**UNREVISED HANSARD
NATIONAL ASSEMBLY**

 ***TUESDAY, 9 MARCH 2021***

***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

The House met at 14:00.

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

# FILLING OF A VACANCY IN THE NA

(Announcement)

The DEPUTY SPEAKER: Hon members, I wish to announce that the vacancy which occurred in the NA due to the passing away of Prof B Bozzoli has been filled by the nomination of Mr J Engelbrecht with effect from 2 March 2021.

The member has made and subscribed to the oath with the Speaker through the virtual platform.

I welcome the hon member. [Applause.]

As usual, hon members, in the interest of safety please stay where you are allocated a seat and keep your mask on, don’t look at me and do as I appear. [Laughter.] Some people, in order to conduct their work, need to read my lips, not you. That’s why I have mine with me here, so, let’s do that and stay on our designated areas.

# THE LAUNCH OF THE AFRICAN CONTINENTAL FREE TRADE AREA A GIANT STEP IN MOVING AFRICA FORWARD

(Member’s Statement)

Mr X NQOLA (ANC): Deputy Speaker, the ANC hails the launching of the African Continental Free Trade Area, ACFTA, as a giant step towards the realisation of one of the African Union’s, AU, flagship projects under the tenure and stewardship of President Ramaphosa as the then Chair of the AU.

This remarkable achievement marks a turning point in Africa’s resolve to take charge and ownership of its economic development trajectory, sustainable economic growth and well- being of its people.

It seeks to boost intra-Africa trade which stands at approximately 16% as well as 3% of the world trade share. Whilst building a biggest common market in Africa of over one billion people with an expected Gross Domestic Product, GDP, of US$2,6 trillion expected to unlock industrial and infrastructure development as well as structural transformation in the continent.

Moreover, the African Continental Free Trade Area will also provide the platform for South African businesses to expand into markets across the continent as well as for locally produced goods and services to find a way to such markets, thus creating job opportunities for the unemployed in South Africa.

Hence the ANC and the government it leads are firmly behind the success and sustainability of ACFTA.

The ANC makes a clarion call to all countries and people of our continent to work together to resolve impediments and challenges that may stall the journey we already traversed in making this noble ideal a reality. Thank you very much, Deputy Speaker.

The DEPUTY SPEAKER: You’ve taken nine seconds you don’t deserve. In future, hon member, [Laughter.] do a practice run, okay! I’m just issuing a general warning.

The allocation of time is not mine, I just enforce what the Chief Whip and her team of Whips have agreed, okay! So, if you want anybody to take up on, on the matter it’s those Chief Whips, not the Chair and the Presiding Officer.

# THE LOSS OF 8 MILLION PIECES OF EVIDENCE BY THE SA POLICE SERVICE IS VERY WORRYING

(Member’s Statement)

Maj Gen O S TERBLANCHE (DA): Deputy Speaker, the loss by the SA Police Service, SAPS, administration of 8 million pieces of evidence shows gross managerial incompetence.

Due to the ongoing problems experienced by the police to process DNA samples, vital evidence is no longer available in our courtrooms to prosecute perpetrators of gender-based violence successfully.

The SA Police Service’s forensic DNA system has been down from June 2020; causing this unprecedented backlog of untested DNA samples. The result of this failure is that the police have lost 8 million pieces of evidence.

The DNA backlog figure of more than 172 000 alone spotlights the grim reality that murderers and rapists are not being prosecuted at the moment.

The SA Police Service’s forensic laboratories did not even function during January and February of this year.

One of the prime duties of any government is to protect its people. This state of affairs is a clear betrayal of the people of our country and cannot be allowed to go on any further.

It is clear that the wrong people are managing this process

but it’s also clear that the buck stops at the top.

The Minister of Police must account for this and explain to the nation why he should still be tolerated in this position any longer. Thank you.

# THE DEPARTMENT OF SCIENCE AND INNOVATION FAILING TO INDUSTRIALIZE AND ADVANCE THE SOCIETY

(Member’s Statement)

Mr M N PAULSEN (EFF): Deputy Speaker, the blame for South Africa not having a vaccine to prevent the infected with SARS- CoV-2 virus should be placed at the feet of the Department of Science and Innovation.

The role of science and innovation, in particular research and development, is the industrialisation and the advancement of society. Highly industrialised countries have used science and technology to drive industry in addressing their countries’ challenges.

In his response to the Finance Minister’s budget speech, the Deputy President of the EFF mentioned the role of industry and innovation in the growth of the South Korean economy. I think it would be useful for us all to start looking east; far east.

The South Korean government places emphasis on funding, reform and societal status in science and technology as a fundamental

part of socioeconomic development of the country as well as for national prestige.

South Korea has made rapid advancement in areas such as education, infrastructure, high-tech manufacturing and patance; and is now by some measure a world leader.

In South Africa there has been a failure by the ANC to reconfigure research institutions post 1994. These institutions operate in silos and play no role in the reduction of unemployment and inequality. But also, science and technology is deemed as elitist, with very little accountability to the ruling party.

Science and innovation isn’t a luxury, it’s a necessity. That is why more than 4% of South Korea’s GDP goes into research and development. This government [Time expired.] Thank you, Deputy Speaker.

# A YEAR SINCE FIRST COVID-19 INFECTION IN SOUTH AFRICA WAS CONFIRMED

(Member’s Statement)

Mr S M DHLOMO (ANC): Deputy Speaker, on Friday 5 March 2021 South Africa marked one year since the first case of COVID-19 was detected in the country.

On this day last year, 2020, a 38-year-old male was travelling from Italy with his wife and was part of a group of 10 contracted first case of COVID-19.

The pandemic has since affected every sphere of human life but it has also been countered with great resolve and determination by the government and South African citizens who have made personal sacrifices to contain it.

Throughout the different alert levels the citizens have adhered to the different regulations and thus made their civic contribution towards the containment of the pandemic. The hard lockdown imposed on March 26 last year was a painful moment for the country but it had to be done to counter the spreading of the disease.

The ANC pays tribute to the more than 50 000 people who have lost their lives to this pandemic.

The deadliest days so far came in January 2021, during the second wave of the infections.

We are proud of the government initiative on getting the vaccine and how they have managed to curb the spread of the disease. The amount of research that was done in such a short period is commendable.

We would like to convey our deepest condolences to all those who lost their loved ones.

Lastly, we want to thank the health workers for all the work they have done looking after those who suffered from COVID-19, in the process risking their lives.

We call upon [Time expired.] South Africans to continue adhering to the rules

# GOVERNMENT SHOULD NOT SIDELINE TRADITIONAL LEADERS AS THEY PLAY AN IMMENSE ROLE IN HELPING COMMUNITIES

(Member’s Statement)

Ms S A BUTHELEZI (IFP): Deputy Speaker, at the official opening of the National House of Traditional Leaders on 4 March 2021, President Cyril Ramaphosa recognised that partnership between the government, traditional leaders, private sector and civil society is critical in the fight against the COVID-19 pandemic.

Traditional leaders play an immense role in rural communities and have been proactive in assisting in the fight against COVID-19 by delivering food parcels and hand sanitizers to villages.

The decision to suspend the initiation practices during the peak of the pandemic was also pragmatic.

In my statement today I wish to emphasise the need for government to reach out to traditional leaders in this difficult time and to include them and their views in finding solutions. We cannot simply pay lip service to these structures. It is crucial that traditional leaders are consulted by local government and their views should be included in the plans to reach and educate communities in these difficult times.

Traditional leaders are in a unique position to ensure our access to rural villages and are critically aware of the needs and resource constraints of these villages.

Let us ensure proper co-operation with the traditional leaders to ensure our efforts in combating this monstrous pandemic reaches these vulnerable communities. I thank you.

The DEPUTY SPEAKER: Let’s request Whips to please watch your members and do your coaching for appearance. [Laughter.] We want to see your entire face. [Laughter.] [Applause.] We want to see your entire face so that it’s properly done. We know there are difficulties of people objecting from cars and those kinds of problems [Interjections.]

*Sesotho*:

Tjhe, jwale wena o mang? O reng?

*English*:

Please, hon members. We’ve now had a long time to practice, okay! So, let’s clear it up. I’m sure members will be able to do that.

# FAILURE OF THE PUBLIC SECTOR IS MAKING SOUTH AFRICANS TURN TO THE PRIVATE SECTOR

(Member’s Statement)

Mr F J MULDER (FF PLUS): Deputy Speaker, South Africans have more trust in the private sector than in the public sector. With the cost of state capture hovering at around

R1,8 trillion during the term of the Fifth Parliament, poor service delivery, corruption, tax payers and consumers were forced to intervene where the government has failed.

Private education, healthcare, safety, travel, alternative lighting and energy recreated with after-tax money. South Africans became privatized citizens. Communities should be refunded where government failed.

The price tag of a culture of imperiousness, blame shifting and a culture of entitlement is devastating. A tangible move has to be made to change the increasingly dangerous conditions with so a threat and constitutional crisis.

South Africa is desperately in need of a new deal; the Convention for a Democratic SA, CODESA 3. That is new

dispensation, especially at local government level. Thank you, Deputy Speaker.

# DISTRICT SIX CLAIMANTS TO RETURN HOME 55 YEARS AFTER BEING FORCIBLY REMOVED

(Member’s Statement)

Ms M M E THLAPE (ANC): Deputy Chair, the African National Congress commends the progress on the long waited return of

District Six claimants to the area. Their return comes 55 years later, after being forcibly removed by the apartheid government

under the Group Areas Act of 1950 when the area was declared a whites-only area.

The ANC-led government remains committed to addressing the injustices and rectifying the wrongs of the past including

land dispossession. In 2019, the Department of Agriculture, Land Reform and Rural Development, working together with

various stakeholders, committed to a detailed plan to speed up the process and have those claimants return home by 2023. At the moment, a new housing development has sprung up in the area. The District Six site is now full of activity and swarming with construction workers.

The ANC is greatly encouraged to hear that 108 claimants will eventually move into the area as early as April 2021. They are part of the first group of 975 claimants who applied for restitution in the late 1990s. We acknowledge that the process of having the dispossessed return to District Six has been a

long and frustrating process for the claimants, with delays

and legal battles. We commit that nobody would be allowed to take away what rightfully belongs to the people. Never again

shall there be places that are reserved for certain people in this country. We commend the people of District Six for

standing together and fighting for their rights until the end. I thank you.

# CALL FOR LIFTING LOCKDOWN REGULATIONS TO RESTORE PRIVATE PROPERTY RIGHTS

(Member’s Statement)

Mr C BRINK (DA): Deputy Speaker, the DA calls for the urgent lifting of Alert Level 1 lockdown regulations that make it close to impossible for property owners to obtain lawful eviction orders. While restrictions on free movement have long been lifted, the corresponding rights of property owners have not been restored. To protect their land and buildings against

illegal occupation property owners have to overcome extraordinary legal hurdles, creating an open season for land grabs. Regulation 73 empowers a court to stay all eviction proceedings for the duration of the national state of disaster, which at present is an indefinite period.

Most concerning are the factors that a court has to take into consideration in deciding whether or not to stay eviction proceedings. This includes the duty on parties applying for an eviction order to take reasonable steps to provide alternative accommodation for evicted persons in terms of Regulation 73.

By this sleight of hand, the government has effectively transferred its own constitutional duty onto ordinary property owners without offering any additional support.

As the Ivan Cloete matter has shown, the ANC is clearly not opposed to evictions in principle - even unfair ones – provided, of course, the property owner is the state. But we cannot have one set of rules for the state and another set of rules for ordinary property owners, and so we call on the Co- operative Governance and Traditional Affairs, Cogta, Minister to amend Lockdown Regulation 73 as soon as possible. [Applause.]

Mr N L S KWANKWA (UDM): Deputy Speaker, can you hear me? What is happening with my phone now?

The DEPUTY SPEAKER: Go ahead, Ntate.

# NSFAS FUNDING NOT AVAILABLE FOR STUDENT REGISTRATION

(Member’s Statement)

Mr N L S KWANKWA(UDM): Deputy Speaker, the unavailability of the National Student Financial Aid Scheme, the NSFAS, funding and the inability of students to raise registration fees has created all number of challenges with higher education institutions and has [Inaudible.] the students against the management of the education institutions around the country. Ezile Ntombini, Nobuhle Dalane, Sinothando Deli, Masicinge Mantanda, Olisimo Nguye and Sibulelo Nqwemla from King Sabata Dalidyebo Technical and Vocational Education and Training, TVET, College are no exception. In 2020 August, they embarked on a strike protesting against their inability to access NSFAS funding. Instead of the management of the University showing sensitivity to their concerns and their plight, they decided to use suppression tactics. They decided to serve students

with court orders as a way to intimidate and shut their voices.

The UDM intervened and communicated with the school’s management asking them to deal with the matter more professionally. Unfortunately, all our attempts fell on deaf ears. Yes, we took it upon ourselves realising this to help the students by appointing a team of lawyers to represent the students in an appeal process which we later won. However, as things stand currently, the management of the institution continues to violate their rights by making sure that ... [Time expired.]

# LOWERING SCHOOL UNIFORM PRICES

(Member’s Statement)

Mr B S YABO(ANC): Deputy Speaker, the African National Congress welcomes the recent consent agreements signed by the Competition Commission with several schools and major manufacturers to reduce school uniform prices for some parents. A Memorandum of Understanding, MOU, regarding school uniform prices and procurement in South Africa was signed after the Commission had successfully prosecuted and entered

into consent agreements with four schools and two of the

country’s largest manufacturers.

The settlements required school uniform suppliers to remove exclusive agreements with schools and to introduce more generic uniform options. The Commission had found that exclusive arrangements between schools and uniform suppliers, were prevalent across the country and these made uniforms unnecessarily expensive and increasingly unaffordable for many South Africans. The three key principles of school uniform policy in the MOU were: To educate and raise awareness of

anti-competitive procurement or sourcing practices; addressing anti-competitive procurement processes; and monitoring of compliance, which focuses on efforts to encourage all member schools to make formal commitments through their school policies to practice pro-competitive procurement. I thank you.

# MULTIMILLION RAND PROJECT LAUNCHED TO PROTECT PRASA INFRASTRUCTURE

(Member’s Statement)

Mr S N AUGUST(GOOD): Deputy Speaker, on behalf of GOOD, I would like to welcome 270 volunteers in the Western Cape, who

were recently trained to protect infrastructure at the Passenger Rail Agency of South Africa, Prasa. With the funding of more than a R100 million, the People Responsibility to Protect Project, PR2P, was launched by the Transport Minister.

We hope that the additional of protection volunteers will work hand in hand with the police officers, the railway police, the nongovernmental organisation, NGO, and all other stakeholders who are trying to make a difference in the safety of the commuters and our infrastructure. We all must be vigilant around crime, around our train stations its effects on those using trains as a public means of transport. Further, we hope that the infrastructure loss due to theft and vandalism will subside in order to curb unnecessary expenditure that could be spent on infrastructure development. Thank you.

The DEPUTY SPEAKER: The Chief Whip of the Majority Party, you asked earlier where is the new member of the DA. He is sitting next to his Chief Whip for protection.

# ANC OBJECTS TO CITY OF CAPE TOWN’S EVICTIONS OF WOODSTOCK HOSPITAL SITE OCCUPANTS

(Member’s Statement)

Ms G K TSEKE (ANC): Deputy Speaker, the African National Congress calls for further engagements between the City of Cape Town and the residents of Woodstock to find a better solution rather than eviction of residents from the Woodstock Hospital, which has been under occupation by housing activists. Recently, the City of Cape Town has deployed law enforcement agencies to intimidate Woodstock Hospital occupants, although they are still waiting for the court judgement after they approached the courts to assist in removing the people from the area.

The ANC believes that removing the occupants would violate the National State of Disaster regulations. In an eviction process. There are some steps that need to be followed before resorting to eviction. According the leaders in the area, there had been no public participation process regarding the use of the Woodstock Hospital, as a site for redevelopment and housing allocation, which was part of the process. The ANC calls upon the City of Cape Town to engage the community and land activists that are involved to offer better solutions than forcefully evicting them. Thank you, Deputy Speaker.

# RAMAPHOSA ADMINISTRATION UNFRIENDLY TOWARDS BUSINESS

(Member’s Statement)

Mr H C C KRÜGER (DA): Thank you Deputy Speaker. The Ramaphosa administration is as unfriendly towards business as the Zuma administration was, if not more. The government continuously adopts regulations that burden entrepreneurs. Many business owners opt to go underground to avoid the red tape. In most cases this leads to them joining the ranks of the unemployed.

Small businesses in South Africa are experiencing a wall between themselves and the government, with many issues affecting them, including but not limited to access to rural business becoming ever more impossible due to a systematic lack of road maintenance; companies and co-operatives being unable to expand because of the unreliable supply of electricity; the ANC-run local governments not fulfilling their mandates; and burdensome labour laws and red tape that makes it nearly impossible for small businesses to contribute to meaningful and sustainable job creation.

The Ease of Doing Business private member’s Bill tabled by the DA will help the government to identify, measure the impact thereof and rectify regulatory burdens and government failures

in the business environment. President Ramaphosa has asked the nation to work together to kick-start the economy.

The DEPUTY SPEAKER: Thank you hon member. Hon member, don’t

proceed. Hon member?

Mr H C C KRÜGER: The Ease of Doing Business Bill is the DA’s commitment to do this for the sake of all South Africans. [Time expired.]

The DEPUTY SPEAKER: Hon member, don’t proceed. Don’t proceed! He’s literally taken 16 seconds. Let me ...

[Interjections.]

No, no, no, don’t say, ah, Chairperson. Your time is determined by your Whips and I keep to it. You can’t say ah, Chairperson. New members, please don’t laugh at members when they make a mistake.

*Setswana:*

Re re e kgotswa e le maoto mane.

*English:*

Even a four-legged animal stumbles. Who are you with only two? So, please don’t do that.

Hon members, there are things about which you must protest; not those that are determined by yourselves or your representatives. So, I’m completely determined. I must find a machine that stops this machine so that I don’t talk ... to save my airtime. The EFF?

Ms H O MKHALIPHI: Chair, it’s supposed to be hon Madlingozi.

Let me check on him. Oh, he is here.

The DEPUTY SPEAKER: There is a member in the House. Go ahead hon member.

[Interjections.]

# RAMPANT CORRUPTION AT SAMRO

(Member’s Statement)

Mr B S MADLINGOZI (EFF): Artists have to resort to subhuman actions ...

The DEPUTY SPEAKER: Huh uh, hon members, give the hon member time. Your noise is too much now.

Mr B S MADLINGOZI: Artists have to resort to subhuman actions, chaining themselves to metal poles inside the offices of the Southern African Music Rights Organisation, Samro, protesting against corruption that is rampant in Samro, whose primary role is to protect musicians’ intellectual property and collect royalties on their behalf. The majority of its members are black people.

Samro is not paying royalties to its members openly and fairly. It had to take a sit-in protest for Samro to pay artists after two years of nonpayment. Samro gambled with artists’ royalties and lost R48 million. They are a law unto themselves. There is no consequence management in Samro.

The Department of Arts and Culture is mum about what is going on with artists’ money. The Minister of Arts and Culture is failing dismally to respond to artists’ issues. The EFF calls for a regulatory body to manage the entire arts and culture sector; a body that will replace these numerous, senseless organisations that are corrupt and have management that entertains themselves with artists’ royalties.

The National Arts Council, NAC, has also failed in their responsibility entrusted to it through the Presidential Employment Stimulus Programme, PESP, to roll out relief funds to artists and spokespersons.

Artists had to resort to a sit-in at the offices of the NAC. There are a series of protests being planned by artists, as artists are finding it hard to live. Their sector is being controlled by individuals that are helping themselves to monies earmarked for artists’ relief. They cannot work because of the restrictions under the COVID-19 pandemic.

# POST OFFICE INTRODUCES NEW SYSTEM FOR PAYMENT OF GRANTS

(Member’s Statement)

Mr B M MANELI (ANC): We have all heard first-hand stories of the trials and tribulations experienced by those who queue for their grants. Long queues, overcrowding and excessive waiting for the R350 Social Relief of Distress grant presented challenges to the beneficiaries.

The recent announcement by the Post Office that it has introduced a new system that will see specific beneficiaries

collect their grants on designated days depending on the last three digits of their identity document, ID, numbers, is welcomed. This system has been introduced in the Free State, the North West, Mpumalanga and Limpopo.

The first week of the month is reserved for paying the elderly, disability and child support grants. The Post Office has introduced separate queues at its branches to reduce waiting time and to ensure physical distancing. Another queue is reserved for beneficiaries of the R350 grant, and there will be queue walkers to check ID numbers to ensure that the system is implemented.

The President extended the R350 grant by a further three months. This has proven to be an effective and efficient short-term measure to reduce the immediate impact on the livelihoods of poor South Africans. We hope that the post offices in the remaining provinces will also implement the new system. I thank you Deputy Speaker.

# VACCINE ONLY TWENTY PER CENT SAFE

(Member’s Statement)

Mr W M MADISHA (Cope): Thank you hon Deputy Speaker. Two weeks ago, this House spent a very long time debating how best the lives of millions of South Africans can be saved from death due to COVID attacks. As it usually does, government claimed the victory that it had accessed vaccines which would protect and save lives. Although one pointed out that those vaccines were still mere tests and not scientifically authenticated, just like AstraZeneca, government said that was a victory and sang a victory song.

Today, many in the government, doctors and scientific team have indicated that it’s not even 100% but only 20% proven to be safe. Only yesterday, 600 people died and many hundreds more tested positive, and there is nothing altogether that this government is able to do.

It’s further reported that doctors’ wives and relatives are

given priority ... advantages when it comes to both treatment

... care in hospital. Therefore, the question to all members is, where is the truth? [Interjections.]

The DEPUTY SPEAKER: Huh uh, you are out of order in the first place. That’s not allowed hon members. Even if you think so, you know you must say it with a substantive thing here in the

House. Generally, that’s the Rule, if you last read it. Please just take it seriously. It doesn’t mean we must speak casually in the House here as if there are no rules. The ANC?

# PASSING ON OF KARIMA BROWN

(Member’s Statement)

Ms N T MKHATSHWA (ANC): Thank you very much Deputy Speaker. The ANC notes with deep sadness the passing on of seasoned

journalist, Karima Brown, on 4 March 2021, from COVID-related complications. She was a highly regarded journalist with a

lengthy list of credentials, including being the political editor at *BusinessDay* and group executive editor at the

Independent group;

She launched *Forbes Woman Africa* magazine and has hosted *Political Exchange* and *Beyond Markets* on the Consumer News and Business Channel, CNBC, Africa. With regard to media work, Ms Brown was a sought-after facilitator and commentator for corporates and other organisations trying to make sense of big issues facing the country. She was the host of the *Karima Brown Show* on 702 talk radio, a hard-hitting politics show which brought big names and newsmakers into the discussion.

She was the host of *The Fix* on eNews Channel Africa, eNCA, a no holds barred current affairs show which saw her and her panel of guests discuss major news events, examine key issues and debate the way forward. The ANC conveys its heartfelt condolences to her family, friends and colleagues.

*IsiXhosa:*

Akuhlanga lungehlanga.

# REFLECTING ON THE YEAR SINCE THE FIRST CONFIRMED COVID-19 INFECTION IN SOUTH AFRICA

**COVID-19 VACCINE ONLY 20% SAFE**

(Minister’s Response)

The MINISTER OF HEALTH: Deputy Speaker, it has been one year since the first case of COVID-19 was detected. Last Friday I spent the day among healthcare workers. As they were being vaccinated they reflected on the extraordinary year in their careers. We heard heart-warming stories of appreciation by ordinary South Africans for the sterling work that was done in the healthcare system as a collective and by healthcare

workers who have soldiered on at the forefront of the battle against COVID-19.

We too pay tribute to all those who lost their battle with COVID-19.

I thank my colleagues for commending government’s efforts to contain and prevent the spread of COVID-19. This has been possible because of the President who has led from the front and the National Coronavirus Command Council that has built relationships with stakeholders by ensuring that there are regular engagements across all sectors.

Our vaccination roll-out is progressing satisfactorily, with over 107 000 healthcare workers now vaccinated.

We continue to expand the vaccination centres and we will soon be in a position to begin the roll-out to all frontline workers. That will happen in April.

We look forward to announcing other details to the public in a timeous manner.

The efficiency of the Electronic Vaccination Data System continues to be refined and this has allowed a high rate of vaccination with relatively few centres. It is encouraging for us as we seek to accelerate our path towards population immunity.

We have noticed the concern about the manipulation of the queues, where some of the family members of general practitioners have presented themselves as health workers. We have sent a strong message that this kind of behaviour needs to be stopped.

We also want to confirm that those who have been vaccinated through the Johnson & Johnson vaccine are now done. They won’t need to have another vaccination.

Therefore, this ... whereas we would do an implementation study ... but it is in fact a real vaccination programme in place.

So members need to understand that those who would have gone through this process are now vaccinated. Those who will be vaccinated with the Pfizer vaccine will have a second dose. So the observation studies will continue just make sure that we

learn more about this process of vaccination of a large group of people. This will help us in the future.

I therefore want to take the opportunity to join my colleagues in pleading with citizens to adhere to the health protocols, especially as we approach the Easter holidays. The possibility of the next wave remains a reality, and it is up to us and our behaviour to avoid a surge of the nature we have recently seen. Thank you.

MOTLATSI WA SEPIKARA: O a utlwa he. O kgopilwe mora Mkhize feela o tla e lokisa. O a di tseba ditaba tsa hae.

# RAMPANT CORRUPTION AT THE SA MUSIC RIGHTS ORGANISATION

(Minister’s Response)

The DEPUTY MINISTER OF SPORTS, ARTS & CULTURE: Deputy Speaker,

I am not ... Can you see me now? Thank you.

On the question raised by hon Madlingozi, I just wanted to confirm that the creative industry has been hard hit by the COVID-19 pandemic. Many artists are struggling.

Therefore, on the two issues that he raised ... One, the issue of corruption in the SA Music Rights Organisation, Samro, where Samro is paying royalties to artists while artists are our responsibility but unfortunately the issue of the royalties is with the Department of Trade and Industry ... some of them ... and the others are with the communication and digital ...

But, what we have done as the Department of Sports, Arts and Culture is to actually engage these two departments and have a team that deals with these issues because when artists are dealing with these issues they don’t look at the other two departments. They look at the department that is supposed to be looking after their ... [Inaudible.] ... and everybody else would also be looking at us because they know that artists fall under Sports, Arts and Culture. So that is the issue we are dealing with at the moment, and I’m hoping that it will be resolved.

Hon Madlingozi was at Samro with some of the artists on the day that they chained themselves and there was an interaction with the artists on that issue. Not with us, but with the departments concerned.

I’m hoping that that issue will be resolved. I’m saying it is something that we are also looking very closely into as the department.

The second part is about the National Arts Council which has been given ... has been appointed by the department as the implementing agency for the Presidential Employment Stimulus Package which has been given an amount of R300 million to actually look at the creative industry and see how they can make sure that the creative industry sustains the jobs that are there, but also creates jobs. It’s a process that is going on.

Today, the portfolio committee discussed this issue and we provided some answers, even though they were not adequate. That discussion will continue and we are hoping that what the department ... what the portfolio committee has also proposed

... that they will be doing an oversight on the National Arts Council to further discuss the issue further and make sure that artists are the ultimate beneficiaries of this amount that the President has put up. Thank you.

# THE LAUNCH OF THE AFRICAN CONTINENTAL FREE TRADE AREA

(Minister’s Response)

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS: Hon Deputy

Speaker, on the issue that was raised by hon Nxola, yes, of course the African Continental Free Trade Area, AfCFTA, is one the flagship projects of the African Union Agenda 2063, aimed at building an integrated market in Africa that will see a more integrated market of over 1 billion people with a combined GDP of approximately US$3,3 trillion. It also aimed at boosting intra-African trade that currently stands at 16% with Africa’s shares of world trade estimated to be at only 3%.

These achievements would not have been possible without the considerable effort on the part of government, including the stewardship of Minister Ebrahim Patel and his team at the Department of Trade, Industry and Competition which spearheaded the African Continental Free Trade Agreement negotiation process and displayed determination and perseverance to ensure that, during the 13th Extraordinary Summit of the African Continental Free Trade Agreement which was hosted on 5 December 2020, we saw an historic adoption of the Johannesburg Declaration on trade under the AfCFTA with effect from 1 January.

Fifty-four countries have signed and ratified the agreement. We are looking forward to the remaining countries ...

President Ramaphosa has requested them to really quickly join the train. Thank you.

# DISTRICT SIX CLAIMANTS TO RETURN HOME 55 YEARS AFTER FORCIBLE EVICTION

(Minister’s Response)

The DEPUTY MINISTER OF AGRICULTURE, LAND REFORM AND RURAL

DEVELOPMENT (Mr M Skwatsha): Deputy Speaker, on the statement about District 6, the department proudly welcomes the statement and we would want to say that the issue of District

6 is an issue that we assist with. One hundred and eight units are due for completion by the end of April as part of phase 3. The remaining 954 houses will be completed by 2024. We must remember that 2760 claims were lodged before 1998 and claimants ... others opted for monetary compensation so that their dignity can be restored.

We would want to say that claimants will be moving in by June 2021. This ... we are doing it to restore the dignity of the people of District 6.

26 June seems to be a very significant date in the calendar of South Africa, both in relation to the way the people of District 6 were treated, but also to the many, many issues that happened and especially the adoption of the Freedom Charter, whose DNA we will find in the Constitution of the new South Africa.

We want to say, what we are doing are the building blocks to the creation of a nonracial, nonsexist, peaceful, prosperous South Africa.

We want, lastly, to say, as our founding president said, never, never and never again shall it be that the race of a human being plays a critical role in South Africa. All shall be equal before the law. Thank you.

[Interjections.]

[BUSINESS SUSPENDED DUE TO TECHNICAL ERROR AT 14:53 AND RESUMED AT 14:58.]

The DEPUTY SPEAKER: Hon members, please settle down. Hon members, take your seats. We invited you in the interest of

your health and safety to not be all over the place. Please be in your designated seat, and please keep your mask on.

Hon Dyantyi?

# CORRECTIONAL SERVICES AMENDMENT BILL [B 32 - 2020]

(Second Reading debate)

Mr Q R DYANTYI: Hon Deputy Speaker, members of the National Assembly, the Portfolio Committee on Justice and Correctional Services, having considered the Correctional Services Amendment Bill, reports the Bill without amendments. The committee further reports as follows: On 03 May 2019.. .

The DEPUTY SPEAKER: Ok, as the hon members has difficulties we will ask someone in the House to replace him, I’ve been informed that that is hon Nqola, please go ahead.

Mr X NQOLA: Deputy Speaker, members of the House, good afternoon all. The Portfolio Committee on Justice and Correctional Services, having considered the Correctional Services Amendment Bill, B 32 of 2020 reports the Bill without amendments. The committee further reports as follows: On 03

May 2019, in the matter between Phaahla vs the Minister of Correctional Services and Another, known as the Phahla Judgement, the Constitutional Court confirmed the decision of the High Court of South Africa, Gauteng Division, Pretoria, which declared which declared invalid, section 136(1) of the Correctional Services Act, Act 111 of 1998 on the grounds that, the impugned provision placed the constitutional rights to equal treatment to the law, and not to be discriminated against unfairly.

The Constitutional Court suspended the declaration of constitutional invalidity for 24 months, to afford Parliament an opportunity to enact remedial legislation that is before 03 May 2021. The Constitutional Court provided a read in provision pending the amendment of the legislation by Parliament, which will apply during the 24 months of the suspension of the order of constitutional invalidity. The read in provision is as follows:

Any person serving a sentence of incarceration for an offence committed before the commencement of Chapters IV, VI and VII of the Correctional Services Act is subject to the provisions of the Correctional Services Act 8, Act of 1959, relating to his or her placement under community

corrections, and is to be considered for such release and placement by the Correctional Supervision and Parole Board in terms of the policy and guidelines applied by the former Parole Boards prior to the commencement of those chapters.

On 18 October 2020, the Correctional Services Amendment Bill 2020 was introduced and referred to the Portfolio Committee on Justice and Correctional Services for consideration and report. The committee was briefed by the Department of Correctional Services on the contents of the Bill on 03 November 2020.

The Bill seeks to amend the Correctional Services Act, Act 111 of 1998 in order to align it with the Constitution and the Phaahla Judgement, with regards to the placement of a sentenced offender under day parole, parole and correctional supervision and to provide for minimum periods to be served, before becoming eligible for consideration for such release and placement in terms of parole regime applicable at the date of commission of the offence.

The Bill was advertised for public comment and received two written submissions, from Mr M G Buthelezi and the Helen

Suzman Foundation. On 02 February 2021, the Helen Suzman Foundation made an oral submission on the virtual platform, which addressed among others, the need for further clarity regarding the parole regime in the case of multiple and continuing offences. The report was adopted by the portfolio committee and we request that, the National Assembly approve it. I thank you.

The DEPUTY SPEAKER: Hon members, I recognise political parties that wishes to make a declaration. As you know, the allocation of time in this instance will apply.

*Declarations of Vote*:

Mr J SELFE: Mr Deputy Speaker, this Bill is as a result of the Constitutional Court judgment in Phaahla vs the Minister of Justice and Correctional Services, in which the applicant challenged the minimum period of life he must serve to before becoming eligible for consideration for parole. There are actually three parole regimes ... [Inaudible.]

The DEPUTY SPEAKER: I don’t know whether it’s hon Selfe – we can’t hear you. I don’t know whether it is you and your mic, or it’s Zoom going crazy again. Hon Selfe, we can’t hear you. Who is Ahmed Munzoor, Shaik Emam? Why is he keeping on the...

what’s happening? Hon Selfe try again, connect, and unmute you

if it is not Zoom.

The CHIEF WHIP OF THE OPPOSITION PARTY: Deputy Speaker, I have just been informed that it is actually Parliament that cannot hear him, apparently on Zoom, you can hear him. It is Parliament that cannot hear. I am afraid we will have to maybe ask Information Technology, IT to reboot for Parliament, because on the Zoom platform they can hear him but we can’t hear him here. I have people, my Whips on line Mr – it’s my job.

The DEPUTY SPEAKER: Can the IT people sort it out please. [Interjections]

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, is it not possible to request a colleague that side or the Chief Whip of the Opposition Party to request someone else to take this declaration please?

*IsiXhosa*:

Hayi andithethi nawe ntombazana, ndibhekisa phaya. Phola! Phola!

*English*:

I am doing this thing very formal, just hold your horses. I am speaking through the Deputy Speaker, ...

*IsiXhosa*:

... masingadelelani.

The DEPUTY SPEAKER: Please hon members, Hogayi! Hogayi!Hogayi, (Hold it!, Hold it! Hold it!) Yes, the Rules – yes hon member.

Ms E N NTLANGWINI: Thank you very much Deputy Speaker, it has always been the norm that the Whip on duty takes over. We are doing it in questions, why can’t we do it now so that the House can continue with its work? It has always done that, unless the member is going to speak here about things that the Chief Whip of his party does not know of. Then it’s a problem, she can’t lead the masses.

The DEPUTY SPEAKER: Hon members, Hogayi! Just Hogayi! (Just hold it.) That is the Rules. We just used it now. Nqola here spoke. Hon Nqola spoke here. If it happens, it won’t be anything strange here.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, if I may ask for two minutes, as you can see that the hon Selfe is busy organising that he sends it through to me. I will read it on his behalf. If you could just give me two minutes. Thank you, and thank you Natasha for your politeness as always.

The DEPUTY SPEAKER: There is peace between the two Natashas.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, that is Natasha. I am Tasha, there can only be one.

The DEPUTY SPEAKER: [Laughter] ... Tasha. Ok! Ok, I give up. I never win on this score.

Ms E N NTLANGWINI: Hon Deputy Speaker, in fact I like being called Alakhe not Natasha. She can have Natasha; it is a European name anyway [Laughter.] I would like to be changed to Alakhe, going forward.

The DEPUTY SPEAKER: We will need hon Motsoaledi from Department of Home Affairs to mediate. No, no, no, that is the end of it. Hon members, are you ready hon - Ok go ahead. I thought you are taking the debate forward. In the absence of Motsoaledi, I won’t allow it. Go ahead hon member.

The CHIEF WHIP OF THE OPPOSITION: Thank you Deputy Speaker, so Tasha will read on behalf of the hon J Selfe. This Bill is as a result of the Constitutional Court judgement in Phaahla vs the Minister of Justice and Correctional Services, in which the applicant challenged the amount of life he must serve to before becoming eligible for consideration for parole. There are three parole regimes in operation in correctional services that apply to life sentences.

If the old Prisons Act applied to you, you would have to serve a minimum of 10 years and not more than 15. In March 1994, the minimum period was increased to 20 years, and in October 2004 to 25 years. Up until now, eligibility for minimum periods of parole could only be considered if they have been determined by the date of sentencing.

The Constitutional Court relying on the maxim that a person should benefit from the least harsh penalty, found that the parole period ought to be determined by the date of the commission of the offence. The court directed Parliament to amend the act to reflect this. This Bill does just that. We will be supporting the Bill.

Let me reflect on life sentences. In excess of 18 000 inmates of serving life sentences in our prisons at the moment, people who committed crimes in which a life sentence is a mandatory after 01 October 2004, must serve a minimum of 25 years before becoming eligible for parole. When he was the Head for the Judicial Introspective for Correctional Services, Justice Johan van der Westhuizen wrote the life sentences. The issue is well known and has been debated constantly since the promulgation of the 25-year cap. The Judicial Introspective for Correctional Services, JICS is of the view that its inhumane conditions are inevitable if the status core is not seriously considered.

In addition, there are a variety of crimes that carry the mandatory minimum sentence. Together they are a powerful driver of prison overcrowding. They literally clog up the system. They also deprive judicial officers of the discretion to make punishment to fit the crime. These are very complex matters. They are very emotive matters. Parliament needs to have an honest conversation about minimum sentences, and minimum periods before parole can be granted. Failure to have this conversation will mean that we will not be able to grapple with the problem of overcrowding and the ability to rehabilitate offenders properly. I thank you.

Ms Y N YAKO: Thank you Deputy Speaker, my name is hon Yako and not the EFF. The EFF supports the broad principles of the Correctional Services Amendment Bill. We are of the view that the amendment deals accurately with the ruling of the Constitutional Court on the Phaahla judgement, from which this amendment Bill emanates.

The main issues in the Phaahla judgement were the inconsistencies in the parole system and the prejudicial manner in which inmates who were sentenced after the commencement of chapters four, six and seven of the Acts were treated compared to those sentenced before these chapters became operational.

The Acts stipulated that inmates who were sentenced after the commencement of the Acts, which was on 1st October 2004 would only be eligible for parole after serving a period of 25 years in jail.

This introduced a new parole regime from October 2004 because before that, inmates would qualify for parole after serving 20 years of imprisonment. This anomaly then meant that someone who was convicted before 1st October 2004 but sentenced after

the date, that person would be required to serve 25 years before qualifying for parole, as it happened to Phaahla.

These amendments now make it clear that inmates must serve 25 years before they can be considered for parole if the offense was committed after coming into operation of chapters four, six and seven of the Correctional Services Act on 1st October 2004.

We support these amendments because they eliminate inconsistencies in law. However, this Act, may still be susceptible to more legal challenges in future because there are still major gaps in the parole system.

This Bill does not deal with the process of how inmates who qualify for parole are identified for different categories of offenses. We suspect that this failure to provide a fairly reasonable process of the new parole regime will lead to further abuse of the right of inmates.

The Phaahla judgement ought to have been the beginning, but not the end of a thoroughgoing process for prison reforms. This must entail a very clear process for the granting of

paroles to all those who qualify, while ensuring that there are effected rehabilitation services.

We don’t need to make these amendments on a piecemeal basis. We all know that these are reforms needed in the correctional services space. We now know that the Constitutional Court made yet another ruling in December last year, and ordered Parliament to make other amendments relating to the independence of the Judicial Inspectorate of Correctional Services.

Aside from these concerns, we are in support of the Bill. Thank you.

*IsiZulu:*

USEKELA SOMLOMO: Solwazi, asikuzwa nakancane.

*English:*

Is there someone from the IFP in the House who can do it on his behalf? Hon Singh, I see you are trying to intervene there.

*IsiZulu*:

Yebo, kunento ngesiZulu namanje.

*English:*

Unfortunately, we don’t hear them. Let me move to those who are here now in the meantime. They’ll come back if they are able to reconnect.

Mr F J MULDER: Thank you Deputy Speaker, the Phaahla judgement goes a long way in protecting the rights of inmates, who would otherwise be subjected to unfair discrimination, prejudice and break parole rules and procedures.

It is important that parole procedures are demystified and that all the constitutional rights argued in the case are given effect. South Africa needs meaningful and clear Correctional Services Act with the necessary procedures and measures that considers qualifying offenders.

The grant or refusal of bail is indeed a judicial function notwithstanding section 59 police bail as we know it and prosecutors bail under section 59(a). The FFPlus will support the amendments to the Bill. Thank you Deputy Speaker.

Mr S N SWART: Thank you Deputy Speaker, the ACDP supports the report and the amendment Bill, and as other speakers have indicated, it seeks to amend the Correctional Services Act to

bring it in line with the Phaahla judgement, which speaks about parole and day parole or correctional supervision.

We support the amendment because it arises from the Constitutional Court decision. We also do need to indicate as many of us in the House have done, outrage about crimes that have been committed by people on parole. One thinks of the murders of 12-year-old Michaela Williams, 8-year-old Tazne van Wyk, and 7-year-old Reagan Gertse, last year, by people who have been charged and were on parole at the time.

Most parolees integrate peacefully into society. There have been a number of cases where they have not only offended but the crimes they have committed on parole were more serious than those that they have been jailed for, as is in these instances which I indicated. This is tragic and clearly something that must concern us all.

In addition, the department reported that as at 12 October 2020, twelve thousand, in this case, low risk offenders were released following the COVID-19 special parole dispensation.

Now, with the focus on curbing gender-based and other crimes, the committee raised concerns at the rate of recidivism

amongst parolees; not in this report but in another report; with 75 of those parolees been rearrested for committing new crimes, mostly, housebreaking and theft.

We have as a committee also consistently raised concerns about the capacity of community corrections to monitor those entrusted with the care of parolees. Minister of Justice Lamola has undertook to address the flaws in the parole system. It is clearly in need of review, including that integration of systems so that previous criminal records can be instantly accessed when a suspect is being processed.

The outrage against gender-based violence has also resulted in committee looking to tighten up further legislation such as relating to bail, parole and minimum sentences. We are busy dealing with those Bills and will soon come to the House.

Lastly, I am sure you’ll be please that Parliament will pass this Bill before the Constitutional Court deadline in May 2021. I just wish to thank the chairman and members of the committee for this process. Thank you.

The DEPUTY SPEAKER: Thank you, hon member, and thank you for the good news. The UDM. There is a connection problem clearly here. The ATM has not been around.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, I don’t think it has ever been done before but I am the Chief Whip of the Opposition. So, if any of the parties would like to send their declaration to me, I am very happy to read them ... [Interjections.] ... no, I mean, it’s true. I am very happy to read them on their behalf because I am the Whip of the Opposition. So, if they want to, please, I am offering my services. I won’t do a job as good as they would but I am very happy to read them on their behalf.

The DEPUTY SPEAKER: The problem is that I don’t know whether they are hearing you in the first place because of the connection problem. I don’t know what they would say to your offer.

Dr C P MULDER: Hon Deputy Speaker, is the hon Mazzone sure she wants to read the speech by Mr Shaik? [Laughter.]

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, you can tell

I didn’t think through of that one completely. [Laughter.]

The DEPUTY SPEAKER: No, you didn’t think it at all.

The CHIEF WHIP OF THE OPPOSITION: But in the spirit of being a family ... even that ... [Laughter.]

The DEPUTY SPEAKER: Thank you for clarifying things for us, Dr Mulder.

Mr W M MADISHA: Thank you, hon Deputy Speaker. I suppose you

don’t mind if I speak from here.

The DEPUTY SPEAKER: No, not at all. You can do that. It’s a

pleasure, sir. [Interjections.]

*Sepedi:*

Mna W M MADISHA: Aowa, ke go ke kwele. Ke a leboga, sebata. [Tsenoganong.]

*English:*

The DEPUTY SPEAKER: Just keep your time.

Mr W M MADISHA: No problem.

The DEPUTY SPEAKER: You don’t have a clock there, I have it

here. That is the only disadvantage you have.

*Sepedi:*

Mna W M MADISHA: Aowa, ke go kwele.

*English:*

The DEPUTY SPEAKER: Okay.

*Sepedi*:

Mna W M MADISHA: Thobela.

The DEPUTY SPEAKER: Go ahead!

Mr W M MADISHA: Having gone through the report of the portfolio committee and having listened to a united agreement from the various parties which sit in the committee, the portfolio committee itself, Cope rises to agree with them and say let’s support the Bill. Thank you.

The DEPUTY SPEAKER: In the list there is the PAC and Aljamah and they would have had to speak from the virtual platform which is currently disabled. So we will skip them.

Mr X NGOLA: Deputy Speaker, I will be delivering the speech on behalf hon Wilma Niewoudt-Druchen. The ANC rises in support of the Correctional Services Amendment Bill 32 of 2020 and the report of Portfolio Committee on Justice and Correctional Services on the Correctional Services Amendment Bill.

As we commemorate Human Right Month, we reflect on the words of the former President Nelson Mandela when he said and I quote:

It is sad that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens but its lowest citizens.

Deputy Speaker, under the Correctional Services Act 8 of 1959 anyone sentenced to life imprisonment was eligible to apply for parole after serving a minimum of 20years.

However, in terms of the 1998 Act, someone serving a life sentence is eligible for parole only once they have served a minimum of 25years. Section 136(1) of the 1998 Act, governs the transition from the parole eligibility requirements under the 1959 Act to under to under the 1999 Act.

Section 136 (1) provides that in the sentence before 1 October 2004, are subject to the 1959 Act and must serve a minimum of 20years. But inmates sentenced after 1 October 2004 are subject to the 1998 Act and must therefore serve a minimum of 25years.

In the matter of Phaahla vs the Minister of Justice and Correctional Services and another applicant Mr Phaahla is an inmate serving a sentence of life imprisonment. He was convicted on 25 September 2004, for a crime committed earlier but was sentenced only on 5 October 2004. This means that he is required to serve 25years before he may apply for parole. Had Mr Phaahla been sentenced a few days earlier, he would have had to serve only 20years before being eligible for parole.

Mr Phaahla challenged section 136(1) in the High Court on the grounds that the use of the date of sentence rather than the date of commission of offence violated his fair trial right under section 35(3)(n) of the Constitution.

Section 35(3)(n) of the Constitution provides that where the prescribed punishment for an offence has changed between the time of the offence was committed and the time of sentencing,

an accused person has the right to the benefit of the least severe of the prescribed punishments.

Mr Phaahla also argued that section that 136(13), breaches his right to equal protection of the law and the right not to be unfairly discriminated against in terms of section 9 of the Constitution.

In a judgement penned by Ndlondlo AJ, Constitutional Court unanimously confirmed the High Court declaration of invalidity. The majority have the impugned provisions invalid and on the ground that the use of date of sentence in section 136(1) rather the date of commission of offence breaches the constitutional rights to equal protection of the law and also the right to benefit of the least severe punishment.

The majority held that it amounts to retroactive application of the law which violates section 35(3)(n) and the principle of legality. The Constitutional Court suspended the declaration of Constitutional invalidity for 24 months to afford Parliament an opportunity to enact remedial legislation. That is before 3 May 2021.

The Constitutional Court provided a read in its provision pending the amendment of the legislation by Parliament, which will apply during the 24 months of the suspension of the order of constitutional invalidity.

In October 2020, the Correctional Services Amendment Bill was introduced and referred to the Portfolio Committee on Justice and Correctional Services for consideration and report. The Bill seeks to amend the Correctional Services Act 111 of 1998 in order to align it with the constitutional constitution and the Phaahla Judgement with regard to the placement of a sentenced offender under day parole, parole and correctional supervision and to provide for minimum periods to be served before becoming eligible for consideration for such release and placement, in terms of parole of parole regime applicable at the date of commission of the offence.

The Bill upholds the constitutional rights to equal treatment by law and not be discriminated against unfairly. The ANC supports the Bill and report. I thank you.

The DEPUTY SPEAKER: Hon members, before I put the Bill to you, I just want to confirm that what hon Steve Swart said about this being good news refers to the relationship between us as

Parliament and the Judiciary. That because they understand that they are not lawmakers - we are – they defer to us and giving us this period of time within which to do the work in their own estimation of how long it would take and so on.

So this is an important matter which each committee should reflect on it as we proceed. Decisions have been made in the Programming Committee that we should make sure that as decisions of the courts are made we must immediately put in place a process to receive comments by the executive and if they don’t meet the deadline the committees of Parliament should take over in order to meet the deadline. It is an important relationship matter between the two Arms of the State.

I thought I should make that comment so that we take it up in your committees to process it properly immediately. Don’t wait; think about the processes that should be underway so that by all means, all the time, we meet the requirements.

Whatever complexities exist we must be able to ensure that we meet the deadlines and we can discuss with whoever has to deal with this matters in time, all time.

There was no debate.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, Freedom Front Plus, African Christian Democratic Party, Congress of the People and African National Congress.

Bill accordingly read a second time.

The CHIEF WHIP OF THE MAJORITY PARTY: Before that on a point of order, hon Deputy Speaker. Hon Deputy Speaker, we have Chief Whips Forum chat group. In that chat group many of ... [Interjections.]

The DEPUTY SPEAKER: Sorry, sorry, are you saying church group or chat group?

*IsiXhosa:*

UMBHEXESHI OYINTLOKO WEQELA ELILAWULAYO: Nokuba yintoni na.

*English:*

The DEPUTY SPEAKER: No, no, I want to understand, Chief Whip.

I didn’t hear you properly.

*IsiXhosa:*

UMBHEXESHI OYINTLOKO WEQELA ELILAWULAYO: Yile nto sithetha

kuyo. [Kwahlekwa]

USEKELA SOMLOMO: Kulungile,enithetha kuyo ...

*English:*

... I understand, okay. I want her to know whether you are inviting us into a discussion that you are ... [Interjections.]

The CHIEF WHIP OF THE MAJORITY PARTY: That one is where we co- ordinate ourselves as Chief Whips of parties. I’ve received a lot of messages, together with hon Mazzone, where other Chief Whips are requesting that we suspend the proceedings because they are excluded, not out of their own making, but because of technology they are unable to participate. Therefore, there is that request that I’m putting to you.

The DEPUTY SPEAKER: Can I request ... it is a difficult one, firstly, it has consequences for when we want to do that. I can only do that ... this is awkward. Can I consult on that? [Laughter.] However, members, let’s understand that we have gone through the procedure and we have approved this. But, I do wish to indicate that in case there is any reason for us to

come back, we will come back to you having considered what you have requested to us. Thank you very much. I thought I should make that clear so that we don’t have problems.

Hon members, I suggest that we proceed with the business of the House and you can be consulting and we will be advised what are the possibilities. If there is a possibility of information technology, IT, completing the work quickly enough, we may be able to take a brief second and retrace our steps for those three or so declarations and then we will proceed, and then retrace our steps backwards. However, that is the consultation that is taking place and they are just checking the technicalities and so on. Hon Mulder, you wanted to say something else.

Dr C P MULDER: Yes, hon Deputy Speaker, I understand what you are saying. If we can succeed getting the technology going that’s fine. The problem is that the only outstanding issues for today are the motions without notice and notices of motion. The problem is that a number of members who will participate on that are on the virtual platform, and they will not be able to participate. Therefore, if we could adjourn perhaps we could do those things tomorrow after questions.

It’s just a suggestion. Thank you.

The DEPUTY SPEAKER: Including even with the notices and so on, most of them are out there.

HON MEMBERS: Yes.

The DEPUTY SPEAKER: Okay. Alright. Now that I’ve heard you, I will still consult and then I’ll notify you what the decision of the Chair is. Agreed?

Hon members, the Secretary advises me that the Chief Whip of the Majority Party has a story to tell us.

The CHIEF WHIP OF THE MAJORITY PARTY: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, we have consulted with other Chief Whips ... [Interjections.]

Mr E N NTLANGWINI: No, but that is a lie because I’m the Whip

on duty ... [Interjections.]

The DEPUTY SPEAKER: Hon Natasha! Hon Natasha!

Mr E N NTLANGWINI: The Chief Whip of the Majority Party only took out Natasha Mazzone. She and Natasha Mazzone can’t run the House on their own. It is wrong, I’m the Whip on duty and

you haven’t called me, Mam. You know the Chief Whip of the EFF is not here and I’m the Whip on duty here. Don’t undermine me like that.

The DEPUTY SPEAKER: Hon Natasha, wait a minute. Can you allow me to rule on matters before the House before you interrupt me, please? Hon Natasha, I just said so earlier on warning members here that you can’t say anybody lies and I request you to withdraw because that is unparliamentary and out of order.

Mr E N NTLANGWINI: I withdraw lying, but don’t ...

[Interjections.]

The DEPUTY SPEAKER: E-e, e-e, don’t make it conditionally. I don’t accept it if it is conditional.

Mr E N NTLANGWINI: I withdraw, but they haven’t called me.

The DEPUTY SPEAKER: No, no, no, that’s a separate matter and

you must make it unconditional.

*Afrikaans:*

Jy is buite order in al my 10 vingers.

*English:*

Hon members, hon Chief Whip, this is a problem.

The CHIEF WHIP OF THE MAJORITY PARTY: No, that is not a

problem, hon Deputy Speaker. I said earlier on that are that Chief Whips that are not here in the House have made a request that we must consider adjournment and they keep on speaking to me. Therefore, I had to come now to this House on the same request that instead of taking these notices of motion, let’s adjourn and rearrange for another day to take the notices of motion because we cannot exclude other members who are on virtual platform. So, this is a consultation that I was talking about because she is not on the chat group, so there was nothing I could do. I was consulting especially with those who are not here. I think ...

*IsiXhosa:*

... uyeva ngoku.

The DEPUTY SPEAKER: Hon members! Hon members, let’s put this to the House. Hon members, here is a proposal for how to manage what is happening. In the previous instance because of technology ...

*Afrikaans:*

Kan julle nie stilbly nie?

*English:*

E-e, you don’t say that. Who’s that? Who’s that? Hon member, stand up and voluntarily withdraw that, you don’t speak like that about human beings. Please, please.

Mr W T LETSIE: I withdraw; I did not understand what it means.

The DEPUTY SPEAKER: Thank you very much. No, no, no. Hon member, you don’t do things conditionally. You must just withdraw unconditionally, please.

Mr W T LETSIE: I withdraw unconditionally.

The DEPUTY SPEAKER: Thank you very much. Hon members, I put to you a request that we do not repeat what we did earlier on and exclude others because of technology that the same would happen if we proceed with the others. Therefore, let’s redo this, reschedule so that the remaining parts including the previous one we’ve just agreed on, we must ... [Interjections.] ... The Procedural Chief here says no, the first one we have passed through. It’s agreed to and the only

remaining exclusions would be on the followed items. Do we agree that we adjourn the House? Any opposition?

Ms E N NTLANGWINI: Deputy Speaker, we don’t have a problem, it’s the right thing to do, but the Chief Whip of the Majority Party and the Chief Whip Mazzone must not think that they control us. They don’t control us. Therefore, for the sake of moving forward it’s fine and it’s the right thing to do.

The DEPUTY SPEAKER: Hon Natasha, please join their chat group. [Laughter.] [Applause.] Please, hon ... [Interjections.]

An HON MEMBER: She doesn’t qualify, Deputy Speaker.

Dr C P MULDER: Hon Deputy Speaker, perhaps amend the proposal by hon Chief Whip of the Majority Party, I suggest that the House adjourns, but the EFF can stay behind. [Laughter.]

The DEPUTY SPEAKER: Amendment not accepted. The House will adjourn. Hon members, thank you very much. We will inform the House how we will deal with things well. Thank you very much, hon members.

The House adjourned at 15:41.