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***PROCEEDINGS OF NATIONAL ASSEMBLY CHAMBER***

\_\_\_\_

Members of the Extended Public Committee met in the Chamber of

the National Assembly at 15:01

The House Chairperson Ms M G Boroto took the Chair and

requested members to observe a moment of silence for prayers

and meditation.

**ANNOUNCEMENTS**

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, let’s

continue to do what is good in the interest of safety for all

present in the chamber. Let’s keep our masks on and sit at our

designated areas. The first item in the Order Paper, is the

motion in the name of the Chief Whip of the Majority Party.

**APPOINTMENT OF SECRETARY TO PARLIAMENT**

(Draft Resolution)



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The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you, hon

House Chairperson, I move:

That the House –

On the recommendation of the Speaker of the National

Assembly and the Chairperson of the NCOP, and subject to

the concurrence of the NCOP, appoints Mr Xolile George as

Secretary to Parliament on a five-year performance-based

contract, with effect from 15 June 2022.

I so move.

The HOUSE CHAIRPERSON (Ms M G Boroto) Thank you, Deputy Chief

Whip. I will now recognise the parties that wishes to make a

declaration. The usual time for Declaration of votes will

apply. Any members from the DA? Order, hon members, I’ve got a

timer here.

*Declarations of Vote:*

The CHIEF WHIP OF THE OPPOSITION: Hon House Chair, I can feel

the love, thank you, thank you. Am I cute? Look at that. Madam

House chairperson, Madam Speaker, Parliament has been on a



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shambles for years, having to complete a scandal with the last

full time Secretary, as well as having gone to an extended

period of having only an Acting Secretary, who as we all know,

failed to have teeth because they act in a role, and could not

fulfil her full potential.

While we strongly appreciate the efforts made by the Speaker

to meet with the leaders of our parties for two periods, there

are still many issues that plague us and worry us about this

appointment, and our questions remains unanswered. There are

many certain terms that we are concerned about. When it comes

to Mr Xolile George, one cannot help, but look at the

substance of the person that we are going perhaps to appoint

today as the parliamentary Secretary. Mr Mr Xolile was the

Head of Salga, which is a huge role, mandated to perform two

strategic roles within the system of government, to protect

the robust and enforce the right of local government, and

constructively disrupt areas of existing systems that make an

important and impossible systems for government to deliver on

its mandate.

However, during that time, the Auditor-General of South Africa

highlighted the dire state of our local government in South

Africa, noting amongst others, an amount of R189 billion of



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fruitful and wasteful expenditure, that took place under the

tenure of Mr Xolile George. Mr Xolile George has left the

local government health in a debt spiral, and that cannot be

ignored. In 2021, only 28% of the municipalities have

submitted quality financial audit for auditing purposes, only

11 of which were received clean audit.

The Free State and the North West Provinces, has still not yet

delivered a single clean audit between them, citing revenue

shortfall and liquidity concern in July 2021, Moodys had no

option but to downgrade the following municipalities,

Johannesburg, Ekurhuleni and Nelson Mandela Bay. November saw

Nelson Mandela Bay and Ekurhuleni being downgraded again. In

such cases, Mangaung, Rustenburg, and Ekurhuleni, the credit

downgrade started in 2019.

Municipalities make up 42% of Eskom revenue, however,

municipal arrears have ballooned to a staggering amount of

R35 billion. President Ramaphosa himself admitted that, only

5% of municipalities in South Africa are financially stable.

They have weak institutional capacities, poor financial

management, corruption and political instability. All while,

Mr Xolile George received a very generous salary during his

tenure at SA Local Government Association, Salga, way above

ooxWord://word/media/image5.jpeg

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inflation, about R5,8 million per annum, up from R5,339,467 in

2018-19 year.

Now, we cannot subside the fact that had a religious status on

the government. When Parliament fails, the rest of the country

fails. As they say, when Parliament catches the cold, the

country catches flu. We need someone of sound and stable

financial stability, to look after the finances of Parliament,

and make sure that we are not institutionalised into an area

where cadre deployment is allowed as a career during state

capture, and decisions are made based on ideology and not

pragmatism.

According to this, the DA does not find Mr Xolile George an

applicable and suitable candidate, and therefore, we will not

be agreeing to his appointment as a permanent Secretary to

Parliament. I thank you.

Ms Y N YAKO: Thank you very much, House Chairperson, the EFF

rejects the proposed appointment of the ANC deployee, Mr.

Xolile George. We want to make it clear that we do not trust

him, and we will never trust him. We will never trust

deployees of the ANC in our lifetime. Parliament ended up

without a Secretary for almost 10 years now, because a



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deployee of the ANC was given unchecked powers to handle

Parliament’s finances, despite our warning that the guy is

wasting Parliament’s money flying around on useless study

trips while Parliament is failing to prioritise its core

business of Parliament.

That is why, today, we do not have the capacity to draft

Private Members’ Bills, and are here to rubber stamp executive

Bills. We have only passed one Private Members’ Bill since

2009, and this is not because Members of Parliament do not

have Private Members’ Bills, but Parliament does not have

capacity. That is why today we are holding meetings in the

Good Hope Chamber because Parliament did not have the capacity

to comply with Occupational Health and Safety requirements as

per the Act. Despite our call for Parliament to investigate a

more practical and cost-efficient way to accommodate Members

of Parliament here in Cape Town, instead of using those

apartheid parliamentary villages, we still do not have

proposals. Instead, Public Works is wasting money on inflated

contracts on renovations.

We also want to make it clear that no one is going to be paid

some amount that is negotiated in corridors. An advert was

publicly circulated and a salary for Secretary to Parliament



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is public knowledge, and it is R2,4 million per annum. He

applied knowing, and if he doesn’t want the advertised amount,

he shouldn’t have applied and should go home. We are not even

sure that he has the required competency to deal with complex

institution systems. We still have Councillors who served in

the previous municipal term and are struggling to receive

their pension because of the incompetence of Salga.

Therefore, once again, House Chairperson, the EFF rejects

proposed name of Mr. Xolile George for the position of

Secretary to Parliament. Thank you.

Mr N SINGH: Thank you very much, hon Chairperson. Hon

Chairperson, as the pre-eminent legislative body in South

Africa, it almost beggar’s belief that such a critical Office

as that of the Secretary to Parliament has been vacant for

five years. Such a vacancy, in an office of great strategic

importance to the optimal functioning of Parliament, only

fosters instability when instead, leadership is what is

required. Thankfully, the Acting Secretary to Parliament, Ms

Tyawa, did a more than admirable job in holding the fort.

She must be recognised and thanked for her dedication and hard

work, during this transition period. Chairperson, besides



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professional competence and appointment based on merit, the

Office of Secretary to Parliament must be held by an

individual who encapsulates the laws and values that underpin

our democracy. During my tenure as the Member of this

Parliament, there has already been two instances, where we

have to remove a Parliamentary Secretary for

maladministration. In 2012, the then Secretary to Parliament,

Zingile Dingani, did not crown himself in glory. He was found

guilty on two of the nine charges of the misconducts levelled

against him, relating to an irregular salary advance.

In 2017, yet another Secretary to Parliament, Mr Gengezi

Mgidlana, was placed on special leave and later charged with

13 charges of serious misconduct. In 2019, Mr Mgidlana was

found guilty on seven of the 13 charges levelled against him.

He was thereafter summarily dismissed by unanimous decision,

by both the National Assembly and the NCOP. So, hon

Chairperson, what is the solution to prevent such a situation

from occurring again? Firstly, the position must be free from

political interference, and secondly, it must serve the

interests of Members of both Houses of Parliament, in an

impartial and bipartisan manner.



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The incumbent must have the requisite skills, be apolitical,

and be ready to hit the ground running, in respect of the

current needs and challenges that this institution finds

itself facing today. Technology and innovation must play a

central role as we continue our foray into the 4th Industrial

Revolution, and in respect of our efforts to become a

paperless, environmentally-aware Parliament. I have sat on the

Interview Panel, which took a unanimous decision to support

the candidature of Mr George. He evinces good leadership

skills and credentials. My advice, hon Chairperson, to Mr

George is, you may try to be all things to all people, but you

must be firm in the execution of the mandate of your Office.

It is also public knowledge that Mr George has taken a cut in

salary for this position, and it should be noted and

appreciated that he has accepted the position of service to

the nation over market-related salary expectations. However,

we expect the surety from the Speaker that, there will be no

special treatment or salary adjustment relating to this role.

We will monitor this very closely as the Standing Committee of

Parliament, ... [Interjections.] ... and we support the

appointment of Mr George as Secretary to Parliament. Thank

you.



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Dr C P MULDER: Hon House Chairperson the appointment of the

Secretary to Parliament most likely is the most important

appointment that Parliament makes because that is the official

in Parliament and that person will set the tone for the rest

of Parliament. In terms of the section 43 of the Constitution,

Parliament is the legislative authority of the republic on

national level. It is a very important institution. If you

listen to what has been said already, we are starting on a

wrong footing once again.

Where we are today, it is clear that there is no contract

signed yet between Parliament and Mr Xolile George. So,

clearly we have got a problem. Political parties made it clear

to Madam Speaker that there are some things that we need to

clear them up. The panel referred to, met almost two years ago

and since then there has not been any action in that regard,

bringing Parliament on board and political parties in this

process. Surely, Parliament is different from any other state

department or from anybody else in the sense that in

Parliament we have represented not only the government party

but also the opposition. Surely, all the Members of Parliament

or all parties in Parliament being either in opposition or

government should be either be satisfied that the person



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appointed is capable of being absolute impartial and not be a

political deployee from any political party.

It was already stated that there is concern in that regard if

one looks at the curriculum vitae of Mr George. It is quite

clear that he comes through the ANC’s rank throughout. If you

look at his references he gives at the end of the curriculum

vitae, they are all ANC people and there is no doubt about

that. Now, my concern is that, I have indicated that Madam

Chair, we need a copy of a contract involved because I think

that is also important. We have not been furnished with a

contract. As a matter of fact, it has not been signed and I

cannot think that Parliament would be asked to appoint this

person today.

To appoint this person today, it has not been an agreement

already reached. So clearly, there must be an agreement

between Madam Speaker and Mr Xolile George in terms of his

appointment, his remuneration and so forth. We were furnished

this afternoon with generic contracts, not the signed one,

which indicates what is the position with the based fixed term

contract of the employment. Section 7 of that contract deals

with how the contract can be terminated and it is quite



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important. We have been asked today to appoint Mr Xolile

George for a period of five years.

In two years from now, we will have an election and nobody

knows what will happen in that election. So, if you look at

clause 7 you will find that there is a provision in this

generic contract that says the contract can be terminated with

one-months’ notice. I hope that that would also be in the

final contract. I do not know. You must take cognisance of the

fact that the final contract would be asked to be seen because

we believe it is very important. With all that taken in mind

we will not support this appointment, thank you.

Mr S N SWART: Hon House Chairperson, the Office of the

Secretary to Parliament is a crucial position in the running

of Parliament as it is responsible for the provision of the

official administration support of the accounting officer and

that is the Speaker. In view of this important function, the

ACDP believes that great care must be taken when appointing a

new Secretary to Parliament, hence the multiparty panel that

conducted the interviews.

Sadly, two appointments to this important position have been,

in two cases, disastrous and some having been fired following



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disciplinary process. Parliament, has a result, been without

the Secretary to Parliament for almost five years. Since 2019,

the Deputy Secretary to Parliament Ms Penelope Tyawa has been

acting in this position. ACDP would like to thank her and her

team for providing immense support for the Speaker and indeed

to all Members of Parliament during to the significant crisis

namely the Covid-19 pandemic and the lockdown and the

devastating fire here in Parliament this year. We have always

worked very well with Ms Tyawa and her staff and we have found

her to be diligent, committed, very hard working and for that,

we thank her.

Now, the challenges facing the new Secretary to Parliament are

immense from the critical skills vacancies in committees to

other sections, to the impact of Covid-19 and of course the

need for Parliament to return to normal operations and the

consequences of the devastating fire. I have listened

carefully to the concerns of other parties that have been

experienced, particularly given the poor state of our

municipalities.

However, we would like to give Mr George the benefit of doubt

that indeed particularly given the fact that the multiparty

panel interviewed Mr George and unanimously recommended him to



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the position. The salary issue seems to have been resolved and

according to our understanding it is directly in accordance

with the position as advertised. This as well as the contract

issue should be dealt with by the Joint Standing Committee on

the Financial Management of Parliament which will be the

correct for a for exercising oversight in this regard. ACDP,

will therefore support this appointment. I thank you.

Mr N L S KWANKWA: Hon House Chair, I think it is important for

us to provide a bit of context to this debate. Firstly, there

was a multiparty panel that interviewed Mr Xolile George and

other candidates. That panel unanimously agreed as already

stated. They voted in support of Mr George as the right

person. Last week when party leaders raised their concerns

about this appointment, the matter was taken out of the Order

Paper because the Speaker felt at the time that it was

important for her to take leaders into her confidence and may

be try to address their concerns.

Fast forward to yesterday. Yesterday there was a similar

meeting where the thrashing out of all the concerns and these

issues was done. There was an agreement that we should support

this appointment on condition that the Conditions of

Employment for Mr George, especially the remuneration if it is



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going as advertised. That is the position of the UDM that we

are going to support this appointment but we want to make sure

that his remuneration is as per the advert. If that does not

happen, then ...

*IsiXhosa*:

... kuza kuqhawuka uNobathana.

*English*:

I think it is important for us to extend a message of

gratitude to Mme Tyawa for holding the ship for the past

couple of years when she was acting as an Acting Secretary to

Parliament as we prepare to usher in a new secretary. We also

need to understand that I always say that it is important to

consider credentials. We must encourage people to invest in

their personal development but the experience in South Africa

is the state-owned enterprises, SOEs were run by people who

were over qualified. So, he must not take it for granted that

he has the credentials, the experience and expertise that he

has developed over the years and think that running the

institution as important as Parliament is going to be a walk

in the park for him.



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It is also important to understand and manage all the various

stakeholders that interact and work with this institution

because you cannot manage an institution such as this one

without having an acute understanding of it. Also more

importantly is that we have more important constitutional duty

and mandate to make sure that we hold the Executive to

account. Everything he does, must make sure that Parliament is

actually true to its constitutional objectives and that we are

able to discharge that on the daily basis.

*IsiXhosa*:

Siyabulela.

Mr B N HERRON: Thank you, House Chairperson. House

Chairperson, we welcome the fact that the critical vacancy has

finally been filled. We were not part of the selection process

with panel, but we trust that the process identified the best

possible candidate. We do not doubt Mr George’s ability to

manage our Parliament. We wish him well in the role and trust

that he will provide the much-needed stability and good

governance that we need. We thank the Acting Secretary for her

service and we support the appointment. Thank you.



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Mr A M SHAIK-EMAM: Thank you, House Chairperson. House

Chairperson, allow me to start off by thanking our former

Acting Secretary, Ms Baby Tyawa, for her service and

commitment to Parliament although we are not sure why she was

not offered the position in anyway at some stage. However,

having said that we are quite satisfied, House Chairperson,

that a multiparty panel together with the other stakeholders

conducted the entire interview process and unanimously agreed

on the candidate. Remember that the multiparty panel which

included different political parties represents us in one way

or the other, because not every party could be represent. Now,

given the fact that they came up unanimously and I think we

have been told that there was a massive gap between the first

and second candidate and the second and third candidate. The

only outstanding matter was the issue of the salary that was

clear in the package that was offered and many who applied for

it package for a position you obviously take it or ...

[Inaudible.] ... that the package that is being offered and we

have been given that undertaking by the hon Speaker that,

indeed, it will be in line with the package that was actually

offered.

Now, taking that into consideration we had some concerns, this

matter was deliberated extensively in the Multiparty Leaders



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Forum with the Speaker, and we all agreed that with the hon

Speaker providing us a copy of the advertisement we will

support this. Yes, indeed, we can change our mind and support

or not support. The fact of the matter is this that all

processes were followed and it would appear from the

information we have that, indeed, Mr Xolile George is the best

candidate suitable to be able to provide us with the excellent

service that will be required from him as a Secretary to

Parliament. In light of that the National Freedom Party will

support this appointment. Thank you.

Mr S M JAFTA: Thank you, hon House Chairperson. Hon House

Chair, it is almost three years since Parliament had permanent

accounting officer. The Secretary to Parliament occupies the

critical role in the architecture of Parliament’s

accountability functions. Their role constitutes central core

in Parliament’s operational effectiveness and the

administrative agility. We have noted with concern the delays

that shrouded the appointment of the permanent head. The

Acting Secretary to Parliament has in the meanwhile kept the

boat sailing with remarkable ... [Inaudible.] ... and

commitment, on the other hand the National Education, Health

and Allied Workers' Union, Nehawu, has been both toxic and



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helpful to this process. They prematurely ... [Inaudible.] ...

candidate before all the ... [Inaudible.] ... were dotted.

They were equally helpful in detecting corruption under the

previous administration, the efforts which led to put the

dismissal of the previous Secretary ... [Inaudible.] ... this

appointment of the Secretary is solely premise on seeing the

process run its course under a climate of fairness and

transparency. We are, therefore, interested in the purity of

the process. We will support the appointment of Mr George as

the Secretary to Parliament. I thank you.

Mr M NYHONTSO: House Chairperson, I’m saying that we support

the appointment. Thank you.

Mr B A RADEBE: Hon Chairperson of the House, the Speaker and

hon members, the African National Congress warmly welcomes the

recommendations of the Speaker of the National Assembly and

the Chairperson of the Council on the proposed appointment of

Mr Xolile George as a Secretary to Parliament. This we do it

as we know that Mr Xolile George has been there, as Mr Mulder

said, that in his curriculum vitae, CV, he was the member of

the ANC, he’s still the member of the ANC, he’s still be the

member of the ANC even tomorrow. However, that does not



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disqualify him for executing this job of responsibility I’ll

just make an example here, you go to the Governors of the SA

Reserve Bank, the former Governor Tito Mboweni, the former

Governor Gill Marcus, and the current Governor Lesetja

Kganyago have done extremely well in that institution because

they were trained by the African National Congress.

If there are people who went off the tangent is because of

their own doing. Therefore, that is why we say that as the ANC

we know Comrade George very well as an organisation. We travel

with him during the challenging times since the inauguration

of local government sphere. It is precisely these challenges

that has moulded him and tested his capabilities and

competencies dealing with the complexities of local government

as the outgoing chief executive officer, CEO, of SA Local

Government Association, Salga. The position of the CEO of

Salga required vision and understanding of the long view of

where the sphere of government needed to progress. It required

the vision in dealing with the legislative and ...

[Inaudible.] ... views that were and are still necessary. His

capable thinking could be seen influencing the decision-making

process and always providing recommendation and seeking to

demystify matters. He had a lasting presence or be able to

interpret the application of the Constitution in local



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government to meet the needs of the people for local

government sphere for better service of the people.

What is very important here is that Mr George comes to

Parliament after we suffered a severe setback in January where

the fire devastated Parliament. That is why we need a

permanent secretary who will be able to take tough decisions

to ensure that the Parliament is restored to its former glory.

He will step in Parliament where it is having a strategic

framework which is putting the people first and the Members of

Parliament at the centre. That is why when you look at the

strategic plan of Parliament it’s very clear that the

strategic priorities will be the oversight, enhance oversight

plus the enhanced public participation. Therefore, he knows

very well what he’s entering into. Therefore, the task at hand

is complex and not easy, but that is why the presiding

officers have tabled such a recommendation. They’ll be looking

for someone who could feel the task at hand and who has the

track record of being able to deliver under challenging

circumstances. He will need to rise the Parliament when needs

to involve to taking some of the longstanding issues and

provide leadership.



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We are all aware that this particular post has some serious

historic challenges, and these lessons ... [Inaudible.] ...

behind. As the members have alluded here the former Secretary

to Parliament Mr Zingile Dingani and Mr Mgidlana were found

wanting. However, the issue is that what did the executive

authority do. The executive authority did act on that on-the-

spot so that that’s why they were dismissed, because even this

executive authority will do the same if anything goes wrong.

Who can here guarantee that when we employ someone that person

will fulfil the contract to up to its perfection? That is why

the contract will always have an opt-out clause so that if a

person does not deliver that person can be terminated as

necessary. The contract which here that the contract can be

terminated within a month which is very important. Therefore,

what is also very important here, House Chair, is that we

welcome ... [Inaudible.] ... having determine the incoming

Secretary to be placed on performance-based contract.

Performance of Parliament is the matter that the ANC has

consistently been raising in the quarterly reports that have

been tabled for debate. We trust that the performance of

Parliament as a whole will rise as we move forward.

However, at the same time as the ANC we wish to express our

deep gratitude to the Acting Secretary to Parliament, Ms Baby



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Tyawa. It’s certainly has been a long and difficult period

that she had to serve as an Acting Secretary following the

suspension of the previous secretary. True to the

characteristics of a woman, she remained focused and

determined whatever adversity had risen. The job of the

function of the Secretary to Parliament would be taken

forward. That determination created for her moments of great

difficult and we want to acknowledge today that it was not

easy for the Acting Secretary to Parliament, notwithstanding

we provided the support that was necessary. Sometimes we

provided the headaches as well, but at all time she knew that

there was a network of support that could tell, she could turn

to. Precisely because we have the interest of the development

and progress of our people at heart.

In line with the longstanding ANC policy of continuity and

change, we are encouraged that Mr George will have Baby Tyawa

there to provide that continue, but also to facilitate the

necessary change. That is why one of the achievement of the

Acting Secretary is that in the previous five years the

Parliament has had clean audit. We expect that as she has done

that she’s able to work and help the incoming Secretary so

that that good work can continue going on. In supporting the

recommendations of the presiding officers, we wish to say to



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Xolile George that we welcome you, and we will work with you

in the interest of our people and their Parliament. Therefore,

at the same time we will hold you accountable for the task

that your job function asks you to do. We welcome you, Mr

George. The ANC supports the recommendations. Thank you.

[Applause.]

Question put: That the motion be accepted.

Motion agreed to (Democratic Alliance, Economic Freedom

Fighters, Freedom Front Plus dissenting).

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON PUBLIC**

**ENTERPRISES ON OVERSIGHT VISIT TO TRANSNET PORT OF DURBAN**

Mr K E MAGAXA: Thank you Chair. The Portfolio Committee on

Public Enterprises is tabling the debate on adoption of the

oversight visit to Transnet in KwaZulu-Natal province with the

specific sight visit to the Port of Durban, Transnet

Engineering Durban operations and Transnet pipelines National

Operating Centre in Durban. The oversight visit to Transnet

occurred from the 3rd to the 4th of February 2022.



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Hon Chairperson, the oversight visit to Transnet especially

the Port of Durban Transnet Engineering operation and Transnet

pipeline National Operating centre was not attributable all

into the poor performance of Port of Durban over the years and

during the current economic crisis associated with the Covid-

19 pandemic but also to a number of structural and fractural

inefficiencies in the freight transport sector.

Firstly, on the Port of Durban, hon President Ramaphosa

announced the establishment of the Transnet National Ports

Authority as an independent subsidiary in line with the

National Port Authority Act 2005 to attract private sector

investment in port freight including expansion of the Port of

Durban at an estimated cost of more than R100 billion.

Hence it was important for the portfolio committee to assess

the progress made in terms of both the expansions and the

corporation of the Port of Durban since the establishment of

the Transnet National Port Authority in particular.

The interest of the portfolio committee was to observe the

measures put in place to reverse the negative effect of lack

of maintenance and poor operational performance which

triggered the challenges of congestion at the Port of Durban.



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Secondly, on structure and fractural inefficiencies, the

inability of some of the preferred bidders to deliver

locomotives in line with the 1 064 locomotives contracts has

undermined the availability of rolling stock and maintenance

material. This in turn disrupted rail operations and triggers

supply chain bottlenecks.

Furthermore, fuel theft and related fractural vandalism

coupled with lack of demand of rolling stock have impacted

negatively on Transnet pipelines and Transnet Engineering’s

revenue performances. It is due to these factors that the

oversight visit to Transnet took precedent.

Hon Chairperson, the members of the portfolio committee who

participated in the oversight visit to the Port of Durban,

Transnet Engineering Operation and Transnet pipeline National

Operating Centre in Durban identified the following known

exhausting findings:

Members were impressed by the plans to expand the Port of

Durban in order to unlock its potential; members noted with

concern the impact of legislative and ...[Inaudible.] ...

which affect the efficiency of operations particularly the

turnaround time for procurement of equipment and parts;



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members acknowledge the advanced manufacturing capabilities

and capacity of Transnet Engineering however was concerned

with the slow delivery of this 1 064 locomotives and lastly

members have observed the fuel theft is the work of the

organised syndicate and requires intervention from the justice

crime prevention and security cluster as it causes Transnet

pipelines a loss of revenue.

However, the situation looks like it will improve considering

that Transnet pipeline has developed partnership with the

private sector to address fuel theft and fractural vandalism

to advance technologies and security personnel.

More importantly security implementation plans are being

pursuit aggressively with Transnet and in collaboration with

the state security agencies to address the recurring loss of

revenue as well as unreliability of the rail network due to

theft incidents in the most profitable drive corridors.

For yet another example, the Department of Public Enterprises

is working closely with National Treasury, and the Department

of Trade Industry and Competition to address legislative and

policy impartment which affect the turnaround time for

procurement of equipment and parts.



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Hon Chair, the portfolio committee made a number of

recommendations and these are aimed at ensuring proper

implementation of the effective response measures to deal with

changes affecting the Port of Durban.

Transnet engineering ... [Time expired.]

*Declaration of vote:*

Mr G K Y CACHALIA: Thank you Chair. The oversight visit was a

timely precursor to the picture painted in recent indebt cover

story in the Financial Mail. It described the situation nearly

two decades and billions of rands after a wise American

Railroader Vinyl sought meetings with senior managers of

Transnet in 2005 to see if the utility would consider

concessioning its abandoned branch lines to private operators

facing a brick wall the American took his money and railroad

experience that never came back. It’s prescient story about an

SOE that represents the skeletons ... [Inaudible.] ...

arteries of our failing economy.

The conclusion of the article is that the rail ports and

pipelines operator has 17 years later reached a critical point

in its existence there I say one, that it’s pregnant with

peril.



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As the minerals council of South Africa’s chief economist

says, this economy depends for 60% of its GDP on exports and

imports and virtually all of its transport and logistics. The

sobering fat is Transnet’s impact on the mining sector has

doubled the impact of the electricity crisis if it fails.

And yes, exogenous factors like climate and covid have

hampered delivery all over the world for that matter but make

no mistake, historical and ongoing endogenous factors

pertaining to policy, theft, mismanagement and ineptitude have

combined in 2021 to reduce revenue by 10,5%, drop rail freight

volumes by 13,3% and reduce port container throughput by

10,5%. This speaks in the words of the article to Transnet’s

own abject internal failures.

Notwithstanding the plans of the mitigate failure and the

various reasons ranging from the wrath of the climate of Gods

through to State Capture and the ever culpable Pinyata of

apartheid the lesson to be learned is take responsibility and

fix the problem and not just moan about how you can’t fulfil

your agreements while mineral and agricultural exports decline

at an alarming rate.



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It’s now approaching two and a half years since the

appointment of the new CEO and her team but the results have

if anything been worse. This maybe in part because of the

accumulative effect of the ANC’s chickens coming home to roost

but surely it must be because they are seemingly unable to fix

the fiasco and while opting to be half pregnant, President

Ramaphosa has ruled out the privatisation of Transnet while

directing it to allow private rail operators to operate on the

country’s network.

Perhaps if the board and executive of Transnet were frank

about the pitfalls inherent in the terms offered and made

clear of what is actually needed to fix the mess, things would

be different.

But I guess that maybe tantamount to writing your own letter

of retrenchment cadre to cadre as it were. Still if private

concessions belated to seem to be the way forward for rail and

ports, friendly policy noisers are insufficient to attract

private industry. They have to be incentivised and not sold

the dummy and clear procurement framework with detailed

opportunities must be provided.



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The goals of the participants need to be aligned and laser

like concentration on those areas where rail is a distinct

advantage needs to be implemented.

Importantly, the economic and financial assessments on all

ports ensure participation areas must be conducted. These

assessments must be extended to compare delivery by the

private sector to that of the state and to ensure a more

efficient solution is achieved.

Each opportunity must be subjected to financial analysis to

determine the feasibility as well as to inform what is best

delivered by the state or the private sector even though the

history of the state’s failure over the past years provides a

clear answer to many.

This is what is needed, not the PowerPoint PR oversight visits

that highlight port achievements and the plethora of plans

that have little chance on delivering on their lofty aims

while the spine of the economy, the arteries clocked and the

bones ossify.

The Minister of Transport’s assurance in March 2021 that a

full private sector access to Transnet network will be



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implemented in the next three years if not sooner. Despite

that, the picture is bleak.

Yes, Transnet has announced its intention to sell 16 slots but

it has also announced that it has no plans to open up third

party access to rail network so much for the Minister’s

assurances.

Why? After all they admit to being behind the curve. South

Africa can’t afford it.

Ms Y N YAKO: No, your time is up.

THE HOUSE CHAIRPERSON (Ms M G Boroto): Who is that? Hon

members you don’t do that please. We have a House here, let’s

allow the House to do its work.

Ms R N KOMANE: Hon House Chairperson, the Economic Freedom

Fighters, EFF, reject the report of the Portfolio Committee on

Public Enterprises on oversight to Transnet Port of Durban.

When we went to Durban as the committee we met with the

organised labour and it was clear that the drive to privatise

port services is the reason behind the deliberate collapse of

Transnet.



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The white capitalist establishment has repeatedly made it

clear that they are not interested in creating jobs or

economic development. They are going to automate and mechanise

ports operations when we have more than 11 million unemployed

people. Transnet spent millions on cranes that are

incompatible and no one has used them or been trained; they

are just gathering dust. This is a deliberate collapse of

Transnet we are talking about.

All goods that were previously transported by rail are now on

our roads, and Transnet does not have a practical or

implementable plan. Instead, all these trucks are driving

through small towns damaging our roads. We saw during the

oversight the levels of damage to Transnet infrastructure

because of crime, and nothing was done about it. There is no

effort to use Transnet’s infrastructure and capacity to

industrialise. Transnet could not tell us what is going to

happen to Isipingo farmers in terms of what will happen to

them, even when it is clear that they are an important agro-

processing player and this will be destroyed.

These are all issues that the committee report should have

attended to and made a clear recommendation on, but it didn’t.

if we do not make a recommendation that results in change, we



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are not different to tourists. Therefore, the EFF rejects this

committee report. Thank you very much.

Mr E M BUTHELEZI: Hon House Chairperson, while the main

purpose of the committee’s visit to the Durban port was to

assess the progress that has been made in the expansion of the

port and the impact of corporatisation and its challenges and

efficiencies, I must declare the IFP displeasure at the lack

of focus by government on how exactly the expansion of the

Port of Durban will create jobs, and how the corporatisation

include black businesses, not just what we were told there

that they are only included as the cleaners of vessels.

We cannot beat around the bush on the most pertinent matters

which affect the majority population of Kwazulu-Natal and the

country at large, and that is the transformation agenda and

redress. While we welcome the progress that has been made thus

far at this port and the commitment and delivery of Transnet

in ... [Inaudible.] ... developing this space for commercial

maritime and industrial purposes, we must stress the inclusion

of our people in making this an economic reality. It will be a

grave missed opportunity if we were to allow this expansion to

once again exclude the majority in favour of the minority.

South Africans right now need an economic miracle of some



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sort, not only to put food on the table, but to activate

generational wealth creation.

Our people are being robbed of opportunities to grow and

create jobs because we have allowed the cancer of corruption

to spread in all sectors of our economy. We therefore want to

expedite the feedback and recommendations of the State Capture

Report in the investigation and prosecution of individuals who

were implicated in the acquisition programme of 1 064

locomotives. South Africans want to see the ... [Inaudible.]

Furthermore, it is all good and well when we are able to

attract big players such as multinational corporations at our

ports but this cannot be done at the cost of excluding the

smaller players which are led by black young people, women and

people who are differently abled.

In terms of labour, we ask that government must be mindful in

processing the jobs that may be lost due to the new

innovations such as automation. In doing so, we believe that

upskilling and developing our labour force to accommodate and

welcome the new technologies will play a significant role in

making sure that people don’t lose their jobs while we are

trying to transit in this new technology. Hon Chair, the IFP



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will support this report with our reservations noted and taken

into consideration. Thank you very much.

Mr W W WESSELS: House Chairperson, there is no declaration

from the FF Plus, thank you.

The HOUSE CHAIRPESON (Ms M G Boroto): Thank you. The ACDP? Do

we have a member from the ACDP who wish to participate?

Mr W M THRING: Yes, hon House Chair. My apologies, we have

some loadshedding and I am just getting myself sorted. Thank

you.

The HOUSE CHAIRPESON (Ms M G Boroto): No problem.

Mr W M THRING: Hon House Chairperson, as we consider this

report, the ACDP is conscious of the importance of the Port of

Durban, not only to the economy of eThekwini Municipality, but

to that of South Africa as a whole. The Port of Durban is

ranked first in Sub-Saharan Africa, third in Africa and fourth

in the Southern Hemisphere in terms of container through-put.

It is the busiest port in Africa in terms of vessel calls. The

customers of Transnet include terminal operators, shipping

lines, ship agents, cargo owners, and clearing and forwarding



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industry. The port contributes 20% to Durban’s gross domestic

product, GDP, 11% to KwaZulu-Natal GDP and 2% to South African

GDP. In terms of employment, it directly employs 1 183 jobs

and some 50 000 indirect jobs. I have fond memories of the

Port of Durban as a young boy ...

The HOUSE CHAIRPESON (Ms M G Boroto): Hon Thring, please just

a few minutes. Hon members, I can’t even hear what hon Thring

is saying. [Interjections.] ... Hon members, please. No, no,

no, you will appreciate him at your own time. Hon Thring,

please proceed. [Interjections.] ... They appreciate your

shirt, that’s what they are saying. Proceed, hon Thring.

Mr W M THRING: I have fond memories of the Durban harbour as a

young boy, it was a place where we would climb onto boats to

dive into the water. It was a place to swim and a place to

fish. Sadly, however, fishing and swimming would be a hazard

to one’s health due to the numerous sewerage spills into the

harbour, which threaten to close down some of the restaurants

in the vicinity. In this regard, Transnet must liaise with the

City of eThekwini to prevent sewerage plants from releasing

their effluent into rivers which run into the harbour.



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The ACDP is aware of the partnership plan with the private

sector to expand the Port of Durban at a cost of some

R100 billion. Should this upgrade plan come to fruition, it

has the potential, in the next 10 years, to see 60% of the

container traffic, into and out of South Africa, being handled

by the Durban Port. I will, however, not hold my breath on

this if the multi-billion rand Durban dig-out-port is anything

to go by.

The ACDP agrees with some of the committee’s recommendations

which encourages multi-sectoral partnerships and engagements,

seeks to avoid job losses and calls for a focus on the

performance of the whole value chain rather than one indicator

in the Port of Durban.

In conclusion, the recent floods and last year’s riots have

placed the port on a back foot. As one of our national key

points, the Port of Durban cannot be allowed to become as

dysfunctional as Eskom. The price to be paid would be too

high. Thank you, hon House Chair, who wish to use it. Thank

you.

Mr N E DLAMINI: Hon Chairperson and members of the House, I

greet you. There seems to be a confusion here as to what’s



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happening in the logistics industry. People want to talk about

job creation as if the vessels are going to create jobs. There

are auxiliary industries that are going to create jobs after

we have expanded the ports. This thing is simple; it shouldn’t

be confusing.

Secondly, the issue of the ports expansion is necessitated by

the current trends in the industry. You see, the ships that

are delivering goods are bigger than the capacity of the port

currently. Therefore, it is important to expand the port so

that we attract bigger vessels to come and dock in our ports

so that they open up a new regional business for the regional

logistics companies. Meaning one vessel will come from Asia or

wherever and dock in the Port of Durban and leave the

containers for the entire continent. We are creating many

jobs, not in the area of Durban only, but throughout the

continent across the east and the west coast. If people

understood this there would be no confusion.

Hon Chairperson, the report of the Portfolio Committee on

Public Enterprises on the oversight visit to Transnet port

terminal was validated by the 2022 state of the nation address

in which the hon President Ramaphosa stated that our economy

cannot grow without efficient ports and railways. Over the



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past few years in particular, the performance of the Port of

Durban has declined relative to ports in other parts of the

world, and on the African continent. Furthermore, during the

Covid-19 pandemic, the preponderance of the rail and pipeline

infrastructure theft and vandalism left implications lasting

into the present day at Transnet.

As these factors affect businesses and subsequently compromise

the country’s economic growth rate, the portfolio committee

find it imperative to develop a three-point approach to the

oversight visit to Transnet. Firstly, the portfolio committee

visited the Port of Durban to assess the progress made in the

expansion of the port, the impact of corporatisation of the

port, challenges and efficiencies of the port since the

establishment of the Transnet National Ports Authority, TNPA,

as a subsidiary.

Secondly, the portfolio committee visited Transnet Engineering

Durban division to ascertain the progress made in so far as

assembling the already delivered locomotives in the 1 064

locomotive contract with China North Rail, China South Rail,

Bombardier and General Electric is concerned. In addition, the

portfolio committee was also interested in observing the

impact of South Africa’s deindustrialisation on Transnet



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Engineering and the measures the division has put in place to

offset this said reality. Thirdly, the portfolio committee

visited Transnet Pipeline National Operating Centre in Durban

to understand with greater precision the consequence of rail

theft on Transnet pipelines revenues and the mechanisms

identified to improve theft.

Hon House Chairperson, the portfolio committee made several

observations. It became evident to the portfolio committee

that the Port of Durban was experiencing operational

challenges, including but not limited to berthing delays as a

result of high marine craft breakdowns, old ship repair

facilities infrastructure made ... [Inaudible.] ... congestion

and declining levels of operational efficiencies at the

container terminals.

These challenges impacted negatively on the efficiency and

performance of the Port of Durban, thereby leading to the

unnecessary congestion. Regardless of these challenges, the

empirical element of progress was undeniable, take for

example, TNPA has established both the integrated decongestion

team formed with daily operation meetings held and

implementation review done biweekly at the Port of Durban, as

well as decongestion stream as the committee of decongestion



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task team to deal with congestion as soon as the collaboration

between TNPA and eThekwini Municipality to ... [Inaudible.]

... road to Port of Durban is finalised. For yet another

example, Transnet technical department has done recourse

analysis and the department ... [Inaudible.] ... manufactures

to deal with equipment challenges and equipment availability

and long procurement process were being monitored closely by

the address ... [Inaudible.] ... terminal inefficiencies and

underperformance.

Aside from all this, the TNPA has an agreement with the South

African navy to relocate its base from Salisbury Island to

Richards Bay and forge a partnership with eThekwini

Municipality to develop as an access road to link the Port of

Durban with N2 and subsequently N3 trying to evade traffic

congestion.

Hon House Chairperson, the members of the portfolio committee

appreciated the manner in which Transnet National Ports

Authority was focused on improving operational efficiencies at

the Port of Durban through procuring additional equipment and

implementing new systems to reduce congestion. This shows that

the ANC-led government is hard at work.



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The portfolio committee observed that Transnet Engineering was

facing serious challenges in terms of availability of

sustainable, partly due to insufficient demand in current

rolling stock requirements both locally and in terms of the

African continent to sustain the divisions partly due to

availability of ... [Inaudible.] ... because of the parts in

terms of the locomotives that are there. Obviously this is

flowing from the problems from the 1 064 contract. In the

whole, the ANC supports this report. [Applause.]

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: House

Chairperson, I move that the report be adopted.

Motion agreed to (Democratic Alliance and Economic Freedom

Fighters dissenting).

Report accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON POLICE ON**

**OVERSIGHT VISIT TO NORWOOD AND TEMBISA POLICE STATIONS**

**(GAUTENG PROVINCE) ON 4 AND 5 MARCH 2022**

Ms T M JOEMAT-PETTERSSON: Hon House Chairperson, hon Speaker,

Ministers, Deputy Ministers and members, the Portfolio



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Committee on Police conducted an oversight visit to the

Gauteng province on the 04 and 05 March 2022 to assess service

delivery at the Norwood and Tembisa police stations. This was

informed mainly by a reported theft of exhibited firearms from

the Norwood Police Station. Once more, and again, all

political parties agreed that we needed to go there and agreed

on the findings that we had after the Report.

On 23 February 2022, the SA Police Service briefed the

portfolio committee on the theft of firearms from the Norwood

Police Stations evidence tour in August 2021. According to the

SA Police Service an audit had revealed that 175 firearms were

missing from the safe, which included 134 exhibit firearms and

41 amnesty firearms. During the site visit at the station

specific attention was given to access the security

improvements made at the SA Police Service 13 store at the

Norwood Police Station. We are receiving quarterly reports on

the progress made in relation to the firearm theft.

Hon House Chairperson, the committee recommended that the SA

Police Service conduct a countrywide audit of all SA police

station 13 stores to ensure that no firearms were stolen from

other evidence stores. I am pleased that as a result, in the

SA police station, 13 stores phase one has been approved for



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implementation in Gauteng, KwaZulu-Natal and the Western Cape.

which reportedly commences in this year and will be finalised

about July 2022. We will monitor to ensure that it actually

does happen within the next two months. Phase two will then

proceed in the other provinces based on risk categorisation.

The Tembisa Police Station has consistently appeared on the

top 30 police stations with the highest recorded crime

statistics countrywide. During the third quarter the station

ranked number 17 in the top 30 police stations with the

highest recorded crime statistics countrywide. In terms of

crime weight contribution of the station in Gauteng it ranks

50 out of 143 stations. Similar to the Norwood area, the

committee raised significant concern about the high number of

liquor outlets in the area and questioned the role of the

Gauteng liquor board.

Alcohol is having a significant impact on our moral fiber and

violent crime in particular. The committee was shocked by the

fact that the detention cells were not in use as is the state

of disrepair and not maintained by the owner of the building,

which is the Ekurhuleni Municipality. The committee has

already embarked on a strategy to address the situation by

calling a meeting between the Ministers and we have already



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called this meeting between the Minister of Police, the

Minister of Public Works and Infrastructure and this meeting

has really been highly successful.

We have a follow up meeting with the Minister of Public Works

and Infrastructure to sort out further problems with SA Police

Station. The meeting proved extremely valuable as a desperate

state of police stations, office accommodation and detention

cells were laid bare. Drastic interventions are required and

will be implemented. We are confident that this situation will

improve. The committee made several recommendations in the

Report, most of which have already been implemented and are

bearing fruit. The importance of oversight visits should never

be underestimated and is one of the most significant oversight

tools at our disposal to ensure accountability and improved

service delivery.

Our committee has been allowed to conduct more oversight

visits and we thank the hon Chief Whip, House Chairperson and

all those who are allowing us to do so. In conclusion, hon

House Chairperson, we will look at the proximity of liquor

outlets especially taverns to the impact of crime, including

gender-based violence and femicide. Hon House Chairperson, the

committee has the support of the ANC and the committee



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recommends the implementation and approval of the Report. I

thank you.

*Declarations of vote*:

M Gen O S TERBLANCE: Chairperson, the SA Police Service as a

department is tasked to fulfill all the responsibilities in

terms of this Act and this is subject to parliamentary

scrutiny through the Portfolio Committee on Police. The

Minister of Police may in terms of existing legislation,

declare a firearm amnesty from time to time during which

period people may hand in unlicensed firearms or may even

apply for the renewal of such firearm licenses under certain

conditions.

Unwanted firearms may also be handed in during this period.

Such firearms handed at police stations for safekeeping in the

SA Police Station 13 stores until they can be disposed of

safely in terms of prescripts with a large percentage of these

firearms destined for destruction. The Portfolio Committee on

Police went on an oversight visit on the 04 March to the

Norwood Police Station to acquaint himself with the

circumstances that led to the second disappearance of firearms

from the SA Police Service 13 stores.



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It is a known fact that some of these firearms ended up in the

hands of gangsters in the Western Cape and were used in gang-

related murders. The conviction of former Colonel Prinsloo for

similar offenses is a telling example of this. Even today it

is glaringly evident that the police are not on top of their

game anymore to ensure the safekeeping of firearms under their

control. Every year is unacceptable numbers of official

firearms and demolition losses by the police as relegated this

once prior organisation to nothing more than the unofficial

main supplier of firearms and ammunition to gangsters and

organised crime.

The situation and the ever growing mess at the central firearm

registered cannot be tolerated indefinitely. The Minister of

Police must be held responsible to address this as a matter of

urgency, failing which he must follow in the footsteps of his

previous national commissioner and allow the nation to appoint

a competent Minister to steer the ship to calm waters.

*Afrikaans*:

Die Temisa-Polisiestasie word tans in ’n gebou geakkommodeer,

wat aan die betrokke munisipaliteit behoort. Die huurgeld is

’n baie klein maandlikse bedrag en gevolglik is die

munisipaliteit nie geneë om enige herstel- en



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instandhoudingswerk te doen nie. Aan die ander kant kan die

Departement van Openbare Werke en die Suid-Afrikaanse Polisie

Diens ook nie geld spandeer nie, aangesien dit nie ’n

staatsgebou is nie.

Die gebou word dus glad nie instand gehou nie en ’n oplossing

moet dringend daarvoor gevind word. Daar word voorgestel dat

onderhandelings plaas moet vind, sodat die gebou teen ’n

nominale bedrag aan die staat verkoop kan word, om die

probleem aan te spreek.

Kennis is geneem van die feit dat daar meer misdade in Tembisa

se stasiewyk gepleeg word as in Soweto, alhoewel Soweto ’n

baie groter gebied bedien. Dit is verder ook ’n bekende

brandpunt vir geslagsgeweld en gevolglik moet alles gedoen

word, om hierdie probleem in bedwang te bring.

Die situasie is tans glad nie baie gunstig nie. Baie min

polisiebeamptes word vir misdaadvoorkoming aangewend, terwyl

die syfers vir opsporing en skuldigbevinding maar 38% en 36%

onderskeidelik is.



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Vakante poste word nie gevul nie en meer reserviste moet

gewerf word. Tydens ons besoek het hierdie stasie slegs oor

drie reserviste beskik.

*English*:

An integrated approach is recommended ... [Inaudible.] ... all

across the spectrum are encouraged to join hands to uplift

this community. It can be done. Chairperson, we support this

Report. Thank you.

Mr H A SHEMBENI: Thank you, Chairperson. Chairperson, I was

part of the committee delegation when we conducted this

oversight visit. ... [Inaudible.] ... that communities

themselves together with the private security companies are

more trusted to deal with the crime than the police.

At the Norwood Police station we were told that even though

there was no evidence of widespread involvement of policemen

in crime, there were police who were previously indicted for

dealing in illegal guns. The proliferation of illegal bottle

stores goes unpoliced in Norwood which causes high levels of

violent crimes. The police station itself is poorly maintained

by Public Works and there is no co-operation between Public



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Works and the municipality in ensuring that the police

premises are properly maintained.

The police in Norwood and Tembisa has largely allowed the

Operation Dudula thugs to do as they wish in these

communities, unleashing waves of violence against poor African

immigrants. In Tembisa, victims of gender-based violence do

not even bother going to the police station because they know

that they will not receive any help. The conviction rate of

people arrested in Tembisa is less than 40% and detectives are

overworked with each carrying over 150 dockets. All this

points to a very incapable police system in the most highly

charged areas when it comes to crime.

There is no capacity to detect, prevent and investigate crimes

after it has happened. Our people are left on their own and

the situation is even more horrible for the victims of gender-

based violence. We need a complete revamp of our police system

in Gauteng. We need police not to be involved in the politics

of the thuggish Operation Dudula but to enforce the law

without fear or favour to taking bribes from drug lords. It is

the corrupt police who enable the spread of drugs in our

communities. Therefore, we accept the Report. I thank you,

Chair.



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Ms M D HLENGWA: Thank you, hon House Chair. Oversight visit

from an essential and necessary part of the Parliament work

and provide an in person opportunity for MPs to determine

whether service delivery taking place as well as to engage

with the community.

Several issues were common to both Norwood and Tembisa Police

Stations, including concern around the high number of liquor

outlets and shebeens. As the IFP, we are in support of the

communities’ request committee recommendation that the Gauteng

Liquor Board should review its processes of issuing licences

for Tavern and shebeens as well as increased number of

inspectors.

According to the research published in psychology today, 48%

of homicides offenders and alcohol in their system at the time

of offence while 37% were intoxicated substance about abuse

can therefore, be seen as a direct threat in the community.

The IFP further calls the Minister of Police to engage with

this concern in the Department of Police, Public Works and

Infrastructure to address serious challenges relating the

office accommodation. The SAPS officers cannot perform their

duties if they have no offices. If the offices are



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dilapidated, we regard the Operation Dudula. It was described

in the report as a community initiatives focus on the crime

prevention with the local areas, including the illegal

foreigners.

The IFP went on record in April 2022 and said that campaign

such as Operation Dudula, which is the target certain group of

people cannot be permitted to take the law in their own hands.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you very

much.

Ms M D HLENGWA: Thank you. The IFP accept the recommendation

of the committee. I thank you. [Applause.]

*Afrikaans:*

Dr P J GROENEWALD: Agb Voorsitter, ...

*English:*

Hon Chair, the Norwood Police Station came into the spot light

after certain firearms that were used in criminal activities

were related back towards the evidence stores more commonly

known as sub-13 stores. And then the question started to



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arise, how is it possible that 178 firearms can be lost or

stolen from a sub-13 store and who is in control of that?

Chairperson, we know that the person who was in charge of this

sub-13 store committed suicide. We visited the police station

and I must say that the evidence store is in the basement of

the police station. So, it is not that anybody can come

forward and enter the store and steal something. It is only

people who have access and official access to that store.

Chairperson, we visited, we look at things but there is one

thing we did not do. We focus on the 170 firearms but we did

not ask any question about any other objects and evidences in

the store. I then posed the question to the Minister of Police

in Parliament and asked in the audit that took that took place

on that specific store, are there any other object missing?

And I think the shocking thing is, hon Chair, is that the

Minister then revealed that it was found that, for instance,

almost R80 000 has been lost or stolen.

Many other objects and all of those objects are actually

evidence in court cases. The number of court cases where items

felt lost are 54. What does that mean? That mean that, the

justice system is failing the people because of the theft in



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SAPS 13 store. And therefore Chairperson, we will have to look

into these matters. The FF Plus will support this report but

we still have a lot of work to do. I thank you.

Mr S N SWART: Thank you, House Chair. House Chair, the ACDP

would like to support this report and express our concerns as

the report does about the incident of the theft of 175

firearms which have been placed by the risk criminal activity.

And I think what the hon Groenewald has just referred to is a

matter of great concern to us because many of these items of

exhibits evidence in criminal cases - 54 criminal cases.

And therefore, justice will be denied to those victims of

those crimes where this evidence is no longer available. And

Such a person we appreciate the committee that visited the

police station. We committed that we respect and appreciate

the report but we also pleased and that a wider investigation

will take place as to the safeguarding of exhibits and

evidence particularly firearms through police stations

throughout the country. And that this is a lesson to us to

ensure particularly Minister and the police to make sure that

exhibits are protected given the fact that they can, firstly,

be used illegally should there be on the streets. And

secondly, the is a need for having as evidence for criminal



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cases. Thank you, Chairperson. The ACDP will support this

report.

Mr B N HERRON: House Chairperson, we support the report.

Ms L N MOSS: Thank you very much, Chairperson. The ANC

welcomes the report tabled on the oversight visit by the

portfolio committee. The oversight focus on a few police

stations in Gauteng province. The vast police stations are

Norwood Police Station and Tembisa Police Station.

The oversight visit to these two police stations provided the

members of the portfolio committee an opportunity to perform

their oversight responsibility and get a sense of the real

issues on the ground not by hearsay.

*Afrikaans:*

... hoorsê nie, of deur mense wat hier praat, maar hulle was

nie eers daar nie.

*English:*

The members of the committee were able to see for themselves

the conditions on the ground and they had opportunity to ask



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questions based on the information presented and their

observations.

The Norwood Police Station is where there was the theft of

firearms from the SAPS 13 evidence store. The committee

members received a briefing on the arms issues and a storage

amount was presented to the members. The portfolio committee,

PC, also got the brief on the community and the crime

intervention strategies deployed by the police in the region.

The community had an opportunity to raised their issues to

members. One of the issues that came up strongly was the fact

that the Child Protective Services, CPS, were not visible to

provide support to the police to combat crime in the areas.

The committee highlighted the importance of the collective

responsibility to fight crime. The ANC emphasised the fact

that crime can never be win by the police only but through

collective from civil society and SAPS. The private security

must work together.

The committee made observation that there are many outlets

that includes the shebeens. The PC members felt that there is

a need for this to be monitor as a problem in the surrounding

areas. I must say members when we visited these areas we don’t



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hear it, we see it. We passed those areas. It was not nice to

see how our youngsters are hanging in the shebeens drinking

alcohol in the early of the morning.

Firearms theft continue unresolved. However, it is clear that

some wonderful from within was involved in theft of firearms

because the evidence safe is bolt on ground level in a safe

place and a case has been opened and investigation is

underway.

The committee made observation that Tembisa is still a hotspot

for gender-based violence and femicide. However, the

supporting of gender-based violence and femicide cases is

decreasing and that could be because society has lost

confidence in the SAPS.

The Department of Social Development has to come on board and

support SAPS because gender-based violence will not be win by

the police alone. The committee emphasised the importance of

proactive policing. There is a need to intensify the police

visibility at all sorts.

The committee recommends that Community Policing Forums, Metro

police, the Department of Social Development and SAPS should



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join hands in dealing with the challenges of drug abuse. The

police should pay attention to the intelligence to prevent

crime on the issue of Norwood. The police must provide reports

quarterly on the progress of the firearms theft investigation

quarterly. The operation of retrieving the stolen firearms

must be testified to avoid the use of those weapons in

criminal activities. In the process there must be a country

wide audit of all SAPS 13 stores to ensure that there are no

other stolen firearms from the evidence storage.

The Gauteng Liquor Board must do inspection in this areas and

even review the process of easy licences. Why we are saying

this? Because we observed there is too much people who are

selling liquor like the shebeens. We must make sure these

issues are addressed. It was really a disturbing point for all

of us in that oversight. The ANC welcomes the report and

recommend that the report be considered. Thank you very much.

[Applause.]

The ACTING CHIEF WHIP OF THE MAJORITY (Mr M G Mahlaule):

Chairperson, on behalf of the Chief Whip of the Majority

Party, I move that the report be adopted.

Motion agreed to.



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Report accordingly adopted.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON WATER AND**

**SANITATION - OVERSIGHT VISIT TO EASTERN CAPE PROVINCE**

Mr M A TSEKI: Chairperson, we are dealing with water here and

it must reflect that. It is important that I am here on behalf

of our glorious movement to recommit our policy statement that

says, water is life and sanitation is dignity. So, the

opposition must know that this is a formation of the ANC

statement. The World Economic Forum's Global Risks Report for

2021 list extreme weather and failure of climate actions as

clear and present dangers. This risk relates to floods and

drought – extreme at both ends. The world is currently

confronted with these challenges and South Africa is not

immune from these issues. We have witnessed devastating

drought in the recent past and the drought continues to affect

some parts of the north western sides of the Eastern Cape,

Free State, Northern Cape and the Western Cape while the

Eastern coats, which is KwaZulu-Natal and part of the southern

eastern part of the Eastern Cape of South Africa, have

recently been battered by severe floods which killed many

people and destroyed property and left many people in



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destitute. I am tempted to put a blame on those that own the

means of production who are friends to the DA.

This is in line with the climate change focussed by the SA

Weather Service that predicts persistently the conditions in

the western interior and water conditions in the eastern part

of our country.

South Africa is a water-scarce country. We do not have enough

water resources and climate change is worsening this

situation. It is partly on this premise that the Portfolio

Committee on Water and Sanitation conducted an oversight visit

to the Eastern Cape on 24 to 27 January to, amongst others,

assess the water and sanitation challenges, inspect existing

large built bulk water projects such as dams, bulk pipelines,

desalination plants and eradication of the bucket system. The

committee assessed the following projects Ngqamakhwe bulk

water project which is in Amathole, Qoga bulk water which is

in Amathole as well, Mzimvubu water project which is in Joe

Gqabi District Municipality, King Sabata Dalindyebo

Presidential Intervention Water Project in O R Tambo Municipal

District, Ndlambe Bulk Water Supply Project at Sarah Baartman

District Municipality and Nooitgedacht Phase 3 Bulk Water

Supply in Nelson Mandela Bay Municipality.



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Ngqamakhwe reviewed of water supply phase 5, which include

bulk pipeline to Tsomo, Butterworth aims to develop an

appropriate regional water supply to provide bulk water

infrastructure to supply approximately 78 000 in 120 rural

villages – very important - of Mnquma Municipality for

domestic water. This is an emergency bulk water supply project

to alleviate drought situation in Butterworth.

There was also a visit to Mzimvubu where a developed

conjunctive scheme comprises of multipurpose dams, O R Tambo

District Municipality Water project at the King Sabata

Dalindyebo Presidential Intervention Water Project, Ndlabe

water project which leads to development of central boreholes

filled at Port Alfred augmented by James Kleinhans Bulk Water

Project in Makhanda, includes the augmentation of the existing

water project. The Nooitgedacht Koega low level scheme is being

upgraded.

To this end the committee noted that COVID-19 almost derailed

the implementation of these projects. Nevertheless, the

committee noted the following challenges with serious concern.

The slow spending of the grant allocations has been realised

... [Time expired.]



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*Xitsonga*:

Hi khensile swinene.

*Declarations of vote*:

Mr N G MYBURGH: Chairperson and hon members, the report of the

portfolio committee’s oversight visit to the Eastern Cape is

the story all too familiar to the people of South Africa. The

purpose of the visit was to enable the committee to

familiarise itself with progress on large bulk water and

sanitation projects. A situational overview and analysis was

presented to the delegation and seven projects, indeed, were

visited. Some of these include projects very important ones

such as the Mzimvubu and Mthatha projects. These are projects

which are extremely important for the socioeconomic

development of the area for commercial development and for the

provision of water to literally millions of people in the

region.

It would be true to say, Chair, that the economic outlook and

the future prosperity of the entire Eastern Cape depends to a

large degree on the speedy and success for completion of these

projects. But most, if not all of them, are years behind

schedule. The report is little more than a register of delayed

and incomplete projects. It paints a grim picture of the



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various issues which stand in the way of the much-needed

infrastructure upgrades in one of the country’s long suffering

provinces.

The following issues are listed, incorrect specifications,

delays in procurement processes, poor budgeting, planning and

execution, late payment of invoices, incompetent contractors,

community unrests, and on and so forth. It’s a lamentable

irony of poor governance, financial mismanagement and service

delivery failure. What is of particular concern is that these

projects involve the construction of sophisticated and modern

world water and sanitation systems which would upon completion

require a large number of well trained technicians to manage

this on a daily basis - seven days a week. Just over a week

ago I was part of the delegation to the Vanderkloof Dam where

raw storage literally flows directly into South Africa’s

second largest dam simply because the local municipality has

for all practical purposes come to a standstill. This is just

one of 43 such municipalities across the land where local

government has imploded.

Hon members, the US$64 000 question which this House need to

look at today and ask ourselves is the following, who is going

to manage and maintain the various infrastructure projects



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currently under construction? What is the department doing to

ensure that projects are handed over to municipalities and

entities that have the requisite technical knowledge to

operate them successfully and sustainably? Or are we going to

continue throwing billions of rands at infrastructure without

the people managing it?

The oversight report also confirmed that the Amatole Water

Board stands out its failure to deliver. Unsurprisingly, it is

also the subject of various the Special Investigating Unit,

SIU, investigations.

Speaking about the water boards, just yesterday in the

portfolio committee we had the said saga of the various water

boards in South Africa. We were briefed, inter alia, on the

so-called reconfiguration of water boards. Yes,

reconfiguration is of course long overdue given their record

of with billions of rands in irregular expenditure and severe

governance failures.

The story of water boards in South Africa is in fact the story

of the ANC. Whilst we support the recommendations of the

report we live in eternal hope that the 10 recommendations

will be fully implemented by your party. [Interjections.]



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An hon MEMBER: Chairperson, they must be reminded that it is a

maiden speech and they are not allowed to heckle and ground

the speaker. [Interjections.]

Mr B A RADEBE: The maiden speech is not supposed to be

offensive. [Interjections.]

The HOUSE CHAIRPERSO (Mr M L D Ntombela): Hon member! Hon

Myburgh!

Mr N G MYBURGH: It is not offensive is the truth.

The HOUSE CHAIRPERSO (Mr M L D Ntombela): Hon Myburgh, you can

go ahead, sir.

Mr B A RADEBE: Chairperson, I was raising a point of order. If

a member is making a maiden speech, he cannot be in the

offensive and attack other political parties. Thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members, thank

you very much. Hon Myburgh, just check cautiously. Hon

members, give him a chance, please. You are being attacked by

both the DA and the ANC, hon Myburgh.



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Mr N G MYBURGH: Whilst we support the recommendations of the

report we live in eternal hope that all the recommendations

will be fully implemented by your party which has become

notorious for its inability to implement. The miserable irony

about all is where the ANC is strongest we see that governance

and service delivery are at its weakest. If you look at the

various provinces there is indeed an inverse relationship

between the ANC’s performance at the ballot box and ANC’s

performance in government. So we might ask, is this the

doleful destiny that democracy has bestowed upon the people of

South Africa? We say, no, certainly not. Just as the terrible

drought in the Eastern Cape will surely come to an end so too

will be the reckless reign of the ANC. I thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members,

members who make maiden speeches are kindly requested to track

very cautiously so that they don’t throw stones even before

they could built their houses. He/she must be acceptable. Be

accepted in the House and be nice to the House at least for

the first time. Thank you, hon Myburgh.

Ms L F TITO: House Chairperson, the Portfolio Committee of

Water and Sanitation went to the Eastern Cape in order to

assess water and sanitation challenges. Incorporating



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inspections of existing large built bulk water projects such

as dams, nature and efficacy of existing desalination plants

and eradication of the bucket system.

This also included assessments of current large water

infrastructure projects, desalination projects in Port Alfred,

and the recently launched plant in Alexandra, and future bulk

water infrastructure projects such as the long awaited

Mzimvubu Dam to elevate the current water crisis and ensure

the future sustainability of water provision in the Eastern

Cape.

In all the projects that I have mentioned starting with the

Construction of Tsomo Ngqamakhwe Bulk Water Pipeline project,

the key risks highlighted by the presenters related to pipe

materials that were not of a correct specification, the main

contractor within the departments construction units, not

submitting the required procurement documents with

specifications on time, which led to delays.

On the Xhora Bulk Water Project, the estimated expenditure at

the time of the oversight visit was at R577 million on

completion. Once the presenters highlighted the key risks and

issues related to this project. These are related to delays in



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the procurement of materials, as the contractor for contract 8

was experiencing cash flow problems.

On the Mzimvubu Water Project, which is long overdue and

project designs began in 2015, but to date, only an access

road at 31% has been completed. Such an important project

towards ensuring water supplies to the communities that have

not received water from government water sources but rely on

fetching water for their needs from rivers and streams.

The OR Tambo District Municipality Bulk Water Supply Project

and the King Sabata Dalindyebo Presidential Water Project, is

key to extending and developing five corridors and serving

over one million people with the Mthata Bulk Water Project

aiming to unlock housing and commercial development for this

region.

Some of the challenges on this project relate to delays in the

completion of the project due to the shortage of funds.

Piecemeal allocation over the years and poor performance of

contractors leading to the cost of this contract escalations.

On the Ndlambe Bulk Water Supply Project, the risks identified

on this project related to the increased costs of the projects

due to the delays in payment of professional service provider,



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PSPs, and contractors, the termination of contractors and

incompetent contractor. With this type of degeneration and

poor quality checks by the department and the contractors it

employs, there is no hope for water security in the Eastern

Cape. We accept this report and ask that all those responsible

for derailing these projects must be brought to book. I thank

you, Chairperson.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): The FF Plus?

*Afrikaans:*

Mnr P MEY: Die VF Plus ondersteun hierdie verslag.

*English:*

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Sorry, hon member.

It should be the IFP. Sorry about that.

Mr N SINGH: Thank you, Chairperson.

Ms S A BUTHELEZI: Thank you, Chairperson. The recent

devastating floods it was in a towel and parts of the Eastern

Cape have again highlighted the critical need to invest in the

maintenance of water infrastructure, and the urgent need to

attend to aging infrastructure. The floods in the Eastern Cape



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alone caused the collapse of 30 houses in the OR Tambo

District Municipality.

As Parliament, we need to urgently ensure that the maintenance

of water infrastructure serving vulnerable communities is not

compromised by corruption fraud or delays in procurement

services.

The oversight visit by the Portfolio Committee on Water and

Sanitation in January 2022, to the Eastern Cape to assess

large built bulk water projects, as well as water and

sanitation challenges in the province, provided the committee

with valuable insights. These oversight visits form a critical

function of each committee’s parliamentary work and provide a

unique opportunity to assess and understand concerns faced by

the public. These oversight visits and the questions arising

from such visits should be continuously assessed to ensure

that executive is held accountable by Parliament.

According to the committee report, a pertinent issue that

stood out during the oversight visit to the various water

infrastructure projects in the Eastern Cape was a delay in the

procurement process. This is highly concerning to the IFP. For

instance, the Construction of Tsomo Ngqamakhwe Bulk Water



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Pipeline Project, which aims to supply 78,000 people in 120

rural villages with domestic water at an estimated cost of

R1,2 billion is currently seriously delayed due to procurement

issues related to small, medium and micro enterprises, SMMEs,

as well as well as the appointment of professional service

providers. This project which is described as an emergency

bulk water supply project is critical to alleviate the drought

in Butterworth. And we cannot allow this project to be

compromised by procurement issues.

The IFP strongly endorses the portfolio committees view that

the department should develop strategies to address the

challenges associated with SMMEs and we will closely monitor

progress reports in this regard. According to the committee

report, the issue of slow procurement processes was again very

evident during the oversight visit to the Ndlambe Bulk Water

Supply Project.

The IFP again strongly agrees with a portfolio committee’s

recommendation that the department should urgently address the

poor performance of the Amatola Water Board. Furthermore, in

general, when examining the committee report, it became clear

that the oversight visits had identified an urgent need for



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consistent continuous monitoring and oversight of these

projects. [Time Expired.]

*Afrikaans:*

Mnr P MEY: Die VF Plus ondersteun die verslag. Verskeie

probleme is deur die komitee uitgewys, onder andere dit wat

veroorsaak dat projekte nie betyds afgehandel word nie en ook

baie duurder kos as gevolg van vertragings. ’n Goeie voorbeeld

is die Nooitgedacht-waterprojek in Port Elizabeth. Dit het

reeds in Mei 2017 begin maar sal hopelik aan die einde van

Julie 2022 voltooi word. Die Amatola-waterraad het nie die

kontrakteur betyds betaal nie. Hy het toe die perseel verlaat

en baie tyd en geld het verlore gegaan. Kontrakteurs wat

dikwels aangestel word beskik nie oor die finansiële vermoë om

’n projek suksesvol te bestuur nie en dit veroorsaak dat hulle

kontantvloei probleme ondervind en nie die prokek meer kan

voltooi nie. ’n Nuwe kontrakteur moet dan aangestel word wat

veroorsaak dat die projek meer kos as die oorspronklike prys.

Die komitee verwys ook na gemeenskapsonrus. Die inwoners is

ongelukkig omdat daar nie genoeg mense aangestel word nie en

hulle vertraag die projek. Dieselfde gebeur ook met

regsgedinge wat nie net duur is nie maar ook tydrowend is.



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Die besoek deur die komitee was in Januarie. Ek was nie

teenwoordig nie maar dinge het in Nelson Mandela metro totaal

verander. Binne 14 dae sal 40% van die inwoners van Nelson

Mandelabaai oor geen water beskik nie.

Ek was teenwoordig waar Mnr Barry Martin, direkteur van water

en sanitasie in die Nelson Mandela metro, daarop gewys het hoe

belangrik grondwater is. Die VF Plus het al herhaalde kere

gepraat van watertenks maar hierdie keer is daar watertenks

opgesit en is hulle besig om baie gate te sink wat ’n baie

positiewe ding vir die Nelson Mandela metro is. Grondwater is

baie belangrik. Ek wil net vir u vinnig iets voorlees. Op

22 Maart was Wêreld-waterdag en toe lees ek die volgende.

*English*:

Ground water is invisible, but its impact is visible

everywhere. Out of sight, under our feet, ground water is

a hidden treasure that enriches our lives. In the driest

parts of the world, it may be the only water people have.

*Afrikaans*:

Maar die vraag is nogsteeds, is grondwater volhoubaar? Wat

moet ons dan doen? Ek dink die belangrikste vir ons is om



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spaarsaamig met water te werk en om bevolkingsgroei te temper.

Baie dankie.

Mr S N SWART: House Chair, the ACDP takes note to this report

regarding the portfolio committee’s oversight visit to the

Eastern Cape, it was aimed at assessing water and sanitation

challenges in the province and included inspections of

existing large built bulk water projects such as dams, the

scope, nature and efficacy of existing desalination plants and

the eradication of the bucket system.

And it also aimed at inspecting progress of future bulk water

infrastructure projects, such as the long waited Mzimvubu Dam

in order to alleviate the current water crisis in the

province.

The ACDP like so many others are deeply concerned about the

looming water crisis in various parts of the province,

including Butterworth and Gqeberha. Dams in the province have

been almost empty for more than a year demanding to the long

standing dry, but also due to more than half of the catchment

area being degraded by alien tree invasion, overgrazing and

wetland destruction.



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One of the key sites visited by the committee was the

Nooitgedagt/Coega Low Level Supply Scheme, which is a project

situated in Gqeberha, and which started way back in 2017 and

was only completed earlier this year. It was planned to

alleviate the water shortage problems in the area. However,

due to persistent problems with the scheme and minimal water

use reduction from residents, South Africa’s sixth largest

metro needs a miracle to avoid day zero, with reports

indicating that the city has less than 30-days water supply

before its taps run dry.

The ACDP does believe in miracles, and it does believe in

prayer. However, at the same time, one needs to be good

stewards of the existing water supply and it should ensure

that the leakages are prevented. And whilst we appreciate the

committee’s oversight visit to the province, we believe that

not enough has been done to prepare the metro and other towns

such as Butterworth for the looming water crisis.

The questions can rightfully be asked why the Nooitgedacht

Water Scheme has taken so long to complete. And in this

regard, the ACDP welcomes the report that the root causes of

the department’s challenges or risks of budget allocation

constraints, unforeseen, wet, windy weather conditions are,



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where there are discrepancies, work packages to local SMMEs,

slow procurement processes and Amatola Water Board and delays

in the payment of invoices to contractors, that is totally

unacceptable and has contributed to the water crisis in the

province and of course in the metro. Had the Nooidgedacht

project been finalized according to the original timeline, it

could have alleviated the crisis at the metro or at least have

postponed the looming day zero. The ACDP would like to express

its gratitude to the members of the portfolio committee that

conducted this oversight and will support this report. I thank

you.

Mr B N HERRON: House Chair, it is said that in the near

future, war will also be fought over access to clean water.

Across the world more and more rivers damned to provide for

more and more people and more and more industry and there is

more and more pollution and less and less water for people to

drink. It’s a finite resource and despite all our cleverness

people are yet to invent systems to affordably desalinate or

decontaminate it.

A report focusing on Eastern Cape Water and Sanitation Project

is critically important for two reasons. One is to showcase a

level of oversight that should be the norm, not the exception.



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And two, to eliminate the growing crisis in our country

showing respect of the management or the mismanagement of

precious resources as if there is no tomorrow.

The Eastern Cape is in desperate need of intervention, but so

is the rest of the country. The health of our water supply is

a greater leveller in our unequal society, like Eskom. The

overwhelming majority of citizens are not self-sufficient. We

all need clean water to function. We need it running in our

townships and in our informal settlements. We need decent and

dignified sanitation systems. Our farmers need water for their

crops and our industry need water to survive and enable the

economy to grow. The report provides evidence of delays,

crucial mistakes and lack of accountability that continues to

pollute our state-owned enterprises.

The City of Makhanda was announced in May as one of the worst

three water quality municipalities in the entire Eastern Cape.

Yet, the municipality has received R700 million over the past

nine years to fix it. These numbers are absurd. The Amatola

Water Board has meanwhile stated that the situation is dire,

both in water supply and with regard to their financial

capability to pay their workers for the rest of the year. We

cannot continue to accept constant cash injections into failed



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ventures. South Africans should be grateful for the report.

They would be more grateful if they saw some consequences and

improvements. Thank you.

Ms N N SIHLWAYI: House Chair, the ANC is unequivocal in its

support of the Portfolio Committee on Water and Sanitation

Oversight Visit Report tabled on the 14 March. Our support for

the oversight report is informed by the ANC government’s

commitment to expand the access to water services to our

people through the construction of the water dams and the

development of the water infrastructure to those communities

that were formerly excluded by successive colonial and

apartheid government.

Just to clarify issued raised in this platform. Yes, we went

there to familiarise the committee on the challenges of water,

but we understood when we got there on the huge challenges,

more especially, Umzimvubu. Where it speaks about road access.

What does it mean to first start with the road access, and not

starting with water provision? Our support for the oversight,

the ANC acknowledges that some of our people, particularly in

the deep rural areas of the former Transkei and Ciskei, are

still resilient on the communal dams and rivers as their



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source of water for both personal domestic use and

agricultural purposes.

We further acknowledge that ... [Inaudible.] ... associated

with the inaccessibility of water by our people, in particular

women, children and people living with disabilities, child

headed families, widows and lesbian, gay, bisexual,

transgender, queer, questioning, intersex, LGBTQ+ sectors. Not

only the physical risk of being physically violated by

criminals, but also the quality of water found in those dams

and rivers may not be health required standards, even during

COVID-19. Yes, the restructuring of water boards by the

Minister is to ensure the effectivity and efficiency and value

for money on the water provision. It’s not a sin to do so,

it’s to really address where there are gaps and challenges in

those water boards.

The Constitution of the Republic, section 27(1)(b), states

that everyone has the right to access sufficient food and

water and that the state must take reasonable legislative and

other measures within the available resources to achieve the

progressive realisation of those rights. The NDP 2030 further

requires our ANC government to ensure that all people have

access to clean affordable water, and that there is enough



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water for agriculture industry. Recognising the trade off in

the use of water. The ANC government approach the provision of

water seeks to address not only water supply, but issues

concerning equity and transformation. You must recall that as

we deliver, we must also transform and ensure that we redress.

We do those on both.

Our ANC government is committed to ensure that water supply is

sufficient enough for people’s livelihoods, and that

legislative provision that guarantees each person at least 25

litres of water per day or six kilolitres of water per

household per month. Furthermore, the ANC government has

committed that water should be physically accessible within

200 metres of each household. In addition to that, our

government has made provision for those who cannot afford to

pay not to be unfairly discriminated against because of their

socio economic positions. The water coming out from the taps

should be clean and safe drinking water. We do want to say

that we are getting fruits from our entities.

The committee appreciates the technology that is presented to

us by the water commission research that addresses the issues

of ground water. The ANC recognises that water is a national

resource and it is very critical for the economic growth, bit



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also a national resource that we utilise for the socio-

economic transformation. The Eastern Cape Province has the

potential of being an agricultural hub of the country. This

can only be possible if we address the water challenges in

that particular province.

The ANC is confident that the Department of Water and

Sanitation has taken all reasonable measures to ensure the

realisation of right to access sufficient water through the

rolling of water infrastructure projects as contained in the

oversight report. One that came very clear to us is that the

issue of scarcity of water is maybe there, but the whole issue

that needs that distribution, is the bulk infrastructure which

necessitate huge budget from government.

Part of the functions of the parliamentary portfolio committee

is to monitor and oversee the work of the department and its

entities under which the committee falls to ensure that the

departmental policy and budget are used effectively and

efficiently within the confides of our legislation. The

oversight visit to the Eastern Cape is part of that work in

ensuring that the department is accountable both for policy

implementation and the budget.



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It is proper to clarify issues raised here. One may accuse the

ANC of delays, but the truth is who excluded the majority and

considered the minority to get all services. It is the ...

[Inaudible.] ... party and the DA today. We should clarify

those particular issues. As one of the members that form part

of the oversight visit to the Eastern Cape, I can attest that

there are challenges in the implementation of the project and

we are confident that those challenges will be addressed by

the department under the leadership of the Minister, hon

Mcunu.

Our support for the portfolio committee oversight report is

based on the following: The Bulk Water Infrastructure Project,

which will expand to access to clean affordable ... Hon Chair,

the ANC hereby submit our declaration in support of the

portfolio committee oversight report as presented by the

committee. Thank you very much. [Time expired.]

Mr M G Mahlaule moved: That the Report be adopted.

Motion agreed to.

Report accordingly adopted.



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**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON POLICE ON**

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION REPORT OF NORTH WEST**

**PROVINCIAL INVESTIGATIVE HEARING INTO LACK OF SAFETY AND**

**SECURITY MEASURES IN SCHOOLS FOR CHILDREN WITH DISABILITIES IN**

**SOUTH AFRICA**

Ms T M JOEMAT-PETTERSSON: House Chairperson, Deputy Chief

Whip, it is my privilege to introduce the Portfolio Committee

on Police’s report on the investigative hearings done by South

African Human Rights Commission into the lack of safety and

security measures in schools with children with disabilities

in the North West.

Hon House Chairperson, this report was well overdue and it is

really a historic report. What the committee is doing now, is

going through very, very detailed oversight on what has what

has been omitted, what was done and what was not approved. So,

I think we will address the backlog and we hope to address,

whatever backlogs there have been, with even previous

committee’s work.

Hon House Chairperson, in terms of Chapter 9 of the

Constitution, the South African Human Rights Commission, was

created to support our democracy. Firstly, we await the report



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on the violence in KwaZulu-Natal and Gauteng, once that report

comes to us, we will also address it speedily.

This report concerns a very vulnerable group, the one we

dealing with today, deals with the children with disabilities.

The committee has noted with concern that the hearings in the

North West Province found that there’s general lack of the

relationship between special schools and departments, such as

South African Police Service, SAPS, to address issues of crime

prevention, particularly the prevention of child abuse.

Since then we have taken a very keen interest in ensuring that

SAPS actually does provide the service. The School Safety

Protocol is being reviewed by the Department of Basic

Education ... [Inaudible.] ... to be in line with the diverse

forms of violence and crime that is still prevailing at our

schools.

Hon House Chairperson, you could then understand that the

protocol which they had been overtaken by events and had been

quiet outdated. The primary mandate of protecting schools, all

schools and not only special schools, lies with the Department

of Basic Education and the SAPS is only the secondary

stakeholder, however this does not allow SAPS to abdicate



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their responsibility, to ensure that all our children are

safe.

As part of the School Safety Protocol, schools are link to

police stations and priority schools, including schools with

special needs are identified, focusing on bullying,

gender-based violence, gangsterism, the use of weapon,

substance abuse and harmful religious practices.

Hon House Chairperson, I would like to request that all

Members of parliament, irrespective of political party adopts

a school. And that through adopting a school, you look at this

kind of requirements for safety at school. Not only at special

schools, we are compromised by drug abuse, sexual violence

against learners.

We are compromised by unsafe toilets, that is also a crime,

it’s a crime against learners, because when our children are

not safe at school, there’s child kidnapping from schools, it

means a safe space, which is supposed to be a safe haven for

our future generation is compromised. Let it not be done in

our lifetime, let it not be done in term of office of this

Parliament.



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Let us all adopt schools, it should not be a political thing,

let us not do grandstanding, but let us not appear at the

event, after the event has already happened. Let us appear at

the school to do, not only oversight visit but to mentor young

people.

Children are now raping and sodomising children. Learners with

special needs are being raped and sodomised, so what kind of

culture are we having? What kind of young or new generation

are we having?

Hon members, subsequent to the deliberations of the report, we

propose that there should be further relationships from all

stake holders with schools. That we implement a full school

safety strategy, that we provide a detailed report on the

implementation of the plan. We also propose that Parliament

adopts the report. I thank you. [Applause.]

*Declaration of vote*.

Mr A G WHITFIELD: House Chairperson, the North West hearing

into lack of safety measures in schools for children with

disabilities, was held in November 2017. The report was tabled

in Parliament in 2019 and it was then referred to the Police

Committee which finally dealt with it in 2021.



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At the time of the hearings and in spite of numerous efforts,

none of the then Minister of Police Fikile Mbalula nor any the

South African Police Service, SAPS representative actually

attended the hearings.

Disable children are among the most vulnerable in our society,

and they do deserve so much better than this treatment by the

government and SAPS in particular. To highlight just how

little this government and the SAPS care for disable persons.

I want to draw the attention of this House to the incident

which took place earlier today, when a taxpayer funded and

fuelled very important person, VIP, Presidential protection

vehicle was seen parked in the handicapped parking bay on St

Jones Road in Sea Point at approximately 12 o’clock. I have

sent the photographs of this vehicle to the National Police

Commissioner and I expect him to take decisive action against

this officer.

It is abundantly clear from our own experiences, South African

Human Rights Commission, SAHRC, report and throughout the

committee deliberations, that South African Police Service is

worthily unprepared and sometimes unwilling to deal with

people with disabilities and children with disabilities in

particular and that more must be done to train the South



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African Police Service members in this regard. House

Chairperson, the DA supports the report.

Mr H A SHEMBENI: House Chairperson, this week is the

International Child Protection Week, in which the safety and

wellbeing of children is going to be given prominence. And we

will hear empty speeches about fake commitment to the

wellbeing of children.

A country that fails to guarantee the protection and wellbeing

of children, particularly children with disabilities, its

scraping at the bottom and its leaders are not worthy of the

name.

The South African Human Rights Commission report on the plight

of children with disabilities at schools in the North West and

the inability of the police has plight on our democracy. This

does not seem to ... [Inaudible.] ... learning for children

with special needs. If it does, South African Police Service,

SAPS, is simple not interested in extending this protection to

these schools.

These children then become unprotected victims of crime, of

drug abuse and even sexual abuse. The recommendation by this



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committee for SAPS, to simple establish the relations with

special schools is not enough. It must not simple be a matter

of relations, it must be a co-deliverable of every single

police station to have a fully dedication focus on the

protection of children in special schools.

We do not think committee seriously deliberated on the gravity

of the findings of the South African Human Rights Commission

on the state of safety of children with disabilities in the

North West. We therefore reject this report, House Chair.

Ms M D HLENGWA: House Chairperson, the oversight for today or

for this time is very crucial, very ...[Inaudible] ...and very

unpleasant when we hear it. Children have a special place in

the society. They carry each country’s hope for the future,

but they need care and protection. Our Constitution in section

29 recognises this and gives every child the right to be

protected from maltreatment, neglect, abuse and degradation.

*IsiZulu:*

Izingane lezi engikhuluma ngazo sihlupheka ukwedlula thina

abantu abadala ngoba azikwazi ukuzenzela, azikwazi ukwenza

lutho. Angisaziphathi lezi ekuthiwa zinezidingo ezikhethekile,

lezi ezikhubazekile. Engikucelayo eMnyanweni Wezemfundo



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Eyisisekelo ukuthi ake azibuke izikole zezidingo zabanezidingo

ezikhethekile nezindawo zokuhlala zakhona ukuthi lezi

ezikhubazekile ziphatheke kanjani nokuthi zidinga ukuphathwa

kanjani. Umzali uyithathe wayisa laphayana nje yingoba

edingani kuso. Izolo lokhu lapha oLundi kade kunemashi la

ubaba wezingane ezimbili, enye ineminyaka engu-12 enye

ineminyaka emihlanu owavele wazibulala, waboshwa-ke.

Umphakathi wambamba esezibulele. Njengamanje uqhongoza

ngaphandle uthi yena unikezwe ibheyili unamalungelo. Ngiyafisa

nokuthi siwabuke lawa malungelo esisulu namalungelo omenzi

wobubi.

*English:*

The report stated that, the investigation established that, at

the time of the fire, there were woefully adequate safety and

security measures in place to protect the learners. Based on

the report, no action appears to have been taken following

those findings. Then, during 2017 on-site inspection on

another special school in North West Province by SA Human

Rights Commission, SAHRC commissioners, it became apparent

that there were a number of imminent safety and security

issues. This resulted in the investigation hearing that

launched the report under discussion in August 2019.



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*IsiZulu:*

Kusikhathaza kakhulu thina njenge-IFP ukuthi asiwuzwa uMnyango

Wezemfundo ukuthi uthini ngalokhu ngoba kwenzakala ezikoleni.

*English*:

The IFP supports the report.

Ms T BREEDT: No declaration Chair.

Mr S N SWART: House Chair, in 2015 the North West Provincial

Office of the Human Rights Commission initiated an

investigation into the tragic deaths of three learners aged

16, 17 and 18 years, caused by a fire in the learners’ hostel

of the North West School for the Deaf. It was also reported

that 23 learners sustained injuries whilst trying to escape

the fire.

The investigation established that, at the time of the fire

that there were woefully inadequate safety and security

measures in place for the learners. Following further visits

by the commissioners they concluded that the lack of adequate

safety and security measures in schools for learners with

disabilities, was a systemic problem in the province



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necessitating ignoring intervention and warnings which

culminated in this report.

The report and the recommendations of the commission are

intended to constitute an urgent intervention, compelling all

relevant ... [Inaudible] ...to actively take steps and

mitigate ongoing safety and security concerns. Every Member of

Parliament should read the report which states that, I quote:

The systemic failures identified in this report

demonstrate a lack of political will to dedicate

resources to ensuring the implementation of sustainable

solutions directed at ensuring student safety. Public

schools for learners with special education needs special

schools remain on the fringes of South Africa’s education

system, as evidenced by the poor budgeting, planning, and

accountability measures that are currently in place.

Insufficient commitment has been shown to ensuring the

rights to education, dignity, equality and even life, of

learners with disabilities in the province are protected

and realised. Inadequate safety and security measures in

Special Schools not only pose a physical threat to

learners, this omission also has further consequences,



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namely, it signals to learners with disabilities that

they are not acknowledged or valued by South African

society.

The commission is aware of the realities of resource

constraints and lack of capacity, but this cannot be used as a

justification to fail to mitigate imminent risks which have

already manifested at the expense of the lives of learners in

these special schools. This is a severe indictment and this

portfolio committee correctly took this report very seriously

and required answers. The SA Police Service, SAPS presentation

revealed a disturbing lack of relationship between special

schools and SAPS.

The ACDP is in agreement with the committee’s report that SAPS

must develop this relationship with special schools. They must

implement a full school safety strategy in special schools,

and take all additional steps necessary for crime prevention

and safety at special schools and detail report on

implementation. The ACDP looks forward to further monitoring

implementation to ensure that, all government departments make

sure that the tragedy that occurred like this fire, never

occurs again. The ACDP supports this report. I thank you.



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The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members are

requested to keep the visible distance at all times as an

observation of health protocols. I see that, at times that is

not observed by members, so this is just a reminder. Thank you

very much.

Mr B N HERRON: House Chair, we have no declaration. Thank you.

Ms M A MOLEKWA: House Chair, the ANC welcomes the report by

the SA Human Rights Commission of North West Provincial

Investigative Hearing into lack of Safety and Security

Measures in Schools for Children with Disabilities. The North

West Provincial Office initiated an own accord investigation

in the death of three learners caused by fire in the learners’

hostel in the North West School for the Deaf. The fire

resulted in the death of three female learners, aged 16, 17

and 18. It was also reported that, there were more learners

who sustained injuries whilst trying to escape. The hearing in

the North West made the following observations:

That there were no working relations and collaboration between

SAPS and the special schools. This gets very difficult to have

key crime prevention measures to be achieved and to protect

the children from abuse. In trying to prevent this kind of



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crime from schools, SAPS has developed a school safety and

security plan to prevent and combat crime in schools and the

plan must also be extended to those special schools.

The committee recommended SAPS to work on its relation with

special schools and other relevant departments on school

safety and security programme. SAPS must also develop

additional measures to enforce safety measures in schools,

especially on special schools. SAPS should also submit a

detailed progress report on the implementation of this

strategy. This is to ensure that, the children who are the

most vulnerable in our society, are well protected.

The ANC understands that, the victims of violence in our

society especially the most vulnerable groups and children

living with disabilities, must receive extra measures to

ensure they are safety from all sorts of abuse and violence.

Hon House Chair, the ANC welcomes and supports the report and

recommends that the report be considered. Thank you.

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

I move that the report be adopted. Thank you.

Motion agreed to (Economic Freedom Fighters dissenting).



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Report accordingly adopted.

Business of the day concluded.

The House adjourned at 17:34.

