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***PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVIINCES***

\_\_\_\_

The Council met at 14:01.

The Chairperson took the Chair and requested members to

observe a moment of silence for prayers or meditation.

The CHAIRPERSON OF THE NCOP: Hon delegates, before we proceed

I would also 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 seat of the National Council of Provinces

is, that delegates in the virtual sitting enjoy the same

powers and privileges that apply in a sitting of the National

Council of Provinces, that for the purpose of the quorum all

delegates who are logged on to the virtual platform shall be

considered present, that delegates must switch on their videos

if they want to speak, that delegates should ensure that the

microphones on their gadgets are muted and must always remain



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muted, that the interpretation facilities are active and that

permanent delegates, members of the executive, special

delegates and the SA Local Government Association, Salga,

representatives are requested to ensure that the

interpretation facility on their gadgets are properly

activated to facilitate access to the interpretation services,

that any delegate who wishes to speak must use his or her

raise your hand function or icon as we have already said that

by now the hon members are familiar with the use of the icon

or function.

**NOTICES OF MOTION**

Ms S SHAIKH: Chairperson, I hereby give notice that on the

next sitting day of the Council I shall move on behalf of the

ANC:

That the Council—

(1) discusses the ongoing slaughter and mass murders of

innocent people in Khayelitsha, Cape Town, Western

Cape; and



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(2) further notes with disgust the exclusion of the

Khayelitsha community from the priority list of the

City of Cape Town for the installation of the closed

circuit television, CCTv, cameras in this area

during this financial year.

Thank you, Chairperson.

Ms S B LEHHIHI: Chairperson, I hereby give notice that on the

next sitting day of the Council I shall move on behalf of the

EFF:

That the Council—

(1) debates the legal age of the foster child grant as

the current age restrictions of 18 years and younger

is too low and should instead be increased in South

Africa; and

(2) also debates that the socioeconomic conditions do

not allow for orphans abandoned, abused or neglected

children to suddenly become financially independent

and able to fend for themselves when they turn 18.



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Thank you, Chairperson.

Mr S ZANDAMELA: Chairperson, I hereby give notice that on the

next sitting day of the Council I shall move on behalf of the

EFF:

That the Council—

(1) debates the issue of water shortages and lack of

adequate sanitation infrastructure which is

experienced across all municipalities, especially in

Mpumalanga; and

(2) further debates a strategic plan which the

Department of Water and Sanitation has in order to

resolve this challenges.

Thanks, hon Chairperson.

Mr G MICHALAKIS: Chairperson, I hereby give notice that on the

next sitting day of the Council I shall move on behalf of the

DA:



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That the Council debates the underfunding and the

underresourcing of the SA Police Service in the Western

Cape by the national ANC government despite the DA’s

numerous calls for more funding and more resources as

well as the devolution of the SA Police Service, SAPS,

to a provincial level.

Thank you very much.

Mr E Z NJANDU: Chairperson, I hereby give notice that on the

next sitting day of the Council I shall move on behalf of the

ANC:

That the Council discusses the apartheid style moves by

the City of Cape Town to abruptly stop and deliberately

disrupt the livelihoods of the people especially the

black and African communities of Cape Town who still

lives in the disgraceful shacks and humiliating squalor

through the abrupt stoppage of fire victims starter kits

through the City of Cape Town.

Thank you, Chairperson



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**TRAFFIC DEPARTMENTS IN MPUMALANGA CONSTANTLY OFF-LINE**

(Draft Resolution)

Ms H S BOSHOFF: On behalf of the DA, I hereby move without

notice:

That this Council -

(1) notes with concern the ill-equipped and dysfunctional

traffic departments in Mpumalanga that are constantly

off-line, leaving motorists frustrated and without

valid driver’s licences;

(2) also notes that these traffics departments rarely serve

motorists who want to abide by the law and be

adequately licensed;

(3) Further notes that motorists in this province have

voiced their frustration to the DA, as they are unable

to renew both their vehicle and driver’s licences

because traffic departments in Mpumalanga are either

constantly off line, lacking the necessary equipment or



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are forced to shut down completely as they fail to pay

their electricity bills;

(4) Again notes that the current circumstances in these

dysfunctional traffic departments can and should never

be deemed acceptable as motorists are forced to wait

long periods in snaking queues just to be told systems

are off line; and

(5) Finally notes that under a DA-led coalition government,

the livelihoods of the citizens would be at the

forefront, and every necessary step would have been

taken to rectify these problems to ensure that the

needs of the residents are addressed.

I so move.

Not agreed to

**FAILURE TO SPEND MUNICIPAL INFRASTRUCTURE GRANTS**

(Draft Resolution)



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Mr W A S AUCAMP: On behalf of the DA, I hereby move without

notice:

That this Council -

(1) notes with concern that the Gamagara Local Municipality

spent 0% of its allocated R12 273 000 00 Municipal

Infrastructure Grant for the 2021-22 financial year;

(2) further notes with concern that the Richtersveld Local

Municipality spent 0% of its allocated R14 480 000 00

Municipal Infrastructure Grant for the 2021-22

financial year;

(3) also notes that these municipalities have several

communities that are in desperate need of improvement

of their infrastructure;

(4) acknowledges that the failure by these municipalities

to spend any of the money allocated to them has a

serious negative impact on the infrastructure

development of their communities;



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(5) further acknowledges that it will lead to reduced

allocations for the next financial year, which in turn

will again have a negative impact on the infrastructure

development of these municipalities;

(6) further notes that the DA have on numerous occasions

called on these municipalities to fulfil their

obligations to service delivery and infrastructure

development; and

(7) condemns the lack of money spent which was made

available to them to better the lives of citizens.

I so move.

Motion agreed to in accordance with section 65 of the

Constitution.

**KIDNAPPING OF HUZAIFA SANGE**

(Draft Resolution)



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Ms M N GILLION: On behalf of the ANC, I hereby move without

notice:

That this Council -

(1) notes with concern the kidnapping of Huzaifa Sange from

his family takeaway business in Newfields, near Hanover

Park in Cape Town;

(2) also notes that four armed men went to the family home

where the business operates and robbed them before they

fled with Sange;

(3) further notes that this kidnapping has highlighted the

increased targeting of cash-based businesses by copycat

gangs; and

(4) therefore, calls on the police to leave no stone

unturned in their endeavour to return Mr Sange and lock

up the criminals responsible.

I so move.



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Motion agreed to in accordance with section 65 of the

Constitution.

**THE ARREST OF THE MAYOR OF MASILONYANE LOCAL MUNICIPALITY**

(Draft Resolution)

Mr G MICHALAKIS: On behalf of the DA, I hereby move without

notice:

That this Council -

(1) notes that the Mayor of Masilonyana Local Municipality

in the Free State, Dimakatso Modise, was arrested

yesterday and granted bail in the amount of R2 000. She

is charged for inciting violence in the community

during April and June 2021;

(2) That this council condemns this behaviour of the Mayor;

(3) further notes that Masilonyana Local Municipality is

currently crippled under unemployment and poor service

delivery;



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(4) That the Mayor of a municipality should be elected from

among the ranks of the cream of the crop of the

community’s leaders;

(5) That if this is the best leader the ANC in Masilonyana

has, since they elected her Mayor, then the people of

Masilonyana should get rid of the ANC in its totality

in this municipality; and

(6) Finally, that we as a Council reaffirm our support for

the principle that nobody is above the law in this

country and express our hopes that justice, in this

case too, will be served equally and fairly.

I so move.

Not agreed to.

**THE PASSING OF MAGISTRATE GERHARD KIRSTEN**

(Draft Resolution)



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Mr S F DU TOIT: On behalf of the FF Plus, I hereby move

without notice:

That this Council -

(1) notes with great sadness the passing of Magistrate

Gerhard Kirsten, a respected member of the legal

fraternity;

(2) also notes that this legal giant will be missed by

friends, family and colleagues;

(3) further notes that his legacy of fair judgement,

respect and empathy will live on in his absence; and

(4) conveys our heartfelt condolences to the Kirsten

family.

I so move.

Motion agreed to in accordance with section 65 of the

Constitution



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**SERVICE DELIVERY CHALLENGES FACED BY RESIDENTS OF QWAQWA, IN**

**MALUTI-A-PHOFUNG LOCAL MUNICIPALITY**

(Draft Resolution)

Mr M S MOLETSANE: On behalf of the EFF, I hereby move without

notice:

That this Council -

(1) notes the ongoing service delivery challenges faced by

residents of QwaQwa, Maluti-a-Phofung Local

Municipality, and the lack of accountability displayed

by local councillors and municipal officials in

handling the water and electricity crisis;

(2) further note that Maluti-a-Phofung Local Municipality

is among municipalities which have in the past, been

identified as service delivery hotspots, been promised

intervention, yet to date, this municipality has not

been able to detect the root cause of these

disruptions.



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(3) Acknowledge that residents of Bluegumbosch, Makwane and

parts of Phuthaditjhaba are often left without water

and electricity for weeks at a time.

(4) Further acknowledge that this municipality continues to

experience regression in infrastructure, is home to

thousands of people who cannot afford to pay for

services such as electricity and water, and as a result

are denied access to basic services by government.

(5) Recognise that corruption, poor financial management

and cadre deployment have worsened the plight of this

marginalized community.

(6) We therefore make a call to the executive arm of

government, that it must play a more active role in the

provision of basic services as this is an ongoing

responsibility.

I so move.

Motion agreed to in accordance with section 65 of the

Constitution



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**PASSING AWAY OF GOMORA STAR SIYABONGA ZUBANE**

(Draft Resolution)

Ms A D MALEKA: Chairperson, I hereby on behalf of the ANC move

without notice:

That the Council –

(1) notes with great sadness the tragic passing of one

of South Africa’s rising film stars, actor Siyabonga

Zubane who played Sdumo in the telenovela Gomora, on

Saturday,07 May 2022;

(2) further notes that the cause of his death is not yet

confirmed, though it is believed the young actor

took his own life;

(3) recalls that he has also previously acted in Mzansi

Magics most popular telenovela Isibaya before he

joined the Gomora cast;



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(4) also notes that the South African entertainment

industry has been engulfed by a dark cloud, after

the deaths of several notable SA entertainers, all

in a short space of time in 2022; and

(5) conveys its condolences to the families, friends,

members of Gomora cast, and the South African film

industry at large.

Motion agreed to in accordance with section 65 of the

Constitution.

**STUDY TOUR TO NAMBIA BY SA WHIPPERY**

(Draft Resolution)

Ms L C BEBEE: Chairperson, on behalf of the ANC, I hereby move

without notice:

That the Council –



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(1) notes that the Whippery undertook a very successful

study tour to the Parliament of Namibia from 9 to 13

May 2022;

(2) further notes that the study tour, which was a

benchmarking exercise on the work of the two

Parliaments, especially on mechanisms and systems

that have been put in place to strengthen the role

of Whips in enforcing discipline among members and

build a cohesive approach towards the representation

of issues affecting provinces or regions, as they

are called in Namibia has been both revealing and

also enriching;

(3) takes this opportunity to express its profound

appreciation the Chairperson of the National Council

of Namibia, hon Lukas Muha; the Deputy Chairperson

of the National Council, hon Victoria Kauma; the

Chief Whip and the Deputy Chief Whip Emma Muteka for

the amazing work that they did hosting the

delegation of Whips from the Council;



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(4) also extends its profound appreciation to the

Speaker of the National Assembly, hon Professor

Peter Katjavivi and Deputy Speaker, hon Loide

Kasingo and Secretary of the National Council, and

his team and the team from the NCOP that was led by

Adv Phindela; and

(5) further extends its profound appreciation to the

Chairperson of the Council, hon. Mr NA Masondo for

providing political approval for the study tour to

take place.

Motion agreed to in accordance with section 65 of the

Constitution.

**CLIMATE CHANGE AND RAINFALL VARIABILITY IN SA**

(Draft Resolution)

Mr A ARNOLDS: Chairperson, I rise on behalf of EFF move

without notice:

That the Council –



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(1) notes that climate change is leading to increased

temperatures and rainfall variability as evidence

shows that extreme weather is becoming more

prominent in South Africa;

(2) further notes, that recent estimates from the South

African Weather Service, show that the year 2021 was

the 13th hottest year on record; and that the trend

of rising temperatures will negatively affect crop

yields and human health;

(3) acknowledges that high temperatures can cause heat-

illnesses, which will put the elderly, children and

people with certain pre-existing medical conditions

at risk;

(4) further acknowledges that climate change poses a

significant threat to South Africa's water

resources, food security, health, infrastructure and

ecosystem services and biodiversity;

(5) recognises that export earnings, farmworker and

timber plantation worker livelihoods and food



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availability are at risk, particularly in the

Western Cape and Northern Cape, which are expected

to face the worst water stress, but also account for

95% of South Africa's food exports, 25% of national

agricultural earnings and 35% of national

agricultural employment; and

(6) calls on Parliament to play a more active role in

rethinking the country’s climate path, as the

effects of climate change are critical challenges to

our development.

Motion agreed to in accordance with section 65 of the

Constitution.

**ZONDO COMMISSION’S REPORT IMPLICATES THE HOUSE CHAIRPERSON FOR**

**OVERSIGHT AND INSTITUTIONAL SUPPORT**

(Draft Resolution)

Ms C LABUSCHAGNE: Chairperson, on behalf of the DA, I hereby

move without notice:



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That the Council-

1. Notes with concern that the House Chairperson for

Oversight and Institutional Support, Ms W Ngwenya,

MP has been implicated in Part 3 of the Zondo

Commission’s Report;

2. Recognises that the Chief Parliamentary Legal

Advisor, Adv Z Adhikarie, recommended that the

Speaker of the National Assembly, Ms N N Mapisa-

Nqakula, refer Part 3 of the Report to the Joint

Committee on Ethics and Members’ Interests to

consider the alleged breach of the Ethics Code by

House Chairperson Ngwenya;

3. Acknowledges with concern that this breach relates

to the House Chairperson Ngwenya’s term as a member

of the Portfolio Committee on Correctional Services,

where she is alleged to have executed her functions

in a biased manner, to the benefit of Bosasa, in

return for monthly cash payments;



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4. Resolves to strip House Chairperson Ngwenya of her

(a) delegated responsibility as House Chairperson

and (b) membership of the Ethics Committee while

these allegations are being investigated.

Motion not agreed to.

**SHOOTING AT NEW SOMERSET HOSPITAL**

(Draft Resolution)

Ms N NDONGENI: Chairperson, on behalf of the ANC, I hereby

move without notice:

That the Council –

(1) notes with great shock the killing of three people

by a suspect who opened fire on two patients who

died instantly at New Somerset Hospital in Cape

Town, on Saturday, 07 May 2022;

(2) also notes the death of the police officer who was

shot in the head by the same suspect;



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(3) applauds the police officers who disarmed the

suspect and arrested him again;

(4) expresses the hope that security measures will be

beefed up at South African hospitals to protect

staff and patience, and

(5) conveys its heartfelt condolences to the families of

the deceased.

Motion agreed to in accordance with section 65 of the

Constitution.

**SIX PEOPLE KILLED IN ANOTHER MASS KILLING IN KHAYELITSHA**

(Draft Resolution)

Mr E M MTHETHWA: Chairperson, I move without notice:

That the Council –



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(1) notes with great shock the shooting and killing of

six people at Site C in Khayelitsha on Sunday

evening, 8 May 2022;

(2) also notes that five victims died on the scene and a

sixth victim was certified dead on arrival at the

hospital;

(3) further notes that this mass killing follows several

other mass killings in Khayelitsha,

(4) conveys its condolences to the families of the

deceased, and assures them that our thoughts and

prayers are with them during this trying time; and

(5) calls upon the police to live no stone unturned in

bringing the suspects to book.

I so move.

Motion agreed to in accordance with section 65 of the

Constitution.



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**A KIMBERLY WOMAN KILLED BY HER PARTNER IN FRONT OF HER SON IN**

**ANOTHER GENDER-BASED VIOLENCE INCIDENT**

(Draft Resolution)

Ms S E LUCAS: Chairperson, I move without notice:

That the Council –

(1) notes with concern the continuation of gender-based

violence and femicide which was termed a second

pandemic during the Covid-19 pandemic;

(2) further notes with great sadness the death of

Danielle van der Linde who was killed in Kimberley by

her partner in front of her 9-year-old son; and

(3) conveys its deepest sympathy and condolences to her

family and friends.

I so move.



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Motion agreed to in accordance with section 65 of the

Constitution.

**SHACK FIRE IN A KHAYELITSHA INFORMAL SETTLEMENT CLAIMS LIVES**

**OF FIVE RELATIVES**

(Draft Resolution)

Ms N E NKOSI: Chairperson, I move without notice:

That the Council –

(1) notes the deaths of five relatives including two

children in a fire which destroyed their shack in

France informal settlement in Khayelitsha on Sunday;

(2) further notes that the fire started at about 4:30am

while the family was asleep;

(3) also notes that the neighbours could not help the kids

due to the burglar bars though they could hear them

screaming; and



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(4) conveys its heartfelt condolences to the family of the

deceased in this time of bereavement.

I so move.

Motion agreed to in accordance with section 65 of the

Constitution.

**AL JAZEERA JOURNALIST, SHIREEN ABU AKLEH, IN WEST BANK**

(Draft Resolution)

Mr K M MMOIEMANG: Chairperson, I move without notice:

That the Council –

(1) notes with great sadness the killing of Al Jazeera

journalist, Shireen Abu Akleh, on Wednesday, 11 May

2022, allegedly by the Israeli Defence Force;

(2) also notes Akleh was shot in the head whilst on

assignment in Jenin, covering Israeli raids on Jenin

in the occupied West Bank;



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(3) further notes that another Al Jazeera journalist, Ali

Samoudi, was also wounded after being shot in the

back; and

(4) condemns in the strongest possible terms the

targeting and the killing of journalists in the

occupied territories, and in conflict zones like

Ukraine and Afghanistan, which seems like a

deliberate pattern of silencing the free press.

I so move.

Motion agreed to in accordance with section 65 of the

Constitution.

**CONSIDERATION OF DIVISION OF REVENUE BILL AND REPORT OF SELECT**

**COMMITTEE ON APPROPRIATIONS THEREON**

Ms D G MAHLANGU: Chairperson my greetings to yourself and your

Deputy Chairperson, Mme Lucas, permanent and special

delegates, fellow South Africans, all participants on the

platform. A very good afternoon, goeie middag, baie dankie

Agbare. I am honoured to table before this House a Report on



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the Division of Revenue Billon on behalf of Select Committee

on Appropriations. The Bill validates the commitment of the

ANC-led government’s economic policy of fostering inclusive

economic growth. The National Treasury briefed the committee

together with provincial portfolio committees on finance on

the Division of Revenue Bill. I am talking about the Division

of Revenue Bill, Bill B6 of 2022, on 9 March 2022.

The report and the mandate were concluded on 11 May 2022 by

the committee. Hon Chairperson, permanent delegates briefed

provinces on the Bill and we received and considered mandates

from provinces. We received submission from Congress of South

African Trade Unions, COSATU, Section 27, Rural Health

Advocacy Project, Healthy Living Alliance and Budget Justice

Coalition. The committee also consulted with the SFP, The

South African Local Government Association SALGA and public

benefit organisation, PBO.

Hon Chairperson the committee has made observations and

recommendations. We believe that the executive should ensure

that any increased allocations to the provincial and local

government sphere is accompanied by requisite capacity and

support for proper planning and effective implementation of



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grant funded projects. And that all pillars of accountability,

monitoring and oversight are strengthened and consequence

management implemented immediately.

Hon Chairperson and members, SALGA should expedite its

engagement with the Executive to resolve the issues of

municipalities owing monies to Eskom, as well as provincial

and national departments owing municipalities. These issues

are long overdue and resolving them will partly address

revenue challenges for these entities.

Hon Chair, SALGA should intensify its skills development

programmes for municipalities to ensure that allocated funds

are spent efficiently and effectively to address the lack of

spending on infrastructure projects and non-compliance with

grant framework.

SALGA should interacts with all recognised traditional

leaders, to address under-development and infrastructure

issues particularly in rural areas. SALGA should also work

with more various more enforcement agencies to enforce

accountability and consequence management in municipalities.



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Hon members, we have challenged local government to develop

viable and long term growth programmes for their localities.

The importance of small, medium, and micro enterprise, SMMEs,

black women and youth owned businesses cannot be overstated.

Greater economic inclusion will drive growth not just for

established.

It is vital that we as legislators establish an enabling

environment through appropriate legislation and budget to

support this drive.

Hon Chairperson, national and provincial government should

intervene in municipalities only in instances where ...

[Inaudible.] ... of performing. This should always happen in

consultation with the particular municipalities or the

provinces. Interventions should ensure effective and ...

[Inaudible.] ... ratification and consequence management. They

must also be accustomed because there is no capital, no one

size fits all in as far as governance is concerned.

Hon Chairperson, government must ensure that funds lost due to

corruption, maladministration and wasteful expenditure are

recovered and paid back to the state. Provincial departments



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and municipalities must ensure that audit improvement are

implemented to address wastage of resources raised by the

Auditor General, as we have seen the report.

The Department of Health should ensure that conditional grants

are utilised to strengthen service delivery and hospital

infrastructure. There’s an urgent need for government to

resolve its inability to employ doctors and nurses and this is

very serious and a concern to the committee and the public at

large. We believe that primary health care should be

strengthened through community health care workers. The state

of health care infrastructure maintenance in some provinces is

worrisome and requires urgent attention.

The review of the provincial equitable share, formula should

be expedited and we recommend that certain provinces such as

the Northern Cape, Gauteng and KwaZulu-Natal, should continue

to be considered for a bigger share to address the challenges

posed by their rurality, vastness and population growth. You

know I have left to some of the rural provinces.

Hon Chairperson, the National Treasury should expedite the

tabling the Public Procurement Bill in Parliament, in order to



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promote local procurement initiatives, stimulate domestic

manufacturing and fast track economic recovery.

Hon Chairperson and members, the committee recommends that

government should continue engaging with labour unions to

amicable conclude the public sector wage negotiations. We have

said this several times and I think it will have considered

for the last time.

The review process of departmental organograms and vacant

posts is a critical exercise and we expect National Treasury

to report on this matter in next budget circle. We welcome the

R21,1 billion allocations for the ongoing responses to the

COVID-19 pandemic and for the appointment of the medical

interns and community service doctors, who are playing an

important role in ensuring ongoing improvement in the quality

of health care.

Hon Chairperson, the resources allocated to the Department of

Health for the presidential employment initiative will help to

mitigate the impact youth unemployment. The Department of

Higher Education, Science and Innovation should ensure that

R32,6 billion earmarked to fund the shortfall in student

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bursaries is transferred to the National Student Financial Aid

Scheme, NSFAS, timeously to assist the working class and the

poor students.

The Department of Basic Education should table a status report

in Parliament on school infrastructure backlog and pit

latrines around the country, particularly in the Eastern Cape

before social infrastructure backlog runs, is incorporated to

education infrastructure grant.

Hon Chair, the department should also table a clear plan on

how it intends incorporating the School Infrastructure

Backlogs Grant, SIBG, without compromising its fundamental

principle and objectives.

The Department of Basic Education, National Treasury and

provincial treasuries should ensure that provincial education

departments put proper systems in place to ensure effective

administration of the R3,7 billion for the Early Childhood

Development Programme, including a smooth function shift as

decided. The Committee is of the view that, for government to

improve the quality of education, more investment is needed in

the ECD.

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The Department of Social Development to further address the

administrative inefficiencies and corruption affecting the

social relief of distress grant.

Hon Chairperson, hon members the committee reiterate its

previous recommendations around gender budgeting and the

Minister of Finance, that the Minister of Finance, together

with the Minister of Women in the Presidency ensure that

adequate resources are allocated for women, youth and people

with disabilities.

Furthermore, they need to ensure that enough resources are

earmarked and transferred to provinces for the implementation

of the National Strategic Plan on Gender-Based Violence and

Femicide; to help address the scourge of gender-based violence

including those of the Lesbian, Gay, Bisexual, Transgender,

Queer, Intersex, Asexual LGBTQIA+ community.

In line with the proposed amendment to the Local Government

Financial Management Grant, FMG, the committee recommends that

National Treasury corrects the Grant’s framework that will be

issued in terms of the Section 15 of the Division of Revenue

Act, once this Bill has been enacted.



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There is a need to strengthen and enhance the

intergovernmental cooperation with regard to information flow

between the executive and the legislatures to avoid the

information gap regarding policy decisions and foster

transparency and accountability.

Hon Chairperson, in to order to avoid conditional grant funds

being consumed in salaries instead of service delivery,

National Treasury should give serious consideration to ring-

fencing the amount that can be used for salaries. Those are

the control measures that we recommending.

In conclusion, hon Chairperson building a developmental state

requires that the state should be play a decisive role in the

economy. The state cannot be a spectator when the vast

majority of our people are unemployed and live in poverty. Hon

members and the Chair many of the interventions in the 2002

Division of Revenue Bill are predevelopment and pro poor and

therefore welcome them as a committee.

In conclusion hon Chairperson and hon members, and our public

in the country, I wish to thank all committee members,

provincial committee members, committee stakeholders, the

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media and the general public, as well as the committee support

staff. The recommends to this august House that the Bill be

adopted without amendments. Ngiyathokoza Sihlalo. Thank you.

Declarations of votes on behalf of Western Cape and KwaZulu-

Natal.

*Declarations of vote:*

Ms C LABUSCHAGNE: Hon Chair, I would like to make a

declaration. Thank you, Chair. Hon Chair, the 2022 Division of

Revenue Bill has some very good aspects to it and signals some

very positive trends. There remain, however, several causes

for concern which need to be considered before the acceptance

of the Bill. The increase in allocations to provinces and

local government is welcomed, however, it is important to note

that inflation has already reached 5,7% year-on-year in

February 2022. This means that in real terms funding is

actually increasing by a very small margin year-on-year. With

inflation set to increase further over the coming months the

increase is, in fact, barely enough to stay stable.

For local government the increase is, in fact, insufficient to

retain existing service delivery levels. As Eskom increases



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of 9,6% and Water Board increases of between 7 and 12% make up

a substantial portion of the costs that local municipalities

need to fund with their equitable share, it is obvious that

service delivery cannot continue even at the poor levels that

our communities have been subjected to. Considering

furthermore that the cost of fuel is a massive input into

service delivery with refuse removal being the obvious biggest

user, but also road repairs, leak management and traffic

control all requiring extensive transport, one can only look

at the massive fuel price increases with fear for service

delivery in our towns and cities.

The subsequent reduction planned in the Medium-Term Revenue

and Expenditure Framework means that even the current small

burst of good news will be short lived. The Division of

Revenue Bill also shows little change and innovation to adapt

to a post coronavirus disease, Covid, reality, with government

continuing to copy and paste budgets with little regard for

what is working and what is failing, or more importantly, what

is needed. More alarming is the apparent failure of the census

2022 process, meaning our decisions over the next 10 to 12

years will be based on flawed data. Bad data makes for bad



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decisions. This Bill cannot and should not be supported. I

thank you.

Mr Y I CARRIM: Hon Chair, thank you very much. Just to say

that look our Chairperson covered the key points of the

report. If one looks at the Announcements, Tablings and

Committee Reports, ATCs, you will find the full set of the

recommendations there. Now, the many issues raised by the

Western Cape or the DA or Ms Labuschagne herself actually

catered for in some or other major either in the report or in

the discussions we have had over this Division of Revenue Bill

or the previous ones ... [Inaudible.] that we are unware of

the challenges that you point to. However, obviously ...

[Inaudible.] half-full or half-empty ... [Inaudible.] you

can’t raise issues without recognising the context in which

they appear, otherwise you will look for short-term solutions

which will not sustain themselves.

Therefore, we have repeatedly pointed out those challenges we

have had. Some of them are our responsibility as Parliament,

as the ANC government, and as in fact a state. We accept that.

We have never said everything is ... [Inaudible.] we have

never said that we are performing perfectly even the President



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himself said so and the acting secretary general of the ANC...

[Inaudible.] the previous secretary ... [Inaudible.] the

issue really is, you know, what do we do about it, and ...

[Inaudible.] and gloom and fatalism of the DA over Labuschagne

personally or in Western Cape. I’m not sure exactly, I think

she’s speaking in this case as a DA representative as the

major ... [Interjections.]

However, the issue really is that I don’t know in which

capacity because the things Ms Labuschagne mentioned don’t

necessarily coincide what the member says in our committee.

That’s why it’s ... [Inaudible.] whose behalf she speaks, I

just take that which she is speaking ... [Inaudible.] on

behalf ... [Inaudible.] matters. If it matters most for the

party ... [Inaudible.] I can’t just say whatever ...

[Inaudible.] on behalf of my party as the Chair of the

committee. Since it’s not clear what she’s stated, what she’s

saying doesn’t correspond with the robust debate that we have

and very fruitful one. However, often in fact by the

opposition members ... [Inaudible.] from other party.

Alarmist, it seems as if she’s alarming.



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The issues around the census I think are understandable. Look

at the context within, no party even the best party in the

world could actually deal with these challenges ...

[Inaudible.] they are ... [Inaudible.] Covid-19, the July

unrest be brought upon ourselves ... [Inaudible.] yes, true

but the ... [Inaudible.] reason for it. They always focus on

the internal division of the ANC without looking structural

under ... [Inaudible.] people ... [Inaudible.] she. They just

follow internal division of the ANC without recognising the

highly rationalised inequalities of the society. Let me ...

[Inaudible.] point to them, but no, they focus solely on the

one that has subjective without the objective. They have yet

to understand the relationship between the two.

Then, on the issue of this cut and paste, that is absolutely

not true actually. There are aspects that need to be changed

fundamentally. There are serious of other issues that have

been dealt repeatedly pointed out to restructure reforms that

are necessary that fall beyond the ... [Inaudible.] of the

National Treasury. Those issues have to be addressed. May be

Labuschagne should pay more attention in the portfolio

committee she is in, now that they speak of issues that she

seems to be ... [Inaudible.] very understanding of and deal



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with the matters as, indeed, there are the communications

committee over ... [Inaudible.] the spectrum as, indeed, the

other aspects of the human settlements issues and so on ...

[Inaudible.] dealt with. All these issues ... [Inaudible.]

that we have to deal with this collaboratively before it

appointed to the Appropriations committee which deals

ultimately dispersing of funds without looking at this broader

structural issue is actually doom to failure.

Therefore, let’s, in fact, Ms Labuschagne have our

differences, but let’s work together to fight to address them

in a constructive way. The country right now, more than ever,

needs unity despite our differences. Thank you.

Debate concluded.

Question put: That the Bill be agreed to.

In favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,

Limpopo, Mpumalanga, Northern Cape.

Against: Western Cape.



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Bill agreed to in accordance with section 65 of the

Constitution.

**CONSIDERATION OF EMPLOYMENT EQUITY AMENDMENT BILL AND REPORT**

**OF THE SELECT COMMITTEE ON TRADE AND INDUSTRY, ECONOMIC**

**DEVELOPMENT, SMALL BUSINESS DEVELOPMENT, TOURISM, EMPLOYMENT**

**THEREON**

Mr M I RAYI: Hon Chairperson, greetings to you, the Deputy

Chairperson, MECs present and the hon members. The Select

Committee on Trade and Industry, Economic Development, Small

Business Development, Tourism, Employment and Labour, having

considered the subject of Employment Equity Amendment Bill of

2020 National Assembly ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Please proceed, hon Rayi, and

order to the member in the background who is causing some

disturbance. Please proceed, hon Rayi.

Mr M I RAYI: Thank you, Chair. The committee reports that it

has agreed to the Bill. The Employment Equity Amendment Bill

was referred to the Select Committee on Trade, Industry,

Economic Development, Small Business Development, Tourism,



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Employment and Labour on 16 November 2021. The committee

received a briefing on the Bill, and the purpose of the Bill

is that the Employment Equity seeks to amend the Employment

Equity of 1998 Act 55. The amendments have purpose of

empowering the Minister of Employment and Labour to determine

sectoral numerical targets for the purpose of ensuring the

equitable representation of suitable qualified people from

designated groups – that is blacks, women and persons with

disabilities at all occupational levels in the work force.

Enhancing the administration of the Act, including the

implementation of section 53 thereof, which provides for the

issuing of a certificate by the Minister confirming employer’s

compliance with chapter 2, or chapter 2 and chapter 3 of the

Act, as a case may be, in relation to the conclusion of state

contracts. Removing the requirement for psychological testing

and similar assessments of employees to be certified by the

Health Professions Council of South Africa. Removing the

provision empowering non-designated employers to notify the

director-general of the Department of Employment and Labour

that they intend to voluntarily comply with chapter 3 of the

Act as if they were designated employers.



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The process that was followed by the committee was to place

the advert for public comments in newspapers and radio adverts

to advertise for public comments. The closing date for written

submissions was 22 January 2022. It was advertised or

published in all 11 official languages. The committee then

received submissions from the following stakeholders in

respect of the Bill, Business Unity SA, BUSA, Banking

Association of SA, Financial Intermediaries Association of SA,

Black Business Council for Built Environment, Association for

Savings and Investment SA and SA Insurance Association, Master

Builders SA, Congress of the South African Unions,

Construction Alliance South Africa, South African Civil

Engineering Contractors.

The committee held public hearings on 22 February 2022,

received responses from the Department of Employment and

Labour in respect of the responses of the submission received

on 8 March 2022, and held deliberations on 15 March 2022. The

outcome of the committee’s consideration of the Bill was that

we voted clause by clause as well as for the Bill. Five

members of the ANC voted in support of the clauses of the Bill

and also the Bill. [Interjections.]



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The CHAIRPERSON OF THE NCOP: You seem to have frozen.

Mr M I RAYI: Am I frozen?

The CHAIRPERSON OF THE NCOP: It says your internet is

unstable, but please proceed.

Mr M I RAYI: Oh, sorry. The committee report was supported by

five members of the ANC, one member of the EFF and two members

of the DA voted against the Bill as well as the report. The

committee therefore recommends that the plenary session of the

National Council of Provinces approves the Bill. Thank you

very much, hon Chairperson.

*Declarations of Vote:*

Ms H S BOSHOFF: Chair, undeniably, unemployment is a runaway

train without any brakes. Currently almost 12 million South

Africans do not and will not, in the foreseeable future, have

a job. We are heading for the 50% mark if we count those who

have given up looking for a job, and the trend has worsened on

Minister Nxesi’s watch.



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Instead of revising labour laws and regulations to free up the

labour market, he and his department would rather see

draconian regulations like the Employment Equity Amendment

Bill which will, in the first place, be a job killer and will,

in all likelihood, strangle any new and current businesses.

This is a destructive piece of legislation which will see

potential investors taking their investment elsewhere, and

will wreak havoc on the economic growth. The only thing this

Bill does is to empower the Minister to set numerical

employment targets for any national economic sector after, not

with, after consultation with the relevant sectors. The new

powers vested with the Minister are completely incompatible

with the principles of any market-based economy. We therefore

cannot support this Bill and Report. I thank you.

Mr K M MMOEIMANG: Hon Chairperson, Indeed, the chairperson of

the select committee has correctly pointed out the rationale

behind the Employment Equity Amendment Bill. From the ANC’s

side, indeed, this is the progressive move because of the

balance of the evidence indicate that indeed that there is a

poor record of transformation across a number of sectors.

Therefore, it becomes critical that the Minister of Employment



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and Labour is empowered to determine sectoral numerical

targets as clearly indicated by the chairperson of the select

committee.

What is quite important Chairperson, is to indeed indicate

that the transformation project in our country is sacrosanct

and consistent with the aspiration of the Bill of Rights and

cannot be deterred or be deferred by the ancillary issues such

as the investment scare and capital flights concerned;

shortage of skills from the designated purpose and capacity or

lack thereof from them who reach enforcement agencies.

The shortage of skills in critical sectors of the economy such

as financial services and insurance industries cannot be

usurped the transformation as these sectors had ample time to

be developed demand those capabilities.

What we are not told by the DA is what was correctly captured

by Prof Roger Southall a professor of sociology at the

University of Witwatersrand, when he said that South Africa’s

main opposition party is caught in an unenviable political

bind.



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Therefore, as the ANC, we are not surprised that the DA is

strongly opposing the Employment Equity Amendment Bill. They

are opposing it because the DA possess an uncanny ability to

shoot itself in the foot. It is its real dilemma is how to

escape the vicious circle. When it sought to attract black

voters by endorsing black empowerment, it alienated the white

voters to the right and classic liberals.

Let me warn you, when you reject the Employment Equity

Amendment Bill, you are going to alienate your potential

support base which you are on the verge of donating on a

silver platter to your proxy Mashaba. Therefore, the ANC

supports this Bill. Thank you, Chairperson.

Mr T APLENI: Hon Chairperson, the EFF welcomes the Employment

Equity Amendment Bill which seeks to provide recourse for

women, youth, persons living with disabilities and the black

majority who have for years been discriminated against by

employers without any form of recourse.

Employment equity should have long been achieved by promoting

equal opportunities and fair treatment through the elimination

of unfair discrimination and through the implementation of



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progressive policies. However, it is shocking to note that to

date, even in government departments, entities and state-owned

enterprises, local institutions have failed to comply with

requirements of employer equity, particularly with the

employment of persons living with disabilities who still face

marginalisation and exclusion from the labour market.

Under the leadership of the ruling party, blacks are still

highly under-represented in key management positions compared

to their workforce availability. While women make up the bulk

of the South African population, they still account for only a

third of the labour force. Still mainly concentrated in

services of hospitality, retail and other manufacturing

industries. Whilst whites still dominate top and senior

management positions.

There is no denying that progress in bringing about the change

in unfair discrimination in the workplace has been painfully

slow and that the legacy of the workplace discrimination

against blacks leaves on, whilst the gap between the rich and

the poor widens.



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We support this Bill as it is designated to address the

colonial exploitation which continues at the exclusion of the

majority of our people from having any meaningful

participation in the economy. While legislation is an

important aspect, in addressing workplace discrimination, it

is on its own not enough to achieve this goal.

Transformation needs to be supported by employment practices

which are conducive to the development of black workers. So,

if under administered efficiently, we hope that the Employment

Equity Amendment Bill will improve the social economic status

of black people, youth and persons living with disabilities.

We support this Bill as it seeks to achieve and promoting of

equal opportunities and fair treatment at the workplace so as

to advance the interest of black people with women, youth and

persons living with disabilities. Thank you very much,

Chairperson.

Mr S F DU TOIT: Hon Chairperson.

The CHAIRPERSON OF THE NCOP: Yes, who is that on the

background?



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Mr S F DU TOIT: That is Du Toit. I am experiencing technical

difficulty, but I see the sound is back on. May I continue.

The CHAIRPERSON OF THE NCOP: Yes, I will allow you, Du Toit,

although I called you more than once.

Mr S F DU TOIT: Thank you Chairperson. I appreciate that.

The CHAIRPERSON OF THE NCOP: It is alright. I will allow you

to speak. Please proceed.

Mr S F DU TOIT: Thank you, Chairperson.

*Afrikaans*:

Die kultuur van selfregverdigende aanspraakmaking vir die

reservering van poste, posisies en aanstellings is wat deur

hierdie wetgewing bewerkstellig word. Die VF Plus het ons

sedert 1994 sterk teen regstellende aksie en swart ekonomiese

bemagtiging uitgespreek.

The CHAIRPERSON OF THE NCOP: Hon Du Toit, just a minute.

[Interruption from the interpretations.]



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The CHAIRPERSON OF THE NCOP: There is somebody in the

background making a lot of noise.

Please stop what you are doing!

Please ensure that the translation is done properly.

*English*:

Mr S F DU TOIT: They do not mention that the economic

population growth in South Africa between 1993 and 2019, black

South Africans increased from 23,06 million to 47,4 million.

That is an increase from 3,4 million to 5,08 million, Indians

from 1,22 million to 1,45 million. White South African

population decreased from 5,1 million to 4,4 million people.

If the number of black South Africans doubled, in 26 years,

obvious there will be more unemployment without economic

growth because the government policies.

*Afrikaan*s:

Die kultuur van selfregverdigende aanspraakmaking vir die

reservering van poste, posisies en aanstellings is wat deur

hierdie wetgewing bewerkstellig word. Die VF Plus het ons



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sedert 1994 sterk teen regstellende aksie en swart ekonomiese

bemagtiging uitgespreek.

The CHAIRPERSON OF THE NCOP: Can I make an appeal one more

time. The translation people are causing a bit of a problem

and ask the table to assist and manage the problem!

Please proceed, hon Du Toit!

Mr S F DU TOIT: Thank you Chairperson.

*Afrikaans*:

Buiten kaderontplooing en staatskaping is rasgebaseerde

wetgewing een van die grooste redes vir die verval van

staatsentiteite.

Minderheidsgroepe in Suid-Afrika, soos die Indieër, bruin en

wit gemeenskappe, het tot nou toe en sal ook nie in die

toekoms toelaat, dat hierdie uitsluitende wetgewing ons

verhinder om suksesvol te wees nie.

Die regering bied ons dalk nie ’n toekoms nie, maar ons skep

self een. Die regering wil ons potensiaal onderdruk, ons bewys



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hul verkeerd. Die regering stel strenger rasgebaseerde

wetgewing in, maar ons floreer met kreatiwiteit.

Die regering blaas rassekonflik, haat en verdeeldheid met

hierdie wetgewing aan, maar ons ag hul pogings nie bepalend

oor ons lot nie. Welgedaan aan elke persoon wat met genade bo

hierdie vloek uitgestyg het. Daar is twee hulpbronne wat nooit

uitgeput raak nie – God se genade en hoop. Volhard, oorwin,

floreer!

The CHAIRPERSON OF THE NCOP: Thank you, hon Du Toit. We will

ask the team of the table staff to make the translation

question to be a bit easier and more comfortable for almost

every one.

We will now proceed.

Motion agreed to.

Question put: That the Bill be agreed to.

Bill agreed to in accordance with section 75 of the

Constitution.



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**CONSIDERATION OF COMPENSATION FOR OCCUPATIONAL INJURIES AND**

**DISEASES AMENDMENT BILL AND REPORT OF SELECT COMMITTEE ON**

**TRADE, INDUSTRY, ECONOMIC DEVELOPMENT, SMALL BUSINESS**

**DEVELOPMENT, TOURISM, EMPLOYMENT AND LABOUR THEREON**

Mr M I RAYI: Thank you very much again hon Chairperson. The

Select Committee on Trade and Industry, Economic developments,

Small Business Development, Tourism, Employment and Labour,

having considered the subject of the Compensation for

Occupational Injuries and Diseases Amendment Bill, B 21B –

2020 refer to it. The Compensation of Occupational Injuries

and Diseases was referred to the committee on 9 November 2021.

The purpose of the Bill is that, the Compensation of Injuries

and Diseases Amendment Bill, seeks to amend the Compensation

Injuries and Diseases Act of 1993.

The amendment seeks to extend the coverage for occupational

injuries and diseases to previously excluded vulnerable

workers, as well as the improvement of compensation benefits

to employees. Link to key target of Chapter 10 and 11 of the

National Development Plan of 2030. Align the act with the

requirements of other legislation to remove ... [Inaudible]

... on some of the provisions of the act.



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Empower the National Economic Development and Labour Council,

Nedlac to nominate persons from whom members of the board may

be appointed by the Minister, to represent the interests of

organised businesses organised labour and the state. To

provide for the term of office of a board member to be limited

to two terms. Provide for the disqualification for membership

of the board, resignation and removal from office. Introduce

rehabilitation, reintegration and return to work, in order to

address the tendency of some employers to dismiss employees on

the basis of occupational injuries or diseases.

In terms of the process that the committee followed: The

committee invited public comments through advertisement in

newspapers and on the radios. The closing date for written

submission was 22 January 2022. The advertisement was

published in all 11 official languages. The committee received

submission on the on the Bill from the following stakeholders:

Business Unity South Africa, Congress of South African Trade

Unions, Injured Workers Action Group, Comsol and COIDLink. The

committee then held public hearings on 22 February 2022, and

received responses from the Department of Employment Labour on

8 March 2022 on this submission received.



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On 15 March 2022, the committee deliberated on the Bill. The

committee proposed amendments on clause 39, clause 43, clause

63 as well as clause 64. The outcome of the committee’

consideration of the Bill was that, five members of the ANC

voted in favour and in support of the Bill and its clauses.

Two members of the DA voted against the clauses of the Bill

and also the Bill itself. The report was adopted by five

members of the ANC and one member of the EFF. The DA voted

against the report. Therefore, in conclusion hon Chair, the

committee recommends the approval of the Bill by NCOP Plenary.

Thank you so much.

Question put that the Bill subject to proposed amendments be

agreed to.

Ms H S BOSHOFF: Hon Chair!

The CHAIRPERSON OF THE NCOP: Yes, Boshoff!

Ms H S BOSHOFF: I would like to make a declaration plesase.



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The CHAIRPERSON OF THE NCOP: Let’s proceed to declarations.

Again just to remind members, three minutes per declaration.

So we will start with you Boshoff.

*Declarations of Vote*:

Ms H S BOSHOFF: Thank you Chair. Many of the industry bodies

who made oral submissions to both, the Select and Portfolio

Committee on Employment and Labour raised their concerns about

the negative impact these arrangements, will have on job

creation. It was evident in the submissions that; they are

vehemently being opposed to as section 43 of the Amendment

Bill will in all likelihood collapse the only elements of this

act that are currently of benefit.

Hon Minister, those ... [Inaudible] ... who feel the brunt of

these amendments will be the employees, as medical

practitioners will now not be able to utilize third parties to

assist in the submission of claims, and do not have the staff

complement or the time to undertake these claims directly. The

notion that third parties are only there to derive money is

false, as these administrators provide prefunding to claimants

and then claim from the Compensation Fund. I am of the opinion

that the Compensation Fund does not take lightly to be seen as



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failing the claimants as they are currently doing, and

therefore need to eliminate these third-party administrators.

It would then also appear as of no study has been done to

determine the impact, the insertion of section 43 will have on

workers living in the most rural of areas. These workers are

reliant on third-party administrators, to draw up and submit

claims on behalf of medical practitioners. This privilege is

now being denied to them. It is clear that the insertion of

this amendment will only bring about legal challenges, which

this entity can solely afford. We therefore cannot support

this Bill. I thank you.

Mr M DANGOR: Thank you very much, Chairperson, the purpose of

the Compensation for Occupational Injuries and Diseases

Amendment Bill is to amend the Compensation for Occupational

Injuries and Diseases Act of 1993, so as to amend, substitute,

insert, delete, and repeal certain definitions and sections;

to provide for matters pertaining to the board and its

members; to provide the commissioner to perform certain

functions that were previously performed by the director-

general; to further provide for matters pertaining to

rehabilitation, reintegration and return to work for



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occupationally injured and diseased employees; to regulate the

use of health care services; to provide to the commissioner to

review pension claims or awards; to provide for administration

of penalties, to regulate compliance and enforcement; and to

provide for matters connected therewith.

Reflecting specifically on the COIDA Amendment Bill section

6(a) provides, the commissioner shall by notice in the gazette

prescribe the rules referred to in section 56(3)(c), as well

as the forms to be used and particulars to be furnished in

connection with the notice of occupational injuries and

diseases, claims for compensation or any other form or matter,

which he or she may deem necessary for the administration of

the Act.

In effect, section 6(a)(b) of the Act grants the commissioner

the power to publish gazette notices as he or she deems it

necessary within the prescripts of the law. However, the

aggrieved persons and the juristic persons with regard to the

application of this particular clause are at liberty to review

the gazetted notices through the available dispute resolution

mechanisms including the courts.



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Critical to the passing of this Bill is the milestone reached

in the amendment by including the domestic employees for the

first time, in which this subsector stand to benefit

retrospectively since 1984. Giving effect to this watershed

achievement, the administrative regulatory framework must

still be developed to expedite its implementation. The ANC

supports the Bill in its current form. I thank you, hon

Chairperson.

Mr T APLENI: Sorry, Chairperson, I raised my hand.

The CHAIRPERSON OF THE NCOP: I don’t see it. Yes. It’s not

here. It doesn’t appear as you can see for yourself but I will

allow you to speak. Please proceed.

Mr T APLENI: Thank you very much. Chairperson, the EFF

welcomes the Compensation for Occupational Injuries and

Diseases Amendment Bill, which repeals certain sections of the

Act which are unconstitutional excludes domestic workers from

compensation for occupational injuries and diseases.

Domestic work has been, and continues to be a source of

employment for many of our people as studies show that over a



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million and a half of the South African workforce is made up

of domestic workers, the majority of which are women.

Domestic workers play an important role in supporting the

labour market and are the backbone of the economy in any

country around the world, yet not enough is done in regulating

this industry which provides essential services to many

households, by relieving working families of household chores.

And in many instances, domestic workers work long hours and

earn low wages which are not a reflection of the work that

they do. They generally receive poor wages and yet also

vulnerable to sustaining injuries on the job, with a number of

workers being frequently abused by their employers, with live-

in domestic workers being particularly vulnerable to such

abuse because of being isolated and totally under the control

of their employers, often being hospitalized or dying as a

result of work related stress and injuries.

The EFF supports the Compensation for Occupational Injuries

and Diseases Amendment Bill as it seeks to protect such

workers.



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We once again note amendments made in an attempt to strengthen

the Compensation Fund, however more work needs to be taken in

this regard as there remain no signs of change. We are

nonetheless pleased that a Bill will come into effect, which

will regulate and protect the working conditions of our

mothers, sisters and many black women in this country. Thank

you very much, Chairperson.

Debate concluded.

Question put: That the Bill, subject to proposed amendments,

be agreed to.

Voting

[TAKE IN FROM MINUTES]

Bill, subject to proposed amendments, agreed to in accordance

with section 75 of the Constitution.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON TRADE AND INDUSTRY,**

**ECONOMIC DEVELOPMENT, SMALL BUSINESS DEVELOPMENT, TOURISM, EMPLOYMENT**

**AND LABOUR - VIRTUAL ENGAGEMENT WITH NATIONAL, PROVINCIAL, LOCAL AND**



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**PROVINCIAL DEVELOPMENT AGENCIES ON STRATEGIES TO BOOST ECONOMIC GROWTH,**

**ATTRACT INVESTMENTS AND BOOST JOB CREATION IN THE EASTERN CAPE PROVINCE**

**AND BUFFALO CITY METROPOLITAN MUNICIPALITY, DATED 7 DECEMBER 2021**

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

Let me indicate that as a committee we have decided that we

would be inviting the provinces, municipalities and the state-

owned enterprises to give us a report on the economic

development and a contribution that is made in particular by

the state-owned enterprises - the national ones.

We started with the Eastern Cape and identified Buffalo City

Municipality that was then followed by Free State and with the

Municipality of Mangaung and state-owned enterprises. The next

would be Gauteng. That is just an introduction.

The Select Committee on Trade, Industry, Economic Development,

Small Business Development, Tourism, Employment and Labour,

convened a virtual meeting on 19 November 2021, invited the

Department of Trade, Industry and Competition, the TIC, and

the Public Enterprises, the PE, Passenger Rail Agency of South

Africa, Prasa, Transnet, Eastern Cape Economic Development,

Environmental Affairs and Tourism.



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We received an apology from the MEC, Eastern Cape Development

Corporation, Buffalo City Metropolitan Municipality and

Buffalo City Metropolitan Development Agency to discuss their

policy and development programmes contributing to the Economic

Reconstruction and Recovery Plan in their respective

jurisdictional areas.

Their presentation of all stakeholders acknowledges that the

Covid-19 outbreak has had a measure effect on both the global

South Africa’s economy performance, social and health systems.

Small businesses were more likely to be the hardest hit by the

lockdown restrictions put in place monies to the spread of the

virus. This measures warrant a state support to many small and

medium-sized micro enterprises and corporative.

The government support to some degree prevented the collapse of

firms and industries and there contributing to saving of jobs.

Some industries have been able to continue operating during

lockdowns notable online retailers and as a result have seen

massive increase in sales whilst most businesses based on

tourism or hospitality have closed for months. Many jobs in the

most affected sectors and industries were lost. The Covid-19,

South African economy and the provincial economies have been



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characterised by low investment and poor economic growth with

business activity and restrain consumer sentiments.

Energy supply remains an inherent risk to economic growth and

development. Energy supply crisis has the potential to deter

investment and have direct effect on productive capacity,

which subsequently negate South Africa’s employment creation

initiatives. Support of SMMEs and co-operatives remain a major

challenge.

According to the Eastern Cape Development Corporation 2021

corporate plan, nearly 80% of small, medium and micro

enterprises in the province are survivalist in nature. In

light of the constrain fiscal environment partnership with

private sector and development finance institutions, including

commercial bank and educational institutions are critical for

SMEs development as a need for province to develop and

deepened private sector participation in the economy to drive

inclusive economy. In terms of employment contribution, the

automotive, agriculture and services sectors are the main

drivers of the provincial economy. However, unemployment in

equality amongst the youth and women remain the major areas.



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The provincial economic both manufacturing multinationals such

as Volkswagen South Africa, Mercedes Benz South Africa, Ford,

Johnson and Johnson, nestle, Denver and Aspen.

In secondary sector the economies dominated by vehicles,

nuclear reactors, wool and precious stones, fruits and nuts

and locomotives. In diversifying the economy government is

championing need to develop domestic capacity by building

dynamic firms and local industry capabilities such as

suppliers to domestic, regional and global value chains.

In this regard, the government-led Industrial Master Plan will

further support efforts to industrialise key sectors of the

economy in order to enhance economic development, the Eastern

Cape Development Corporation, ECDC, has been administering

Imvaba Co-operatives Fund since 2009 for growth and

development of co-operatives and SMMEs.

The report indicates that policies and system of accessing

approving and dispensing funds in the approve primary and

secondary co-operatives have been developed.



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With regard to Buffalo City Development Agency, the Buffalo

City Metropolitan Municipality has reported that it has

adopted directed a six missions directed goals aligned to the

Economic Reconstruction and Recovery Plan. The mission is to

activate automotive consolidation and value chain localising

retain Mercedes-Benz South Africa, MBSA, yield on East London

Development supplier park establish automotive incubator shift

to Auto Digital Hub yield deification towards a future fit

economy, digital green, agro- industry, creative economic

industry. I see, Chair, that I am front done.

Let me rather go straight to the recommendations because it’s

a very long report which I will try to summarise into seven

pages. With regard to the recommendations: The committee noted

that deteriorating logistic network infrastructure could

derail government recommended retail price, RRP.

Hence it is important to invest in the ports, rail and energy,

including water and sanitation infrastructure. To this end,

the committee recommends that the Minister of Public

Enterprises should summit to the committee before the end of

2022-23 financial year. A feasibility study which is expected

to determine whether it is feasible to increase the capacity



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of East London Board, including incentives to expand the

automotive terminal.

Secondly, further the committee recommends that over the 2022

financial year, the Minister of Transport, the member of

executive council responsible for transport and the Body

Corporate and Community Management, BCCM, with the support of

national and provincial Treasury should formulate a plan that

should entail financing and funding mechanism to accelerate

the implementation of the public transport development

programme in the Buffalo City Metropolitan Municipality.

The member of MEC responsible for economic development,

Environmental Affairs and Tourism should engage the provincial

Treasury to consider funding to invest in the Eastern Cape one

stop show to improve its organisational capacity and

capability in order to fulfil its policy obligation. Funding

should set aside in 2022 to medium term and funds should be

earmarked for boosting investment.

The committee recommends that the Minister responsible for

Transport, Energy, Water and Sanitation and Public Enterprises

and ICT should develop a collaborative approach with the



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Eastern Cape provincial government and the affected district

municipality and produce an integrated plan for investment and

development of the eastern side region for the Eastern Cape

province. The plan should be submitted to the committee before

the end of 2023-24 financial year.

Further, the committee recommends that Buffalo City

Metropolitan Municipality and Buffalo City Development Agency

should submit to the committee the plan that will cover all

developmental projects within the region. The plan should be

submitted by the end of 2021-22 financial year.

Lastly, the committee further recommends that the Select

Committee on Public Enterprises and Communication and the

Select Committee on Security and Justice should convene a

joint meeting inviting the Minister of Police, Justice and

Correctional Services to address the low pace of finalising

the investigation and prosecution of alleged acts of

corruption and maladministration relating to the SOEs. Thank

very much, hon Chairperson.

Debate concluded.



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Question put: That the Report be adopted.

In favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,

Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the

Constitution.

Business of the Council concluded.

The Council adjourned at 15:58.

