will be solely missed. Not only was Adv Mohamed a key role player in lobbying for the adoption of three critical Bills, recently passed in National Assembly, dealing with criminal matters and domestic violence but

he also a very active role player in bringing access of the law to the people. This he spearheaded as a Chairperson of the Southern Suburb’s Legal Advice Centre in Grassy Park, which he helped established and which was created to provide necessary legal services to poor and vulnerable communities.

He didn’t stop there; he was also actively involved in food relief schemes for those who were struggling to put food on the table during the COVID-19 pandemic. Adv Mohamed lived the life a true citizen, driven only by acting in the best interest of the people he served. He truly loved the people of South Africa. His, was a life taken too soon, for he still had much to offer in service to his country and his people. The IFP send its deepest condolences to the family, friends and colleagues of Adv Mohamed. May his soul rest in eternal peace. I thank you. [Applause.]

Dr C P MULDER: House Chairperson, I am in the House. It is fitting that under this saddened, difficult circumstances, we could always colleague a have a moment of humour. I am sure that if our colleague, hon Mohamed was present at the moment he also would have enjoyed, the moment of what we experience now, when hon Ngwezi was ready to take the field as an impact player. [Laughter.] Hon colleagues it’s sad when we come together on an occasion like this, but it is fitting that we honour the life of

one of our colleagues. I want to associate myself on behalf of FF Plus with motion proposed by the hon Chief Whip of the ruling party.

Our colleague was a very active man in his community and is an absolute example of how he served his community. If you look at his life, he was involved on a daily basis throughout. It was almost like a preparation for the day when he would come here and fulfil his role as a leader in Parliament. He only really started fulfilling himself, I watched him from there and saw him quiet often here and saw that, that man was going to go places in Parliament and in politics. It was obvious, I want to express my sincere condolences to the family, to his wife and to his children in this difficult times. It’s not easy, we all understand and I hope and pray that God will maintain and sustain them under this difficult circumstances. I want to end with one little observation. In the beginning of the days of lockdown, when it was alert level 5, we were a very small band of members of the House present in Parliament. I saw our colleague here, every day. He was here doing his job, assisting the Chief Whip and the colleagues and I always watched him, he was so enthusiastic doing what needed to be done. That was our colleague hon Hishaam Mohamed. Thank you. [Applause.]

Mr S N SWART: House Chair, it is with deep sadness that I rise to express the ACDP’ s deepest condolences to the wife, family and friends of Adv Hishaam Mohamed on his passing. Now, I have known Adv Mohamed for a very long time, even before he was elected to Parliament. He would often appear before the Portfolio Committee on Justice and Correctional Services, when he still Provincial Head of Department of Justice in the Western cape. He also shared with me that he intended standing for election in 2019 and when he was elected we shared many discussions in Parliament, in the Portfolio Committee on Justice and Correctional Services and in the tea room.

As other members have indicated, he had an incredible sharp legal mind, a deep intellect yet he was compassionate and kind to have fought with a really gentle spirit, a true gentleman seeking to find consensus in Portfolio Committee on Justice and Correctional Services. He also brought a deep institutional knowledge of the Department of Justice and Correctional Services to the Portfolio Committee on Justice and Correctional Services and that helped us immensely. He served with distinction as the ANC Whip of the committee. He had a deep sense of justice and was deeply concerned about access to justice. He provided free legal advice to many in his community and reached out tremendously as other members have indicated.

He was deeply concerned about the poor state of the Department of Justice and correctional Services and would raise issues in the committee as the ANC’s Whip and even as opposition would learn from him. A week before he passed, as Dr Mulder indicated, he was here during the lockdown, lockdown alert level 5 and we spent time chatting, where I was sitting right there, here in Parliament. He said he lost his sister earlier in the year and I asked how the family was doing and I indicated that we continue to pray for his family, little knowing that the next week, he will pass. I was deeply shocked, deeply shocked at the news Chief Whip and life indeed is like a vapour.

We need to make the most of every day we leave. Once we can and do differ political, we should and must do in an amicable basis, in a knowledge that we are elected leaders in a nation. We need to set an example, Adv Mohamed set that example. Let us emulate his example as leaders and as a legacy to him, strife to ensure that justice is delivered to all people. Our thoughts and prayers are with Adv Mohamed’s wife, Rachmat, his children, family, friends and with his colleagues in the ANC, particularly all our friends in the Portfolio Committee on Justice and Correctional Services.

He will be solely missed, may be surrounded by the love and comfort of our Lord at the sad time. May his soul rest in peace. I thank you. [Applause.]

Mr A M SHAIK EMAM: Thank you, hon House Chair. I want to start with a verse from the holy Quran which says, “Inna lillahi wa inna ilayhi raji’un”. This simply means, “Verily we belong to Almighty God and verily to Him do we return”.

Adv Hishaam Mohamed ... I’ve had many opportunities ... and thanks to the DA, for whenever they called for a division in the House and Hishaam would go out into the corridors and I’d be there as well, we would have our chats. I found him to be very articulate and very knowledgeable. We always shared our views on different matters. I must agree that he had some concerns about the justice system, particularly with the Legal Aid system and things.

However, going back, he was a very dedicated member and he was passionate for wanting change in the country. He was part of the struggle and he was part of the United Democratic Front. He was a prosecutor and head of the Western Cape Department of Justice for a very, very long period of time.

However, what I want to bring to the attention of this House is the following. You know, when we leave this world, the houses we leave and the cars we leave ... Those things don’t really matter. What really matters are the good deeds that we leave behind. I want to quote a famous quotation which says, “A good heart has

stopped beating, but a heart that has touched so many lives can’t help but live on in those it loved”. It’s a very fitting quote for Hishaam Mohammed, being the selfless person that he was, in his commitment to the community; in setting up the justice advice centre in the Southern Suburbs and the role that he played; in the fact that he was able to put aside differences ... party political differences and be able to treat everybody on the basis of equality; in his stance on gender-based violence in the country; and in his wanting to ensure that the justice sector is transformed to a very, very large extent. This clearly indicates that what we have lost today ... His wife would’ve lost a husband; the children have lost a father; and the ANC has lost a very dedicated and committed member of their organisation, but the country as a whole has really lost a selfless leader.

On behalf of the NFP, we want to extend our deepest condolences to his wife, his children, family members, friends, the ANC and the country at large because I think this is a great loss. May his soul rest in peace.

Mr M G E HENDRICKS: Thank you, hon House Chair. A`udhu billahi minash shaytan nir-rajim. Bismillah-ir Rahman nir Raheem. [I seek refuge in Allah from Satan, the accursed. In the name of Allah, the Beneficent, the Merciful.]

In his first state of the nation address, President Ramaphosa promised the country that before the end of the Sixth Parliament, everyone will have a warm plate of food. It was interesting that Comrade Hishaam was very involved in feeding, and I asked my brother Nadeem what he did. He said, well, he is in charge of social distancing. I also wanted to know what the hon Nazier Paulsen did in the group. So, we find that many Members of Parliament are very passionate about feeding the poor, and Adv Hishaam Mohamed obviously took the lead.

Al Jama-ah is saddened by the sudden death of Adv Hishaam Mohamed. He was a dedicated activist in the fight for justice. He had an open door and was always welcoming in offering his assistance, like we were reminded by other hon members. He was very helpful and during the last half hour of his life my office still wrote a letter to him requiring assistance on a very delicate matter.

Unknowingly, as the correspondence was emailed, he returned to his maker.

Our condolences go to the Mohamed family, friends, the ANC and the Portfolio Committee on Justice on which I served with him whenever I could.

We say, verily from Allah we come and to him we shall return. Adv Hishaam Mohamed will surely be missed, not only by the wider South African community but by his own community, and that is really important. It’s very important that one doesn’t forget one’s own community and Adv Hishaam Mohamed is someone who never forgot his own community.

Ms W S NEWHOUDT-DRUCHEN (via interpreter): May I proceed, hon House Chairperson?

It is a great honour for me to present this motion on behalf of the ANC. We note with great sadness the passing of our Comrade Adv Hishaam Mohamed. He was a member of the Sixth Parliament and he was the Whip of the Portfolio Committee on Justice and Correctional Services.

Comrade Hishaam was born and raised on the Cape Flats in Lotus River in the Southern Suburbs of Cape Town. We appreciate that Comrade Hishaam was one of the longest-serving members of the ANC’s provincial executive committee, PEC. He was also the chairperson of the ANC Western Cape Legal and Monitoring Task Team. We acknowledge that he dedicated his life to the legal fraternity and that was where he began his career at the age of

25 as a temporary clerk at the Athlone Magistrate’s Court in 1990.

He graduated with an LLB degree from the University of the Western Cape in 1992 and he spent his first year as a prosecutor at the

Mitchells Plain Magistrate’s Court. We understand that Comrade Hishaam was a mentee to the first Minister of Justice in the democratic dispensation, the late Dullah Omar.

It comes as no surprise that he would rise within the fraternity. He became the senior family advocate and later he became the Western Cape provincial head of the Department of Justice and Constitutional Development, a position he would hold until 2019 when he would join Parliament as a member of the National Assembly.

We appreciate that Comrade Mohamed was a true patriot, a social- justice activist and was known as the advocate of the people. We note that during his tenure at the Department of Justice he spearheaded Operation Isondlo, an initiative to ensure that all beneficiaries received the maintenance money that was due to them. He was the founding member and chairperson of the Southern Suburbs Legal Advice Centre and was involved in the food relief drive in the Western Cape to help relieve families in distress due to the impact of the COVID-19 pandemic.

We acknowledge that Comrade Mohamed was committed to the fight against gender-based violence and to the upliftment of women in society. We extend our condolences to the Mohamed and Rasool family, the ANC family at large and all those who were touched by Comrade Mohamed.

I had just spoken to Comrade Hishaam ... when he passed away and he was so helpful until the end. That was the kind of person that he was.

As I said, we send our condolences to the Mohamed and Rasool family, the ANC at large and all those whose lives were touched by Comrade Hishaam. May his dear soul rest in eternal peace and may he rise in revolutionary glory. Thank you. [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. Hon members, that concludes the Speaker’s List on this motion. I take it that there are no objections to the motion being adopted. I will now request all hon members to please rise to observe a moment of silence in memory of Adv Hishaam Mohamed.

Thank you, hon members. The presiding officers associate themselves with the motion and the condolences of the House are conveyed to the family of Adv Hishaam Mohamed.

Debate concluded.

Agreed to, members standing.

# CONSIDERATION OF REQUEST FOR PERMISSION IN TERMS OF RULE 286(4)(C) TO INQUIRE INTO AMENDING OTHER PROVISIONS OF CIVIL AVIATION ACT, ACT 13 OF 2009

Mr L N MANGCU: Chairperson, the Portfolio Committee on Transport is currently deliberating on the Civil Aviation Amendment Bill. And on behalf of the Portfolio committee on Transport, I stand here to present the Request for Permission of this House in terms of Rule 286(4)(c) to Enquire into Amending other Provisions of the Civil Aviation Act, Act 13 of 2009.

The Bill seeks to amend the Civil Aviation Act, Act 13 of 2009, so as to amend existing and insert new definitions to rectify references to certain ministries and government departments;

To amend Chapter 4 of the Act, so as to make provision for the operational independence of airport accidents and investigation;

To rectify the provision regarding the establishment of the SA Civil Aviation Authority. To give the SA Civil Aviation Authority environmental protection oversight function;

To do away with the requirement for the development of a corporate governance plan;

To make provision for an employee of the department to be a member of the Civil Aviation Authority Board;

To amend the provisions relating to the appointment and the removal of the commissioner for civil aviation and matters related to his or her functions and responsibilities;

Also, to amend the provisions relating to the performance agreement between the Minister and Aviation Safety Investigation Board;

To clarify the provisions dealing with conflict of interest;

To provide for the designation of the Chairperson of the National Aviation Security Committee and matters connected to the operations of the committee;

To delete the provisions dealing with the compliance notices;

To amend the provisions dealing with the appeals;

To authorise the Minister of Transport to issue exemptions and to prescribe additional offences and additional enforcement mechanisms;

To extend the powers of the Minister to make regulations;

To move the procedures for the establishment of consultative structures to the regulations;

And lastly, to provide for matters connected therewith.

Chairperson, this is the request and submission from the Portfolio committee on Transport.

And today we also honour and celebrate the air traffic controllers. It is International Air Traffic Controllers Day. These are the men and women who keep us safe in the skies and we salute them for all their doing. Thank you, Chairperson. [Applause.]

There was no debate.

Question put.

Agreed to.

House adjourned at 17:15