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

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The Council met at 14:00.

The Chairperson took the Chair and requested members to

observe a moment of silence for prayers or meditation.

**ANNOUNCEMENTS**

The CHAIRPERSON OF THE NCOP: In keeping with our tradition and

practice, allow me to begin by bowing to my right and bowing

to my left. Hon delegates, before we proceed I would like to

remind you of the following; that the virtual sitting

constitutes a sitting of the National Council of Provinces,

that the place of the sitting is deemed to be Cape Town where

the sitting of the National Council of Provinces is, that

delegates in the virtual platform enjoy the same powers and

privileges that apply in a sitting of the National Council of

Provinces, that for the purpose of a quorum all delegates who



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are logged on to the virtual platform shall be considered

present, that delegates must switch on their videos if they

want to speak, that the delegates should ensure that the

microphones on their gadgets are muted and must always remain

muted, that the interpretation facility is active and that any

delegate who wishes to speak must use the “raise your hand”

function or icon. Hon delegates, in accordance with Council

Rule 247 (1) there will be no Notices of Motion or Motions

Without Notice

Before we proceed to the questions, I would like to take this

opportunity to welcome the Deputy President, welcome Deputy

President, MECs, speakers and all special delegates to the

House. I would further like to make the following remarks. The

time for a reply to a question by the Deputy President is five

minutes. Only four supplementary questions are allowed per

question. A member who has asked the initial question will be

the first to be afforded the opportunity to ask a

supplementary question. The time for asking a supplementary

question is two minutes. The time for a reply to a

supplementary question is four minutes. The supplementary

question must emanate from the initial question. The first

question is a question to the Deputy President is on the



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disruption of services in flood-affected areas in KwaZulu-

Natal. This question to the Deputy President is asked by hon

Bebee.

**QUESTIONS TO THE DEPUTY PRESIDENT**

Question 7:

The DEPUTY PRESIDENT: Hon Chairperson, good afternoon to you

and all the members, the recent floods and heavy rains in the

province of KwaZulu-Natal, some parts of the Eastern Cape, as

well as parts of the North West, have indeed brought untold

misery and suffering. We have witnessed severe damage and

destruction of houses, property, infrastructure, loss of homes

and personal possessions, as well as unprecedented loss of

lives and livelihoods, with the devastation, felt most acutely

in the KwaZulu-Natal province.

Once again, we would like to express our deepest condolences

to all the families and relatives of the people who have lost

their lives during this natural disaster and tragic calamity.

Our thoughts and prayers go to all the families whose members

are still not accounted for. We remain hopeful that the

continued recovery and rescue efforts will help us find



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closure in this regard. In responding to the damage that has

been brought about by the devastating floods, on 18 April

2022, the President declared the National State of Disaster as

an effective response by all spheres of government to this

disaster. In the main, this is to enable and allow us to co-

ordinate and deploy all the necessary resources to the

affected areas as part of our rapid response interventions. In

terms of the National State of Disaster, the primary

responsibility to co-ordinate and manage the disaster is

assigned to the national sphere of government, working closely

with provincial governments and municipalities of the affected

areas. This enables the mobilisation of resources,

capabilities and technical expertise in providing relief,

recovery and rehabilitation to the affected communities.

In this regard, the Department of Co-operative Governance and

Traditional Affairs, through the National Disaster Management

Centre, is co-ordinating response and recovery measures by the

relevant organs of state and stakeholders. The organs of state

across all spheres of government have also activated

contingency measures in line with their respective mandates,

and integrated institutional arrangements to deal with the

disaster.



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As part of an integrated response to this disaster, the

government has developed an Integrated Flood Response and

Recovery Plan that outlines the multisectoral response and

recovery efforts to be implemented by all the stakeholders in

the affected communities. Through this plan, the government

has adopted a three-pronged approach to the disaster response

and recovery, which is summarised as follows; Phase 1:

Immediate humanitarian relief to ensure that all affected

persons are safe and that their basic needs are met; Phase 2:

Stabilisation and recovery, which includes rehousing people

who have lost homes and restoring provision of services; and

Phase 3: Reconstruction and rehabilitation, with a focus on

“Building Back Better”. In line with this approach, the

government activated a Joint Response Tactical Team comprising

search and rescue specialists from all first responders across

public, private and volunteer organisations, in order to

spearhead the search and rescue operations as well as provide

humanitarian relief to all the communities affected by this

disaster in KwaZulu-Natal.

The team is based in Virginia Airport and is supported by the

SA Police Service Air Wing and the SA National Defence Force

with a variety of resources including aircrafts engineers; as



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well as water bunkers and tankers to support the provision of

basic services to the affected areas. As part of the rapid

response interventions, the National Disaster Management

Centre reported as of 30 April 2022, 8 096 people in KwaZulu-

Natal were being accommodated. The government, with the

support of the business sector, nongovernmental organisations,

civil society and communities, continues to implement

interventions, including the provision of food and essential

materials such as blankets, school uniforms, chronic

medication, and psychosocial support services. Progress

reports are regularly received from affected provinces and

national sector departments, to help improve the co-ordination

of these interventions. We must, however, acknowledge that

much needs to be done in order to return the situation to

normality. Communities like Tongaat and the surrounding areas

are still facing water challenges flowing from the collapse of

the water plant supplying the community, which current

assessments ...

The CHAIRPERSON OF THE NCOP: Order! Deputy President, there is

a lot of information to share. [Laughter.]

The DEPUTY PRESIDENT: Thank you.



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The CHAIRPERSON OF THE NCOP: ... [Inaudible.] ... reminded we

only need the response to be given in five minutes. So, I will

ask the Deputy President to wind up. Maybe another opportunity

will be provided ... [Inaudible.]

The DEPUTY PRESIDENT: Thank you, hon Chairperson. As we

conclude, we would like to express our gratitude and

appreciation to all our partners including individuals,

businesses, nongovernmental organisations and development

partners who have stepped up to collaborate with the

government in assisting our affected communities. It is by

working together that we can recover from this situation and

continue with our rebuilding efforts. Thank you very much, hon

Chairperson.

*IsiZulu*:

Nk L C BEBEE: Ngiyabonga kakhulu, Sihlalo, ngokunginikeza leli

thuba, ngibonge futhi kuMongameli ngokuthi abuyise ithemba

kwimindeni eyakhahlamezeka kwizikhukhula eKwaZulu-Natal

nakwezinye izindawo. Ngimi lapha ngokuzithoba, Mongameli,

phambi kwakho ukuthi egameni labantu baKwaZulu-Natal, imina

obamele la. Ngicela futhi ukuthi uHulumeni asheshise nokuthi



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aqinisekise ukuthi amaxhama okuxhumana ami ngomumo ukuqhuba

nokusheshisa umisebenzi kuleyo miphakathi eyakhahlamezeka.

Kananjalo, Sekela Mongameli, besicela ukuthi labo abajikeleza

abafuna ukuthi bahlomule ngezinsiza zokusiza abantu

abahlukumezekile ezigcina bengasazitholi. Siyacela, Sekela

Mongameli, ukwazi ukuthi ukubheke lokho, usitshele kabanzi

ukuthi uzokwenza kanjani. Ukuthi futhi uchazele, Sekela

Mongameli, izwe kabanzi namaphethelo uqinisekise lolu sizo

okufuneka ukuthi lutholakale emiphakathini. Ngiyabonga,

Sihlalo Baba, nawe Sekela Mongameli Baba.

*English*:

The DEPUTY PRESIDENT: Hon Chairperson, we would like to

reiterate our commitment that all checks and balances will be

put in place to ensure that there is no corruption involved in

the implementation of the post-disaster recovery measures. As

the government, we are determined to ensure that the efforts

of recovery and rebuilding in the affected areas proceed with

the necessary speed and urgency, and are not disrupted by any

form of corrupt activities. We will continue to co-ordinate

all the role-players that are trying to put support services

on the ground. Supporting in the main the efforts by the



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Department of Co-operative Governance and Traditional Affairs.

We will set up our district development platform as an

accounting platform that will enable us to fast-track the

provision of services so that we can quickly restore life to

the affected communities. Thank you very much.

Mr T J BRAUTESETH: Hon Chairperson, Mr Deputy President, hon

Bebee, or as we know her, Mama, raises a very important

question. From your response, you clearly understand that the

situation is dire. As a representative of KwaZulu-Natal in

this House and as a member of the ad hoc committee, which

unfortunately has still not been established, I can assure you

that hundreds of thousands of residents in eThekwini are

living without sustained and reliable access to water. It is

clear, Mr Deputy President, that massive funding will be

required. The estimates are between R17 billion to

R25 billion. A promising start was made when on 18 April 2022,

President Ramaphosa announced to the nation that the Minister

of Finance had said that an R1 billion is immediately

available and we will be approaching Parliament for the

appropriation of additional resources. In this context, you

can imagine the surprise of my colleague, hon Francois

Rodgers, and the members of the KwaZulu-Natal Legislature,



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including ANC, when he was informed by the KwaZulu-Natal MEC

for Co-operative Governance and Traditional Affairs, that

there were no funds available from National Treasury to deal

with the crisis. In his words, “zilch, zero, nothing.”

This clearly contradicts the pronouncements of the President

and leaves KwaZulu-Natal in a position where it would have to

borrow money from other essential budgets to resolve the

crisis. The province cannot afford this and eThekwini has

certainly had no hope of paying that kind of money. Mr Deputy

President, I will help you and make this a simple multiple-

choice question. Hon Deputy President, in terms of funding,

who has been economical with the truth? A; the President? B;

the Minister of Finance? C; the MEC? or D; all of the above. I

thank you.

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson,

and thanks for the question, I think the hon member should

appreciate the fact that the disaster was so severe that even

today, we are still looking for missing people. A lot of

operations are happening on the ground, and a lot of

interventions to restore life and get all the victims to safe

are happening. The Minister of Finance has directed the



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province to reprioritise some of its programmes so that they

can take care of the disaster. Whatever the shortfall will be,

the National Department of Co-operative Governance and

Traditional Affairs, as well as the National Treasury will

augment the shortfall. That has been established as we are

speaking. The Department of Water and Sanitation has delivered

almost 82 water tankers, transporting water to all the

affected families.

Equally so, the Department of Water and Sanitation has

deployed engineers, electrical and dam safety engineers and

all kinds of expertise to the affected areas. Now, the

Department of Home Affairs has established some mobile units

to try and assist people who have lost their documents. So

work is happening. Social development is there providing food

parcels to all the affected families.

And the Department of Co-operative Governance and Traditional

Affairs has already provided some water tanks so that these

water tankers can put water in those tanks. People can have

water. By that, I am trying to say there are a number of

efforts that are put in place to try and respond to the

situation. We understand the severity of this challenge, but



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we think in due time, we rescue all the people there and the

necessary support will be given to them. Thank you very much.

*IsiZulu*:

Nk S A LUTHULI: Ngibonge, Sihlalo, Sekela Mongameli,

siyakuqonda ukuthi sekuyophela inyanga manje isibhicongo

esashiya abantu baKwaZulu-Natal besezinkingeni ngenxa

yezikhukhula. Namanje, iningi labo belingekatholakali kulabo

ababelahlekile. Imizi yabantu le eyabhidlika, kuze kube

yimanje, beyingakakhiwa.

Siyakuqonda ukuthi kuno-R17 billion okwathiwa uzosetshenziswa

la KwaZulu-Natal. Umbuzo, Sekela Mongameli, uthi kanti lo-

R17 billion kwakungowani umangabe ukuthi akuwona wokuthi

kwakhiwe imizi yabantu le eyabhidlika nokuthi kulungiswe

imigwaqo le eyonakala? Umangabe kuwukuthi lo-R17 billion

ingxenye yawo uzoyakha imizi, izokwakhiwa nini, ngasiphi

isikhathi ukuze abantu bazi ukuthi balindele nini ukuthi

babuyele emakhaya abo? Siyabonga.

*English*:

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson,

and thanks to the question, our response to the disaster in



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KwaZulu-Natal, as I said, it is divided into three phases. The

first phase was to immediately provide humanitarian relief, to

ensure that all affected persons are safe. They are moved to

safe places and some minimum basic services are met. So we

have ensured that I am aware that some families are in tents.

We are transporting water just to give them immediate

humanitarian relief. Now the second phase is to stabilise the

recovery process, which includes the building of these houses

for those people who have lost their houses and trying and

restoring the basic services to our people. That would be the

second phase, but in the first phase, we must get all our

people to safety. Then the third phase will be the medium and

long-term one, which is the reconstruction and rehabilitation

with the focus, like I said, of building back better, try and

build those bridges, trying and build those roads. It will

take a bit of time but we want to ensure that life and

livelihood are restored. Thank you very much. Thank you.

Mr N M HADEBE: Hon Chairperson, hon Deputy President, some

services are very important, such as electricity and water, as

they have major implications on the community and their

ability to live or go to work. With regard to offering the

people facing these disruptions in the shortest possible



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timeframe. I would like to know what are the implications of

the devastation on the needed human, technical and resources

needed? And how will people be assisted in contacting the

relevant government service providers to request a repair or

replacement of vital services? Thank you, hon Chair.

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson,

and thanks to the hon member for the question, the hon member

will remember that all the MECs in KwaZulu-Natal, as they

table their Budget Votes, starting from the Department of

Health, the Department of Co-operative Governance and

Traditional Affairs, all as they table their Votes, they have

reprioritised their budgets. They have set aside money to go

and deal with the immediate services that our people need.

In this case, the Department of Health will look at all the

clinics that have been vandalised because of the floods. The

Department of Education will deal with some of the schools

that have been damaged by the floods. So all line departments

have set aside money to respond. But on top of that, the

Department of Co-operative Governance and Traditional Affairs

will support, monetary-wise will support KwaZulu-Natal.



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National Treasury will support KwaZulu-Natal, and all other

provinces, the nine provinces have assisted KwaZulu-Natal in

one form or another. All the specialists that are there, those

who have tried to dive and find people. Those rescuing people

are coming from all over our country. So the support that is

given to KwaZulu-Natal is acceptable. It is at a good level.

Of course, we can be worried about the pace, but as we want to

build, we must build better so that we do not encounter such a

situation in future. For all the houses that are going to be

built, we must find suitable land out of these flooding zones

so that we build the houses for the people. I can assure hon

members and assure our people that will finally restore the

life of our people. Thank you very much.

Question 8:

The DEPUTY PRESIDENT: Thank you, hon Chair. When we responded

to this question on Maluti-A-Phofung Local Municipality on 15

June 2021, we indicated the process that was underway to

finalise the service delivery agreement between the

municipality then and Eskom. We further stated that such an

agreement would include all modalities for collections of

revenue as directed by the court on 8 June 2021.



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This view was based on an understanding that the agreement

would result in a sustainable resolution of the municipality’s

outstanding escalating debt, which was having a negative

impact on the reliable provision of water, sanitation and

other basic services. However, the court order lapsed on 22

June 2021, due to some terms and conditions of the

distribution agency agreement not being finalised and agreed

upon by the two parties. That means Eskom and the municipality

could not finalise the agreement.

Further to this, the local government elections also impacted

on the smooth finalisation of the activities that are linked

to the agreement including putting into effect the court

order. To this end, the Department of Co-operative Governance

and Traditional Affairs has advised that the two parties are

now preparing to go back to court to adjudicate on the matter,

and for the court to grant the final order in order to bring

finality to this dispute. This means that as far as Eskom

Distribution Agency Agreement is concern, this is still

subject to the court process.

Hon Chair, notwithstanding the court processes, the newly

elected leadership in that municipality has acknowledged the



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debt owed to Eskom and has equally expressed its commitment to

servicing the current electricity account. This demonstrate

the political will by the municipality leadership to find

mechanism to reduce Maluti-A-Phofung Local Municipality’s debt

and ensure that Eskom is paid for its services. Thus ensuring

interruption of supply of electricity to the municipality.

This commitment is evinced by a joined statement on 22 April

2022, wherein Eskom and Maluti-A-Phofung Local Municipality

announced a breakthrough in this long standing impasse to a

smooth delivery of electricity in the area in terms of this

development. The parties have agreed that Eskom will install

protective equipment on Maluti-A-Phofung Local Municipality

substations. The municipality will switch off all the

substations so that Eskom can switch back power without the

risk of tripping. Eskom will change the billing date from 15

to 28 of each and every month. The municipality will pay its

current account for the next six month and thereafter engage

Eskom on the payment of their areas debt. Thereafter, the two

parties will reopen the active partnering discussion.

It is our understanding that some of these areas of agreement

have already been met by Maluti-A-Phofung Local Municipality.



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This is a good sign towards finding a lasting solution to the

problem of sustainable services that must be delivered to the

people of Maluti-A-Phofung. Thank you, hon Chairperson.

Ms L M KLEYNHANS: Thank you, Chairperson, and Deputy President

for your response. However, the agreement which you referred

to has already failed because Maluti-A-Phofung Local

Municipality could not make the second payment on the current

account which they had agreed to do.

Deputy President, 280 000 residents of Qwa-qwa in Maluti-A-

Phofung Local Municipality have been engaging in desperate violent

protest due to an almost complete lack of electricity and consequent

lack of water, closure of schools, clinics and businesses. The

special economic zone and factories near Tshiame, were without

electricity for 50-days in December and January this year.

In June 2021, you said in this House Maluti-A-Phofung Local

Municipality, must sign and implement the Eskom agreement as ordered

by the Gauteng High Court on 8 June. To date, 10-months later this

has not happened. The proposed Eskom agreement was first tabled in

the Maluti-A-Phofung Local Municipality Council after more than two-

years of high level negotiations in the Eskom Task Team, of which

you were the Chairperson.



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Deputy President, have you done anything from your side to ensure

that the court order is honoured. If not, why not? And if so, why

has it failed? We all know that this is a different sphere of

government, but there are mechanisms to intervene. Do you as the

Deputy President have so little authority to persuade your comrades

to follow the law in the interest of the people?

The DEPUTY PRESIDENT: Thank you, hon Chairperson. From the

side of our office, we have done everything possible to get

these two parties together. We were also involved in the

drafting of the agreement. The delay in the implementation was

caused by the fact that the municipality must do public

consultation. It took forever until the local government

elections. And beyond that, the leadership of the municipality

was voted out. There is a new leadership in that municipality

that came in and acknowledged the debt. And they went to

discuss with Eskom about how they are going to repay. As we

speak, the municipality is paying and after six months the

municipality would be able to sit down and review the

agreement which they hope they must enter into. In the main,

they want to enter into this agreement because the want to put

new smart meters so that the billing system is corrected. They

are entering into this agreement because of the illegal

connection that is now overpowering the substations. That is



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why they are saying the municipality will switch off all the

substations. And that Eskom will switch them on so that they

run away from overloading these substations because if they

trip on their own they will cause a lot of damage. So, Eskom

should monitor the switching on of these substations and

ensure that there is no further damage.

Hon member, where I am sitting, I can assure you that these

two parties are making progress, because there is an

acknowledgment now and they are working together. And we

should support them. Thank you very much.

Mr T S C DODOVU: Thank you very much, hon Chairperson. Let me

take this opportunity to also thank the Deputy President for

the comprehensive response to the question. As you said,

currently, the municipality is under the coalition of Maluti-A-

Phofung and the DA. All of these problems are experienced

under that coalition and not the coalition of the ANC because

at the time there were payments to Eskom as such.

Having said that, I want to ask the Deputy President that

given the fact that the municipality and Eskom have reached

this breakthrough on a longstanding impasse on 22 April 2022,



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what would the role of the Deputy President be as a leader of

the rapid response intervention on service delivery and

troubleshooting to ensure that the very same municipality of

Maluti-A-Phofung, and Eskom stick to the conditions of the

agreement? Because, if any of the parties fail to honour the

agreement that would cause more problems to the municipality.

Thank you very much.

The DEPUTY PRESIDENT: Thank you, hon Chair. Our role is still

valid in this impasse. We are going to request the two parties

finally to enter into agreement. Because firstly, their

billing system has totally collapsed. It is incorrect and

people are being billed monies through an incorrect system.

So, Eskom has agreed that they can help the municipality to

put new smart meters that will give us an almost better

billing system. That is the first point.

Secondly, again, the municipality is buying electricity and

the demand out there is more than what the municipality is

buying. So, you have got more illegal connections out there

than what the municipality can afford to buy. We need to

separate all the illegal connections from those people that

are legally connected to the grid. And that can only be done



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by Eskom so that finally the municipality can get out of this

debt, and work together with the Eskom team so that eventually

Eskom will get its money and people get electricity. We will

insist on this agreement to be signed, finally. Thank you very

much.

Mr M A P De BRUYN: Thank you hon Chair. Deputy President

seeing that numerous municipalities face the same problem as

Maluti-A-Phofung regarding their debt to Eskom, would it be

considered to implement the same type of procedures, and not

necessarily the court mandated where Eskom can collect

directly from the public to ensure that debts from defaulting

municipalities to Eskom are being attended to and especially

for the municipalities that do not honour their payment

agreements to Eskom?

The DEPUTY PRESIDENT: Thank you, hon Chair. Currently, a

number of municipalities are battling to repay their debts.

It’s uneven, they are paying this month and not paying the

following month. As the Task-Team, we have proposed to these

municipalities that they should enter into an agreement with

Eskom so that they can find a way of managing these debts and



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correcting their billing system so that services are not

disrupted.

We’ve not yet received responses from these municipalities.

That we’ve done to the leadership of municipalities that

happened before the elections. So we’ve not spoken to the new

leadership of our municipalities that were elected after the

election.

But I agree with the hon remember, that is the right path to

follow. Because mostly, these municipalities lack necessary

expertise to deal with this problem. So, the best is to bring

Eskom closer, help municipalities to manage their electricity

and their distribution network. Some of the distribution

network has been breached by communities and they are stealing

the electricity. So, Eskom must come in and help

municipalities to try and clean the distribution lines.

The only solution is to have municipalities partnering with

Eskom in the delivery of electricity. Thank you very much.

Mr M S MOLETSANE: Deputy President, the delay in reaching an

agreement reveals the lack of leadership capacity and lack of



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willingness to manage or resolve the electricity crisis in

this country. As just last month in April, three members of

the community of Makwane in Qwa-qwa who were shot with live

ammunitions during a protest while demanding restoration of

electricity. Why else has it taken so long to reach a waking

agreement with Eskom in this province? As the delays amount

to nothing more than a deliberate attempt at collapsing the

economy. Thank you, Chairperson.

The DEPUTY PRESIDENT: Thank you, hon Chairperson, the hon

would appreciate the fact that local government is a sphere of

government on its own, it’s autonomous. The only way to

intervene in a municipality - You have got different

legislations that can allow you to intervene in a

municipality. In our case, we were trying to bring two parties

together to find a solution. We were not imposing ourselves,

but we were looking at what is best for the people. In this

case, I must say however that we were disappointed by the

leadership of the municipality then, because they were

dragging their feet and not willing to enter into this

agreement with Eskom. I would like to say, this time around,

we are encouraged by the leadership that is leading the

municipality because on their own volition, they have



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approached Eskom and have acknowledged the debt, and have made

arrangements to pay. They are going to review these

arrangements after six months. So, we are now entering a new

phase which is giving us hope because the leadership of the

municipality is now prepared to work with Eskom to deal with

the problem. That would encourage. Thank you very much.

Question 9:

The DEPUTY PRESIDENT: Thank you, hon Chair. Government

understands the negative impact of inefficient business

processes and regulatory barriers on business investment and

activity. To overcome these challenges, the Presidency has

prioritised the co-ordination of government measures on the

ease of doing business in the country. As communicated by the

President earlier this week at the Africa Mining Indaba, these

regulatory and administrative efforts anchor our economic

recovery and our reconstruction efforts. In this regard, a Red

Tape Reduction Office is being established in the private

office of the President, and was announced by the President in

the 2022, state of the nation address. This work augments

initiatives that are already underway through Operation

Vulindlela, which is focused on resolving regulatory reform

blockages in network industries, speeding up the issuing of



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mining and water licences, as well as environment

authorisations. This office will deal with policy and

regulatory matters that are co-ordinated at national

government level, and also focus on the resolutions of

provincial and local functions, in partnership with the

Presidential Co-ordinating Council.

Currently, ongoing efforts within government are focused on

resolving the following impediments to business investment in

township and rural communities: Inefficient delivery of basic

services by municipalities, poor customer relationship

management systems in municipalities, inadequate municipal

policies and bylaws as well as regulations, inefficient supply

chain management processes across government, lengthy land

development processes and their turnaround time, lengthy

building plan approval processes and their turnaround time,

and poor management of informal traders by municipalities.

In resolving these impediments, the focus is on establishing

standardised regulations across all spheres of government for

emerging businesses, in an attempt to enhance economic growth

and create employment. Whilst all our efforts are directed at

resolving these issues, there is already significant work that



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has been undertaken to reduce red tape and promote the ease of

doing business. Part of these efforts, include championing of

the Sub-National Doing Business Reforms by National Treasury

and the Department of Trade, Industry and Competition, which

is tracking progress in metropolitan municipalities across

four regulatory areas. These address issues of construction

permits, getting electricity, registering property and

enforcing contracts.

The initiative is being implemented through the city support

programme, to inspire better regulatory practices, improve the

experiences of small businesses, and to encourage

entrepreneurship. Government is supported by the World Bank

Group, the Swiss State Secretariat for Economic Affairs and

the United Kingdom Prosperity Fund in this initiative. Indeed,

we have found that there are good practices in South Africa

comparable to other developed countries. Of course, there is a

potential for improvement through the emulation of good

practices where we may be lacking.

Since the start of the Sub-National Doing Business Reforms

initiative a number of key reforms have been achieved, which

have benefited small, medium and micro enterprises, SMMEs,



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irrespective of their location. These include: The launch of

the Biz Portal, which is a new integrated digital platform for

companies to register to ensure smooth and seamless business

registration; simplifying construction permits through

automation and circulation internally of site development

plans for stamps by the Land Use Management department within

all metropolitan municipalities; reducing the number of

procedures, time and cost for SMMEs to obtain permanent

electricity connection and supply, and to improve the

reliability of supply, transparency of tariffs and the price

of electricity; registration of property has been made more

transparent by publishing the list of documents required in

conveyancing on the new deeds website and less costly by

reducing the transfer tax. Thank you very much, hon

Chairperson. [Time expired.]

Mr M I RAYI: Thank you very much, hon Chairperson. Greetings

to the Deputy President, and thank you very much for the

response. Hon Deputy President, the red tape in government

around approval of licences and other business related

application is both systemic and deliberate act by some

government officials who are soliciting bribes and kickbacks.

Accordingly, government efforts to enhance the ease of doing



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business as announced by the President in the state of the

nation address do not just about enhancing efficiencies, but

change of values, mindsets and work ethos in favour of

transforming the economy to benefit the majority.

Hon Deputy President, are there plans and programmes for

reskilling and retraining of public servants across the three

spheres of government about this new approach, and will there

be consequences against the public servants who want to

continue with the red tape and corruption? Thank you very

much, hon Deputy President.

The DEPUTY PRESIDENT: Thank you, hon Chairperson. We must get

the outset, since as government we are committed to only not

root out corruption, but to strengthen the environment in

which public representatives and officials alike perform their

duties and responsibilities to the highest standards of ethics

and integrity. The code of conduct requires that government

departments to establish ethics committees and to appoint

ethics officers as one of the means of strengthening good

governance and ethical conduct in the public service.



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Furthermore, as part of government efforts to ensure that

public service employees are at all levels displaying the

highest level of integrity and accountability. The National

School of Government provides various training programmes to

officials in the public service which are targeted at

improving the delivery of services and bringing back the

integrity of the state. The National Anticorruption Strategy,

Chairperson, you will remember that it was adopted in November

2022, which seeks to strengthen the fight against corruption.

The strategy rallies everyone towards a common goal in the

fight against corruption. In reducing the red tape, the

introduction of automating various administrative processes

has also presented an opportunity for training of our

officials in these measures. Thank you very much, hon

Chairperson.

Mr N M HADEBE: Thank you, hon Chairperson. Hon Deputy

President, we can agree that people of this country,

especially the rural and township economy must not find it

difficult to conduct business in their own country. However,

... [Lost connectivity.]



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The CHAIRPERSON OF THE NCOP: Hon Hadebe, please unmute and go

on.

Mr N M HADEBE: However, legislative requirements are not

always a bad thing as it protects illicit activities which

impact on economies such as rural and township due to copper

theft. Given the losses that Passenger Rail Agency of South

African, Prasa, and Eskom face due to copper cable theft and

the effect on these economies, I would like to know whether

government will consider imposing tighter regulations on

recycling companies to trade copper and rather grant licences

to certain companies to receive it in a bid to stop theft and

maintain records. If so, how will all types of economies

allocated these licences to trade copper. Thank you, hon

Chair.

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson. As

government we have committed ourselves to deal with

inefficient delivery of basic services by municipalities

together with the provincial government. We’re going to work

together with these other two spheres of government where we

will converge at the district level. Therefore, we consider

that platform a very important platform that will enable the



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three spheres of government to talk to each other. It is at

that level that we are going to deal with inadequate policies

in municipalities, inadequate bylaws and regulations. We will

also deal with supply chain management, and the lengthy

process of land acquisition and the turnaround time shortened.

The time we take in approving a business plan or a building

plan, whatever plan, the time we take to approve an

environmental assessment study, all those needs to be

shortened so that we can allow businesses to do their work as

quick as possible.

However, that should not mean that we are going to allow

illicit behaviours, we will open doors for criminals to come

and corrupt the system, but we are also interested in pulling

all the informal traders and make them formal through our

bylaws and through our regulations so that everyone who is

trading is trading in a formal way, and recognised within the

laws of this country. Therefore, we will resolve all these

impediments at the district level where we meet with

municipalities and meet their provinces, because some of the

rules belong to municipalities, some of the rules belong to

the provinces and some of the rules belong to national

departments. Therefore, together we must meet and shorten the



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time to do business. In that way we’ll be dealing with the red

tape. Thank you, hon Chair.

Ms M O MOKAUSE: Chairperson, I’ll be taking this moment of the

EFF. May I continue?

The CHAIRPERSON OF THE NCOP: Please, proceed.

Ms M O MOKAUSE: Thank you, Chairperson of the Council. Deputy

President, what we are seeing in the Ministry of Small

Business Development is completely clownish and playing with

people’s minds, and these people are those who are serious

about doing business. They suffer because of lack of

consequence management from the ANC government. Those who

defrauds the system knows that there’s absolutely nothing that

will happen to them. Don’t you see this move of directing

dealing with the red tape to the Presidency as a duplicate of

responsibility between the Presidency and the Ministry of

Small Business Development. Therefore, in a way do you agree

that this move might be translating into a motion of no

confidence on the Ministry of Small Business Development?

Thank you, Chair.



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The DEPUTY PRESIDENT: Thank you, hon Chairperson and thanks to

the hon member. I don’t see this move really as showing a vote

of no confidence to any Ministry. However, I think this move

is trying to address a real problem which does not really rely

on what is happening on the Ministry of Small Business

Development. There are number of Ministries that must also

deal with the red tape. I can put an example of the Ministry

of Environment, Forestry and Fisheries, they are responsible

for environmental impact assessments, EIAs, that take ages to

approve ...[Inaudible.] will wait for an EIA to be approved

before they can start. It will take a year and we are also

concern as government this side were saying people must come

and invest in our country and we take a year to approve an

environmental assessment start. Now, to give a licence, water

licence, it takes two years.

Therefore, we are now busy with all these red tapes, we are

shortening the timeframe and we want to know why should take a

year, why should take two years to issue a water licence. So,

there are many red tapes in government which are not really in

consonance with the way we want to boost our economy. We are

calling for investments, we want to grow the economy, but when

you get into the system, the system slows you down. Therefore,



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this is what we are doing in trying to introduce this so that

the President as head of government must know what is

happening, why this delay of issuing a water licence, and why

this delay of issuing an environmental impact assessment. So,

I don’t think really we are targeting any Ministry, we are

passing a vote of no confidence to anyone, but I think we’re

trying to address the system itself. Thank you very much.

Ms H S BOSHOFF: Thank you very much, hon Chair. If I may, good

afternoon, hon Deputy President. Deputy President, will you

today prove to us that you really care for township and rural

development by: one, agreeing to adopt the Ease of Doing

Business Bill as introduced by the DA to the NA; two, by

committing to ensure that the Gauteng Township Economic Bill

which was promulgated into law on Friday 29 April 2022, does

not run a roughshod over the constitutional rights of foreign

national; and three, finally tell us how you will handle all

the possible threats levelled against you and your government

to challenge this law by a pro-migrant lobby group. Thank you,

hon Chair.

The DEPUTY PRESIDENT: Thank you very much, hon Chair, and

thanks to the question. Well as government we are open to any



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persuasion. We are open to listen to any advices that seek to

improve the current condition, and we would be happy to look

at the DA’s proposal. However, remember a proposal is a

proposal. We can take what is good from the proposal and leave

what we think is not good. I think we should appreciate that.

However, from the side of the President we have acknowledged

the shortcoming and the failure of government to support

business.

Now, this initiative that the President has taken to introduce

this office in our office is to try and respond to this

challenge and I think it’s adequate we have got now two

separate offices. We have got Operation Vulindlela which is

also seeking to look at the progress of implementation of our

programmes, and why the delay. However, the red tape office

will always pick up specific areas that must be addressed

which we feel as government we need to shorten the timeframe.

Outside criticism that are coming from the public there are

areas where we see ourselves as government that they are not

user-friendly, and they are not promoting the ease of doing

business. Thank you very much.

Question 10:



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The DEPUTY PRESIDENT: Hon Chairperson, if I remember well, we

have in the past responded to this question in both Houses of

Parliament, wherein as the Executive, we reaffirmed our

commitment to fulfil our constitutional obligation of

accountability to Parliament. The Constitution stipulates that

Cabinet members are accountable collectively and individually

to Parliament for the exercise of their powers and the

performance of their functions. To give effect to this,

Parliament developed its own mechanisms to monitor outstanding

responses to Parliamentary Questions by members of the

Executive.

The Speaker of the NA further proposed new mechanisms to

monitor outstanding responses to Parliamentary Questions by

members of the Executive, which were adopted in August 2021,

and effected as amendment to the rules. Similarly, we have

used the same mechanisms to monitor responses to Questions

from the NCOP. For our part, the Leader of Government Business

in Parliament has taken the necessary steps according to the

Rules of Parliament to ensure Executive accountability to

Parliament.



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At every Cabinet meeting, we present a report on parliamentary

matters including scheduled appearance by Ministers through

their various clusters, to brief and account to Parliament. As

part of this report, the status of all outstanding responses

to questions for written reply in both the NA and the NCOP is

presented to Cabinet.

An Hon MEMBER: [Interjection of conversation on phone]

The CHAIRPERSON OF THE NCOP: Can we have some order there? We

cannot have that background noise disturbing the Deputy

President whilst he is dealing with the questions.

Ms M O MOKAUSE: It is the ANC people.

The CHAIRPERSON OF THE NCOP: So, order hon members, order.

The DEPUTY PRESIDENT: Thank you, hon Chairperson, we do write

to members of the Executive requesting them to prioritise

responding to unanswered written questions within the

stipulated timeframes. Where applicable, members of the

Executive with more than ten outstanding responses are

expected to provide reasons for not responding within



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stipulated timeframes, and to further outline remedial actions

to identified shortfalls.

Furthermore, the Office of the Leader of Government Business

in Parliament, conducts an analysis of selected responses to

ensure their accuracy and relevance. Through these efforts, we

monitor that the Executive complies with the Rules of

Parliament in the execution of their responsibilities to

ensure transparency and accountability to Parliament. We do

this not only to satisfy the obligation of accountability to

Parliament, but equally, to deepen public trust in our

institutions and the functioning of the state in line with

democratic ethos as entrenched in our Constitution.

We wish to reiterate that the majority of members of the

Executive do make every effort to ensure that they comply with

these rules. However, in instances where members have not

fully complied, such reasons must be communicated procedurally

to the Presiding Officers. Records will show that there is

discernible improvement in this regard.

We appeal to hon members, especially of the NCOP, that in

instances where questions should be directed to provincial



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legislatures, we should try to do so as this ensures that

accountability is sought through applicable, pointed and

relevant forums. This would shorten the turnaround time for

submission of replies and the quality thereof.

As the Executive, we want to reiterate our commitment to our

constitutional obligations to Parliament including supporting

all appropriate accountability mechanisms. Thank you very

much.

Mr S F Du TOIT: Hon Chairperson and Deputy President, I posed

the question to the Minister of Defence and Military Veterans

on 02 August 2021 and that was not answered in time. I

followed it up on November 2021 as well as on 2 February 2022.

A vague answer to the question was given on 10 February 2022.

Deputy President the relevant question referred to was how

many if any weapons, ammunition, bombs, hand grenades, etc.

were handed over by uMkhonto weSizwe soldiers after 1994 and

if details of such could be provided. The Minister replied

that the Ministry did not have records of the numbers of these

items listed in question that were handed over.



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Clearly, there must be records if any weapons, bombs,

ammunition etc. were handed in were and or destroyed after

being received. My question Deputy President is that in the

light of the above and your initial answer, how will the

Minister be held accountable and what process do you suggest

must be followed to get a comprehensive answer with the

relevant figures and details within the prescribed timeframe?

Thank you, hon Chairperson.

The DEPUTY PRESIDENT: Hon Chairperson, I think to cut matters

short, I should request all members to register their

dissatisfaction with the Office of the Leader of Government

Business where they feel a bit unhappy either with the

response or the turnaround time. This will make us to avoid

talking generally, we must talk to specific problems so that

we get them resolved even for the future. So, I will request

that if hon members can, through the Chairperson, register all

their dissatisfactions that they have encountered with the

members of the Executive where they think members did not give

satisfactory answers, let us sit and look at that. That is why

there is an office of the Leader of the Government Business in

Parliament so that we can address and talk about these

matters.



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I do not think that Ministers are doing this deliberately just

to avoid accountability. We know all of us, we are accountable

here as a collective of Ministers. We are also accountable as

individuals in our different portfolios. Thank you very much.

Mr D R RYDER: Hon Chairperson, Deputy President, I hear you

saying that we must refer these things to you and give you

specifics. This has been done and you referred it through to

the President. But now there was a report from Parliament

recently that indicated that there exists a problem with the

handling of Questions. According to that report, the biggest

offender, as a follow up to the question of hon Du Toit, is

the Minister of Defence and Military Veterans.

This Minister was previously a Speaker of the NA. So, it is

ironic that a person who held an office that is responsible

for the entire oversight role of Parliament or the Executive

is now the Minister delinquent member of the Executive. You

asked for specifics, so let us focus on this specific

question. You are the Leader of the Government Business and

yes, we are giving it to the Leader of the Government

Business. A specific Question 220 of 2020 by George Michalakis



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to the Minister of Co-operative Governance and Traditional

Affairs and I quote:

Which municipality is regarded as the capital of the

Republic of South Africa?

The reply that came back from that Minister was:

The information requested by the hon member would be

submitted as soon as it is available.

Deputy President your Minister did not know where our nation’s

capital is. So, in preparation for today’s Question session,

we reminded her, knowing that this was going to come up, that

the answer was still outstanding, despite of the fact that she

was ridiculed at the time in the media because of this. And,

by George, she finally answered after two years. Her and her

inept team of overpaid advisors finally answered. However,

they only identified one of our country’s three capitals, but

she did answer. Yes, one out of three, well 30% is the pass

mark by the ANC’s standards.



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Here is the question Deputy President, the President seems

unwilling to take the action against these delinquent

Ministers, as the Leader of the Government Business, this now

reflects directly on you. What have you done to restore the

dignity of the Executive in spite of its members. Thank you

Chair.

The DEPUTY PRESIDENT: Hon Chairperson thank you for the

question. I am happy that we are now narrowing everything to

become specific. I will request that I single out this

specific question to the hon Minister so that we deal with it.

As I have said in my reply that every time that I present a

report to the Cabinet on the performance of Ministers in

Parliament and in the NCOP in answering questions, I always

point out at Ministers that are lacking behind and write to

them and request explanation as to why. Some of the Ministers

when they answer to such enquiry, bring forward the point that

some of the questions requires them to seek information from a

municipality and from a province and that affects the

turnaround time and make it longer.

That is why I even proposed in my answer to say if a question

revolves around a certain municipality and the question is



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asked by the DA, it would always better to request councillors

of the DA to ask that question directly to that institution so

that we save time. If the question is about the province, it

is always better to ask MPLs to ask those questions there so

that here you look mainly at national departments and their

roles. This is what I said when I asked Ministers why are they

delaying. They give some of this explanation as reasons to the

delay but however with this specific question about the

Minister, I am prepared to take it up and resolve it finally,

so that we understand each other. If the Minister is on the

wrong, we correct that.

The essence of the Leader of the Business of Government is to

ensure that we do comply and you are correct to always remind

us when we are not complying in a particular area. I am here

and I am saying that I want to take up this matter because

complying here is not a matter of choice. It should be an

obligation that we carry as members of the Executive Council.

Ms M O MOKAUSE: Hon Chairperson, I will take the follow up

question for Lehihi. Deputy President, Parliament stands at

the centre of constitutional mechanism for holding the

Executive to account. Failure to respond to parliamentary



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questions therefore amounts to a direct attack and a violation

of a South African Constitution. This a practice which has

gone unabated by the President and his Cabinet. We know this

to be true as just last year in 2021, the President and his

Cabinet did not answer 175 Questions for written reply

responses.

Does the Deputy President, therefore agree that the President

and his Cabinet have no respect of the Constitution principle

of accountability as the measure put in place to hold them to

account? Thank you Chairperson.

The DEPUTY PRESIDENT: Hon Chairperson, I am aware of the

questions that finally lapsed during the end of the year. It

was mainly because some Ministers did not answer those

questions within the stipulated time. They are still within a

framework of not more than 10 questions a Minister must not

answered. So that means if a Minister has got nine questions

not answered, the Minister is persuaded to answer the nine

questions but if it is above 10 questions it becomes a

problem. Then we will do all sorts of things to get the

Minister to answer.



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At the time when all the questions lapsed, Ministers were

owing responses. Now, we want to find a mechanism that we get

these questions to be answered to even they have lapsed. We

need a mechanism that will be acceptable to Parliament so that

we do not allow this practice to go on. We must apologise for

those outstanding questions that finally lapsed. Going forward

we are going to insist on the members of the Executive. Myself

and the President do not owe any questions. It might be the

Ministers who owe questions but I do not think that

constitutes a defiance, that people do not want to respect the

institution of Parliament. It is an omission that must be

corrected which I take it as a Leader of the Business

Government and I have already conveyed your disappointment

about question to the Cabinet. So, our apology. Thank you very

much.

Mr K M MMOIEMANG: Hon Chairperson, allow me to convey my

gratitude to the Deputy President for the comprehensive

response that he has given to the questions and in his

response, the Deputy President made reference to the selected

response to questions in order to have accuracy and

accountability. My question Deputy President is, have there

been an instance where a Minister raised a stipulated period



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with which to respond as a problem or as a challenge? Deputy

President, would this necessitate an approach to amend the

rules for a reply to questions to be given in 20 days instead

of 10 working days? Thank you Chairperson.

The DEPUTY PRESIDENT: Hon Chairperson, let me thank the hon

member for the question. Indeed, a number of Ministers when

asked about why are they not answering the questions on time,

they would site one or two challenges. The first challenge is

that, for them to answer that question, they must collate the

information outside their spheres of government. That means

they will have to go out, to that province to seek information

and also to the municipalities. That affects the turnaround

time.

We also advised the Ministers that if they find themselves in

such a predicament, they should write back to the Parliament

and the NCOP to indicate that they are delaying in terms of

answering the questions. They would then request some

extension of time because that is allowed. The NCOP can give

an extension of time if the reasons given are sound. So, we

have advised the Ministers to do that so that they must



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indicate to Parliament beforehand that they are unable to meet

the deadline and furnish the reasons.

In terms of Rule 249 of the NCOP, it provides that if you are

unable to answer a question for a written reply that written

reply can be converted to an oral reply. We must explore all

mechanisms to get the members of the Executive to account.

From our side, we will do our best to report to the Presiding

Officers about the work we do as the Leader of the Government

Business and where we encounter problems we are going to

report to the Presiding Officers.

The Presiding Officers have a right to impose sanctions to the

Ministers that are really not adhering to the timeframes in

terms of questions to be answered. Thank you very much.

Question 11:

The DEPUTY PRESIDENT: Our response last month stands that we

will monitor and provide support to the Premier of the

Northern Cape province in addressing the situation of sewer

spillages in Sol Plaatje Local Municipality, as we do

elsewhere in similar cases.



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As we outlined in our written response to the hon member,

action is being undertaken to fix sewer spillages affecting

the Platfontein community. In this regard, the provincial

executive council of the Northern Cape has established an

interdepartmental committee that must identify the main causes

of the sewer spillages in Platfontein, assess the extent of

the damage and submit a costed plan with recommendations on

how this challenge will be resolved.

The Department of Water and Sanitation is also working closely

with the province on efforts to resolve sewer spillages in

Platfontein, to ensure that economic activities are not

disrupted. To this end, the province has advised that bulk

water pipes from Riverton to Kimberley are experiencing severe

leaks which have contributed to the obstruction of the R31

road and access to the surrounding areas.

The Sol Plaatje Local Municipality has since carried out

maintenance of major water leaks, improving turnaround times

for reported and observed water leaks. The Sol Plaatje Local

Municipality has since announced a water shutdown so as to

conduct much-needed repairs to the bulk water infrastructure.

During this shutdown, new equipment will be installed to curb



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contamination of the drinking water and further spillages.

This operation is intended to improve water production

efficiency and to maintain the acceptable quality of water

supply. In order to avert future spillages and damage to

infrastructure, the municipality has committed to ensuring:

Firstly, that regular inspections on water and sanitation

infrastructure is conducted;

Secondly, to conduct the refurbishment and reinforcement of

the Thlageng Dam; and

Thirdly, the upgrading of water and sanitation infrastructure

to minimise incidents of leaks, pipe bursts, sewage spillages

and sewer failures.

Furthermore, the Department of Water and Sanitation has

assisted the Sol Plaatje Local Municipality with repairs to

the Gogga Sewer Pump Station, which has significantly reduced

the volume of sewer spillages in the area, as well as repairs

to the Carters Ridge Sewer Pump Station that is still in

progress.



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As far as the maintenance of the R31 road is concerned, the

province has advised that the provincial Department of Roads

and Public Works has begun upgrading the road to ensure that

there are no further disruptions to economic activities. It is

anticipated that on completion, this intervention will provide

a permanent solution to this challenge.

As the Interministerial Committee on Water and Sanitation, we

are satisfied with the progress reported and we commit to

continue monitoring this work to ensure access to water and

sanitation services by all the residents of Platfontein. Thank

you very much.

Ms D C CHRISTIANS: Thank you very much, House Chairperson.

Deputy President, in your reply to me about the sewer and road

issues in the Sol Plaatje Municipality, you indicated that

should it become necessary for you to intervene, you would do

so yourself. At that time, the R31 road was not closed.

However, since then the R31 has now completely collapsed. From

Kimberley to Daniëlskuil and all the way to Kuruman, commuters

have been affected. Millions of rand of repair work is being

done to lift the road up by 1,5 metres from the sewerage,

instead of fixing the sewer issues. The sewer and fresh water



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leakage continues to raise by 40 millimetres per day. That

means that 64% of fresh water is also lost due to leaks, and

no matter how high they lift that road, Deputy Chairperson, it

is a temporary solution, as that sewerage and freshwater

continues to leak.

Sewerage is now also spilling to the N12 road in Kimberley.

All these sewer spillages are a huge health risk to the

community of Kimberley and Platfontein as very soon illnesses

such as cholera, *E.coli*, typhoid fever will be the next

disaster.

Deputy President, once again the community of Kimberley is

without water this entire weekend. Will you today give me a

date of commitment to an oversight visit as well as a date for

a public meeting open to the community of Kimberley so that

you can witness the further and total collapse of the water

and sewer system in the Sol Plaatje Municipality yourself?

Additionally, Deputy President, and more importantly, will you

give Sol Plaatje a timeframe and financial commitment to fix

the collapsing sewer system in this municipality? Thank you

very much, House Chairperson.



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The DEPUTY PRESIDENT: Thank you very much. The challenge of

the sewer spillages in Sol Plaatje ... I took the Minister of

Water and Sanitation, we visited the area, we saw the sewer

spillage and we committed ourselves that the Department of

Water and Sanitation will support the municipality in trying

to deal with the sewer spillages. The report that we got is

that they are dealing with the sewer spillages and the sewer

treatment plant is now working. So there is progress.

Now, according to the hon member, this problem still persists.

I will gladly set aside time to go and visit again so that I

can see the progress that has been made. Now, I am sure we

will come back and after that visit we will respond to the

National Council of Provinces ... a response through the

Office of the Chairperson, so that all members can have an

idea of what is happening in Sol Plaatje as with regard to the

sewer spillages.

With regard to the R31 road, we have been given a response

that the road is under construction. They are improving the

level of the road, increasing it by 1,5 metres and they are

working on that. The pipes ... the bulk water pipe has been



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fixed and we are assured that very soon there will be water in

Sol Plaatje and Platfontein.

So, we will also monitor this work on the road and the

availability of water as they are trying to fix the road.

However, from the reports that we have got, there is

improvement. Yes, the R31 road is closed now but there are

bypasses. There are roads that can go to either Kuruman via

Kimberley. They vary in terms of kilometres. However, it’s not

that the closure of this road can stop economic activities

because there are other routes that can be used. They might be

longer than this one. However, this is not forever. It’s a

temporary measure as they are fixing the road. I think it will

be opened. Thank you very much.

Mr N M HADEBE: Thank you, House Chairperson. Hon Deputy

President, in general the state of our roads in South Africa

is in dire need of reform, especially the Moloto Corridor,

Standerton, the N2 in KwaZulu-Natal between Umgababa and

Stanger and uKhahlamba, which claims many lives each year.

Government has made many promises since that the Zuma

administration to fix these roads. I would like to know what



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is this government doing to meet the objectives and ensure

that the money being allocated to provinces reaches the

intended target in respect of, but not limited to the

abovementioned road infrastructure projects, and whether there

are any consequences imposed for not meeting these objectives.

The DEPUTY PRESIDENT: Thank you, House Chair. Well, this

sounds like a very new question but I will attempt to try to

answer this question because a number of our roads need to be

repaired. Why so? It’s because we are hauling goods, we are

transporting coal, we are transporting manganese. We are

transporting all sorts of things, using trucks that are found

on our roads and the maintenance of these roads becomes very

expensive.

I can talk about roads in Limpopo, roads in Mpumalanga, roads

in the Northern Cape, where you see a lot of trucks that are

hauling manganese, lots of trucks that are hauling coal, lots

of trucks hauling platinum.

Now, this has been a challenge that the country has been

facing because of all these mineral resources that are found

underground and we are carrying them wherever we are sending



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them via our road infrastructure. Now, the best decision that

we have taken is to get this via rail. Change, get the trucks

off the roads so that there will be low maintenance. These

trucks are damaging our roads.

In certain instances, between KwaZulu-Natal and Mpumalanga,

they are hauling coal to Richards Bay and they are using

trains, which is a good improvement. However, generally yes,

hon member, the state of our roads is not in a good condition

but in the main it’s because of the heavy haulage of all

mineral resources to different places in the country. This is

the main source of damage to our roads.

I am sure with time we are going to move away from road to

rail. Transport our goods though rail. It’s the cheapest form,

with fewer accidents and low maintenance of our roads.

Ms S SHAIKH: Thank you very much, Chairperson and thank you,

hon Deputy President for the responses to the questions and

for outlining the supporting and monitoring interventions,

which are in line with the constitutional principles of co-

operative governance, as spelt out in Chapter 3 of the

Constitution.



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Hon Deputy President, I think you’ve covered my question with

regard to the closure of the R31 road between Homevale and

Barkly West. I think my interest was around the economic

activity with regard to the manganese trucks and whether there

is an alternative route for the trucks to utilise. I think

you’ve covered my question, so thank you very much, Deputy

President.

The DEPUTY PRESIDENT: Yes, I think the hon member is satisfied

with the response that I have given, that there are

alternative routes since this one, the R31, is still under

construction. Economic activities are still happening, using

those bypass ... and the road is going to be fixed. In the

shortest space of time it will be open for business. Thank you

very much.

Ms M O MOKAUSE: Thank you, House Chairperson. Deputy

President, the R31 is a killer road and that’s a fact. It’s a

death trap for road users between Postmasburg, Daniëlskuil and

Kuruman. This road is also an access road for the manganese

and iron ore corridor. There has been no proper work done on

the R31 since it collapsed and we witness disruptions, detours

which is putting a financial burden on the road users. The



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detoured roads that the Deputy President is speaking about ...

via Vryburg, which costs about R250 for commuters to access

Kimberley. Imagine ambulances that are travelling on the R31

to access the tertiary hospitals, both in Bloemfontein and in

Kimberley. People die along the road while government just

folds its arms.

Why has it taken so long for national government to intervene

in this crisis that we are facing as road users of the R31? We

have not seen any work done. It’s simply patching the road and

after a month or so the road collapses. Can we as users of the

R31 get a commitment from the Deputy President as to whether

we are going to get a proper road on the R31 and when is this

road going to be fixed and opened. Thank you.

The DEPUTY PRESIDENT: Thank you, House Chair. Well, in

response to the hon member’s question, the road is now under

construction. In certain parts of the road, yes you are

correct, we are fixing potholes but in certain parts of the

road it is being lifted because it is under wetlands. Where it

passes there are dams alongside and ... affecting the road.

So, the road is being lifted.



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We have committed to going back to see the kind of work that

is being done there and also to monitor the sewer spillages,

and probably give feedback in terms of the work that is being

done. We are doing so because we visited the area at the

request of this House and if the House is not really satisfied

with what is happening there we will once again take a visit

to see for ourselves whether the work done on the sewer

spillages and the work done on the road is satisfactory. We

can all rest assured that we will have our road back in a good

condition. We will have the sewer spillages stopped in all

communities in Platfontein.

So, I am confident that the provincial government will try its

best to deal with the road. The national government is putting

in money, in terms of dealing with the sewer spillages. I will

go and monitor those projects and probably give the House

written feedback. Thank you very much.

Question 12:

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson,

from the onset we must admit that Kusile and Medupi Power

Stations have not achieved the desired level of performance

and reliability. This is due to a combination of rational



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plant design and maintenance inefficiencies. In order to

establish for ourselves, the progress being made in correcting

the identified challenges, which in the main involves designed

effect of the power plant, the political task team on Eskom

undertook a sight visit to Kusile Power Station.

We have stressed to the management of Eskom our stance that

the defects identified at Medupi and Kusile Power Stations

must be corrected expeditiously, to avoid further project

delays and cost escalation. We can report that Eskom is making

progress in developing and influencing effective technical

solution to the major plant effects at both Medupi and Kusile

in line with the plant defect correction plan. As part of

implanting this plan, the major designed modification at all

units at Medupi resulted in a substantial improvement in the

availability and reliability of the commission units at that

power stations.

These units are now consistently achieving the designed

output, with the exception of unit 4 which suffered a

generation failure, resulting in a prolonged outage. There are

however long-term modifications, the milling plant that is

still to be carried out when maintenance outages are



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scheduled. Similar modifications have been carried out at

Kusile 1, Kusile 2 and Kusile 3 currently on the planned

outages for designed effect correction. The timeframe for the

completion of the boiler plant effect solution is October

2023, and corrections to the milling plant will be completed

after December 2027, depending on the outage availability of

units.

Hon Chair, in addition to the following, principles have been

built into the process of correcting the designed effect in

Kusile and Medupi Power Stations respectively. All defects are

dealt with in accordance with contractual conditions, liable

contractors are being held accountable, Eskom has also reached

an agreement with boiler contractors, in terms of which total

boiler defect corrections costs will be initially be split on

a 50% share basis between Eskom and boiler contractors at both

Medupi and Kusile. In order to ensure good governance and

compliance with Eskom’s commercial and procurement process,

Eskom is utilised and its legal team to redraft the contract

and to recover costs from liable contractors.

We want to take this opportunity to commend the parliamentary

oversight and work undertaken by Standing Committee on Public

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Accounts, Scopa, the Portfolio Committee on Public Enterprise

and the NCOP Select Committee on Public Enterprise for

communication to keep Eskom on check, thus ensuring it

delivers on its mandate. The recent Scopa visit at Medupi and

Kusile Power Stations compliment the work of the task team on

Eskom, and ensures that collectively we will make Eskom work

for the people of South Africa and economy respectively.

We remain concern that Eskom may have somewhat inadequately

addressed Scopa recommendations after the 2019 oversight

visit, more specifically, the continued shift in terms of the

projected completion dates on the Medupi and Kusile project.

In the main, the inability of Eskom to address Scopa’s

recommendation on Medupi and Kusile Power Stations and the

shift of the completion date, was impacted by the

implementation of the COVID-19 risk adjusted strategy.

All of this resulted in interruption to construction, the

supply of technical parts, which ultimately attracted

maintenance work and meeting the completion phase. With regard

to other government and administrative recommendation,

progress is being made to ensure that systems of

accountability are enhanced. Going forward, the political task

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team on Eskom will continue to monitor the implementation of

Scopa recommendations by Eskom in order to demonstrate the

entity’s commitment to operationalise the effectiveness,

fiscal prudence and delivery on the mandate of the power

utility. Thank you very much, hon Chair.

Ms T C MODISE: Thank you very much, hon Chairperson and good

afternoon my colleagues. Hon Deputy President, allow me to

first express my appreciation of the ongoing work done in

addressing the challenge of energy generation and supply,

including exploring alternative source of energy. The

challenge of energy generation and supply has been exacerbated

by the rampant criminality, ranging from non-payment of

electricity service even by those with means to do so.

Illegally electricity connection, vandalism and destruction of

electricity infrastructure, this contributes to unplanned

power failure, we can see even now.

Hon Deputy President, my question is, is there any integrated

plan by government department within the three spheres of

government to safeguard and protect the entire Eskom

electricity network and infrastructure using the existing

advanced technology?



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*Setswana*:

Ke a leboga, Modulasetilo.

The DEPUTY PRESIDENT: Thank you, hon Chairperson, and thanks

for the question. Well, hon Chairperson, the entire grid, the

network that transmit the entire energy from power station to

the end-users, that grid belongs to Eskom. All the power lines

that you see, they belong to Eskom and Eskom has got a

responsibility to maintain and ensure that these power lines

are safe from all kinds of criminals. There has been no

problem in terms of the grid, except in cases where there are

disasters, but Eskom has got a capacity to fix those.

As the task team on Eskom, in trying to assist Eskom in terms

of their revenue collection, we have put aside a multi revenue

disciplinary committee which comprises of departments like

Cogta, departments like Public Works to ensure that government

departments are the ones that must be seen paying for the

electricity that they consume. I can safely say here that all

national government departments have paid their debts. We are

struggling in terms of municipalities, some are paying, but

they are defaulting their time.



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We are still dealing with that aspect of our revenue

collection. There is, of course, some growing concern from

members of the task team about the inability of certain

municipalities to pay, and therefore, I’ve heard, hon members

of this House proposing that the kind of agreement that we are

working on between Eskom and Maluti, that should also be

escalated to all other municipalities that are unable to pay,

which I think it’s a proper way to go. But all in all, there

is progress in the right direction in terms of the maintenance

of the grid, the network.

More work needs to be done at a distribution point where the

municipalities are taking over taking the electricity to

household. We must also do some work in terms of illegal

connections to remove those because that is where we lose

electricity. Thank you very much.

Ms M O MOKAUSE: Thank you, Chairperson of the council, Deputy

President, Eskom board member Busi Mavuso went to Scopa and

absorbed Eskom management of any responsibility of the mess

that Eskom is in, and laid a blame squarely at the ANC

government. Whilst blaming the ANC government is correct and

is in order, what is the presidency’s view on her refusal to



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account for the failures of the present leadership at Eskom,

taking into account that the present leadership has been in

power for the couple of years now? Is it correct, to also put

the blame of load shedding squarely on this leadership of

Eskom. Thank you.

The DEPUTY PRESIDENT: Thank you very much and thanks for that

question. Well, with regards to Eskom, we’ve got a board there

that is responsible for the day to day management of the

utility, and we have got the administrative arm of the utility

that is led by the CEO. So, really as the person who is

leading the task team, I have not seen any interference either

by myself who is leading all the Ministers that are trying to

assist Eskom, I have not seen the interference of the Minister

responsible, so, concerning the interference that you spoke

about, that can be debated.

All we trying to do, is to try and help Eskom to meet its

obligation and all that we can request is that the board must

do its work and ensure that they deal with the problems that

are affecting Eskom. Let us all work together. It’s pointless

to point fingers at each other and leave the challenge. It’s

up to this generation which is confronted with this problem to



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stand up and solve this problem. We will be failing the nation

and our people if we continue pointing fingers at each other

and not resolving the problem.

So, the duty of the political task team is to try very hard to

ensure that you put a helping hand, help Eskom to deliver on

its mandate. The country must have reliable energy supply so

that we can create the necessary jobs that we need. We can

allow businesses to grow, in turn, we will be able to deal

with unemployment; we will be able to deal with poverty and

inequality. Thank you very much.

Mr M A P De BRUYN: Thank you, hon Chair. Hon Deputy President,

according to reports and as well as the media, Eskom and

relevant contractors are currently sharing the cost on a 50-50

basis, to rectify this designed defects at this power plants.

Now, my question will be, why rather engineers or and the

companies that are responsible for these designed effects in

the first place, not being held accountable, and why are they

not carrying the costs to rectify these effects, and who was

responsible for approving and accepting these specific designs

in the first place? Thank you, hon Deputy President.



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The DEPUTY PRESIDENT: Thank you very much, hon Chair. Well, we

have asked that question ourselves to Eskom, and the answer

that we got is that, all the different contractors have got

different arrangement and the specifications. There are

contracts where contractors are 100% liable for any defects of

the work. There are contracts that have been signed by the

leadership of Eskom then, where these contracts are silent in

terms of any defect that will happen, who should take the

responsibility.

Now, Eskom leadership has been trying to negotiate on those

contracts where these contracts are silent in terms of the

responsibility of any defect that is incurred in these power

stations, who should be responsible? Now finally, the fact of

the matter by allowing some of the contractors, especially,

the boiler contractors and Eskom, to share the cost of the

defect, 50-50. But all other contracts that have been signed

they’ve got a clause that says, for any defect, the contractor

is liable. So, that is the situation, and we thought that for

the sake of progress, we should proceed that way. Thank you

very much.

Mr C F B SMIT: Thank you, hon Chair, am I audible?



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The CHAIRPERSON OF THE NCOP: Yes, you are.

Mr C F B SMIT: Thank you very much, Chair. Chair, both Judge

President Raymond Zondo in the Zondo report, as well as the

board member, Busisiwe Mavuso, squarely laid for the mess at

Medupi and Kusile Power Stations at the feet of the ANC. The

same is that the first step towards fixing a problem, is by

acknowledging that it exists. My question to you, Deputy

President is, will you acknowledge that the ANC must take

responsibility, and will you acknowledge that the ANC’s policy

of cadre deployment is directly responsible for the fact that

poor workmanship was allowed to take place at Medupi and

Kusile Power Stations? Thank you, Chair.

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson,

from where I’m standing I think we can only acknowledge

responsibility of the ANC government in the running of this

power utility, Eskom. But I must alert the hon member that, at

every point in the life of Eskom there has been a CEO, there

has been directors that are responsible for day to day running

of the power utility. Ever since, there has been a board that

is responsible.



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Up until we are told, what was the responsibility of those

structures, the board itself, the administration or the

directors that are there, for this crisis that we are facing

today, because what I can tell you is that, what I see in

Eskom, is the lack of maintenance of this power station, is

the cost over-run of the two new build, that is Medupi and

Kusile, who have incurred a lot of over run, and there are

designed problems which it was supposed to be the

responsibility of the engineers that are working in Eskom as

well as the CEO at that time, to ensure that we avoid these

unnecessary costs and to avoid these unnecessary defects.

However, this is not a way of running away from responsibility

because the government of the day is the government of the

ANC. There are people who have been appointed in different

positions in this power utility to do specific jobs. Now, I

can tell you that at a certain point, these people that have

been appointed, they have failed the government, but I said

that there is no use to point fingers at each other, but let

us fix the problems.

The problem is that we are faced with aging infrastructure

that we must decommission and find alternative energy



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generation mechanism, especially concentrating on renewable

energy, which we are making progress. Currently, we have

connected over 1 500 megawatts of energy into the grid, coming

from the renewables. This is not going to be a permanent

problem, we are going to get out of this problem, but it needs

all our efforts and our positive mind set. Thank you very

much, Chairperson.

The CHAIRPERSON OF THE NCOP: Thank you very much, Deputy

President. That, hon members, takes us to the end of questions

directed to the Deputy President. I will therefore take this

opportunity to thank the Deputy President and all the special

delegates for availing themselves. So, I thought it will also

be important just to say apologies due to ... [Inaudible] ...

failure, though MaNgwenya was turning handy to hold the fort.

Thank you very much, MaNgwenya. Hon delegates, that concludes

the business of the day.

The Council adjourned at 16:19.

