**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**WEDNESDAY, 24 AUGUST 2022**

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

The Council met at 14:04.

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

The DEPUTY CHAIRPERSON OF THE NCOP: The hybrid sitting constitutes a sitting of the National Council of Provinces. Delegates in the hybrid sitting enjoy the same powers and privileges that apply in the sitting of the National Council of Provinces. For purposes of the quorum, all delegates who are logged on to the virtual platform shall be considered present. Delegates need to switch on their videos if they want to speak and ensure that the microphones on their gadgets are muted and must always remain muted.

Delegates should also ensure that their microphones on their gadgets are muted and must remain muted unless they are speaking. Delegates who are physically in the Chamber must use

the floor microphones and use the button to switch on their own microphones. You will remember that we spoke about the problems that we are experiencing. All delegates may participate in the discussion through the chatroom. The interpretation facility is active. All delegates, particularly those who are on the virtual platform, are requested to ensure that the interpretation facility on their gadgets are properly activated to facilitate access for interpretation services.

Permanent delegates and members of the executive in the Chamber should use the interpretation gadgets on their desks to access the interpretation facilities.

Hon delegates, in accordance with Council Rule 2291, there will be no notices of motion or motions without notice. Before we proceed to the questions, I would like to take this opportunity to welcome the Ministers from the Peace and Security Cluster, specifically the Minister of Defence and Military Veterans – welcome back. And the Minister in the Presidency responsible for State Security, you are more than welcome. Yes, hon Michalakis.

Mr G MICHALAKIS: Thank you, Deputy Chair. Deputy Chair, just on a point of order, on a lighter note, can I just comment as one of the older members from the previous term, that it is

very wonderful for us to have the Minister, although it is in that capacity, may I just also say that I don’t think the majority of the new members know what a proper chairperson looks like, there is one. Thank you very much.

The DEPUTY CHAIRPERSON OF THE NCOP: You should never feel bad because I know her, she has been my chairperson from other structures and we have a very good working relationship. But thank you for that. Further, I would like to make the following remarks. The time for reply by the Ministers to a question is five minutes. Only four supplementary questions are allowed per question. A member who has asked the initial question will be the first to be afforded an opportunity to ask a supplementary question. The time for asking a supplementary question is two minutes and the time for replying is four minutes.

The supplementary question must emanate from the initial question. Having said that, I will now call on the Minister of Defence and Military Veterans to respond to the questions and I would invite her to go to the podium. Please, there is a chair if you want to sit on in between questions. We really appreciate your presence in the House. Thank you. Just switch on the microphone so that we can see if it’s working. You are

really well known on this podium, I suspect. So, we will now call on the Minister of Defence and Military Veterans to respond to Question No 74, asked by the hon N E Nkosi. Over to you, hon Minister.

**QUESTIONS FOR ORAL REPLY**

**PEACE AND SECURITY CLUSTER 1B**

Question 74:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Deputy Chairperson.

*Afrikaans*:

Ek wil mos nie moeilikheid hê nie.

*English:*

Deputy Chairperson, the answer is yes, there is some progress which has been registered in terms of the beneficiation for the military veterans. We want to say that through the work done by Deputy Minister Makwetla, who has had engagements with provincial MECs of Co-operative Governance and Traditional Affairs, Social Development, Agriculture and Housing, we have

been able to align our benefits and our budgets to meet up with the times and the budgets within the provinces. This has enabled military veterans to be known and to be accepted within their communities. We wish that we should have done this a little bit earlier as we would have avoided certain incidents which happened to military veterans in Gauteng. We have also been able to put our provincial structures and to put in provincial administrators focusing on the needs of military veterans in all but three provinces.

So, we still need to have a provincial co-ordinators and administrators in KwaZulu-Natal, Limpopo and Gauteng. So far, about 1 820 military veterans have been trained to use gadgets such as tablets. They have also been trained to fix these tablets and cellphones. Part of it is that they should be able to fix those in their communities to earn something but the reason they were taught was also to enable them to have gadgets to be able to communicate directly with the Minister of Defence and Military Veterans so that the lags in between their registering their requests and the response the Military Veterans department is shortened. But at the same time, we have worked on making sure that the database is aggregated and is also put into the systems that are simplified such that all the veterans can use them.

We therefore have been working on the benefits. We are still co-ordinating health benefits to talk through the provincial hospitals where there is no military hospital to provide the services. We have also been able to encourage even provincial departments of education where they can help out with bursaries. We are very proud to say that we have a lot military veterans and their children graduating. There are medical doctors, scientists, engineers that we have produced.

We have also been working on the other thing, which is heritage, to enable military veterans to write their stories and to get them published through their department. We have also interacted with the provincial departments to make sure that the houses for military veterans go directly to military veterans and also that we do not have other debacles where communities reject them and take over their houses.

We are still working on ensuring that we have burial societies within the areas where military veterans reside so that we can deal with that. Our main problem is around transport. One of the benefits that we have promised military veterans is coupons subsidised public transport. But unfortunately, the South Africans public transport has not developed so far and therefore it is impossible for us to be able to provide

subsidised transportation. We are working on something that will enable military veterans not to be out of pocket when they have to travel to a hospital, to a clinic or to the national department to go and claim their benefits. Thank you, Deputy Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. Hon Nkosi, do you have a follow-up question?

Ms N E NKOSI: Thank you very much, hon Deputy Chair. Greetings to your good self and the Minister as well. Hon Minister, thank you very much for your comprehensive response to my question. Indeed it is encouraging for what you have said. It is encouraging to hear that your department has different programmes it is involved in to try and assist the military veterans. Hon Minister, is there any intention form the department to meet other provinces that do not necessarily support the military veterans and encourage them to do so. I thank you, hon Minister. Thank you, Deputy Chair.

The MINISTER OF DEFENCE AND MILITARY VETERANS: We have every

intention to meet all the provinces because military veterans stay in all the provinces. There is more appetite in certain provinces and less appetite in others, but I do know that we

will not tire; we will go out and meet up. You will also remember that initially the focus was on the non-statutory process. Now we are accepting that even those over ranks in the formerly statutory militaries also have challenges of housing, they also have health issues and therefore we are looking across the board what support can be given to all military veterans. I must say that the Department of Agriculture across the board has enabled a number of military veterans access to training but also access to little finances to put up agricultural efforts to sustain themselves and to make money.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you, hon Minister. The next follow-up question will be by the hon Ms H S Boshoff.

Ms H S BOSHOFF: Thank you very much, hon Deputy Chair. Thank you that the venue is a little warmer than yesterday. Welcome back from Russia, hon Minister. We have had countless times in committees about the incomplete database and the Deputy President has also pointed out that the incomplete and unverified database is the biggest hindrance to getting benefits to the veterans, noting that the higher paid and better resourced national team could not get this right. How

will the provincial decentralisation solve the database problems? Thank you, hon Deputy Chair.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Deputy Chair,

we are not expecting the decentralised provincial offices to deal with the database. A team at headquarters, HQ, which is integrated has been improved. You need to verify and there are criteria agreed to on verification. You need to have people who are properly trained, people who will be able to really give you a credible result. We have recently, though the presidential task team agreed to set up an appeal’s board for those who are querying. It is important for us to do that because if you do not vet or verify, you will have numbers that are bigger than warranted; you will have people taking chances claiming and you will have instances where the people who really should be getting benefits are not getting them.

So, we are not going to be decentralising vetting. Thank you.

Mr S ZANDAMELA: Thank you, Deputy Chairperson. Minister, decentralisation can be traced back as early as 2020. Why has it taken this long for the Minister to alleviate the burden of which military veterans faces of having to travel to Pretoria in order to access benefits. Thank you, Deputy Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you. Did you get the question?

The MINISTER OF DEFENCE AND MILITARY VETERANS: I didn’t get

the question; I think the sound was bad.

The DEPUTY CHAIRPERSON OF THE NCOP: There is a problem with the sound quality. Hon Zandamela?

Mr S ZANDAMELA: Yes Minister, decentralisation can be traced back as early as 2020. Why has it taken this long for the Minister to alleviate the burden of which military veterans faces of having to travel to Pretoria in order for them to access benefits. Am I ... Did the Minister get the question now?

The DEPUTY CHAIRPERSON OF THE NCOP: Yes. You are audible, hon Zandamela but it would assist if you leave the platform and log on again, so that if you have any other questions you shouldn’t have the same problem. Thank you. Hon Minister?

The MINISTER OF DEFENCE AND MILITARY VETERANS: The

verification is important. I cannot answer for 2020, but I can tell you that until you have cleaned up the system; until you

have aligned your budgets; until you have defined and everybody understands exactly what the benefits are, and until the fiscus agrees with you on the quantums that you are giving, you are going to have problems with benefits because you will remember that a number of people were able to integrate and others did not integrate, either because of age or for whatever reasons. That was part of the reasons why some people were left out because not you have had to revise even through the latest instrument, the presidential task team, PTT, and say that those people I know they fought and they should get.

You will also remember that some of those who were in the non- statutory forces but integrated did not really get recognition for all the years they spent in their respective non-statutory forces. So, you have competing needs with a very small purse. You will also remember that the department just started off.

It’s a new department, it did not necessarily have and others did not necessarily have dedicated staff trained to really understand that the department is not about anything but benefits to the military veterans. Indeed, we are still learning a lot. And the hon member reverted to my visit to Russia. One of the things that I actually did was to go to my colleagues in the legislature to look at what benefits the

country has given to the military veterans. That is exactly what I did when I was in the UK also recently, because we want to compare and we want to do what is right but affordable.

We also want to make sure that those who will become military veterans tomorrow know that their dignity will always be covered because we value the fact that they take a risk to protect others. I think that we may be slow. We are not there yet. There are teething problems and there are systems that need to be put in. We are not yet there Ntate Zandamela. We are hoping that maybe in the next two years, we will be done. So far, we will hopefully be rolling out a pension that will give more dignity to military veterans. As I say, we are still to roll that out. Thank you very much.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. The last follow up on this question is from the hon Mr M A P de Bruyn of the FF Plus.

Mr M A P DE BRUYN: Thank you, Deputy Chair. Hon Minister, we have seen that the department has in previous years only served its constituency through the Pretoria head office. What was the cost of decentralisation with regards to infrastructure and employment related costs across all

provinces? Secondly, as soon as the department has only reached about 50% of its objectives in 2021 in terms of housing and verifying veterans and so forth. Would you say that the cost of decentralisation is justified? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Deputy Chair. I would not be able to give you figures of exactly how much decentralisation has cost. If I may, Deputy Chairperson, I might be able to send that in writing. But I would say that the cost of decentralisation is justified. Most of the veterans are sick, old and some of them are very poor cannot afford going up and down to Pretoria. Part of the reason why you need to decentralise is to enable things like when they are too sick to go by themselves to the hospital, somebody has to be nearby. When somebody passes on, the reason we are looking at local burial societies is not only about burying the person, but it is also to ensure that the locals are part of the send away. So, it is a cost that is important.

Part of the reason why we need to fast-track this is because we had an incident, hon member, where people who have built houses and they were put in what is called Rama City - I am not sure what the name is, but the communities turned against the veterans and chucked them out of their houses and it cost

an embarrassment. Part of the reason why decentralisation is important is that this military veteran stays within his or her own community known and respected. This person has neighbours; this person is part of the collective; this person is not isolated and is seen. If they get a little bit something, the people understand and are happy because this person is one of their own. And that is how you build communities - not to isolate people and put them in a little corner and do whatever you want.

And yes, the cost of administration might in the beginning be a little bit high, but we are not putting full-fledged provincial offices, we are putting in co-ordinators. Maybe they are called nicely, co-ordinators and administrators, but we are putting in individuals - one or two people who preferably must come from within those provinces and co- ordinate. It is their responsibility to be doing the run in and out, visiting and hearing from them. But we have also mitigated that cost by giving veterans their iPads and teaching them how to use them, and making sure that they are always loaded with airtime in case they have queries and emergencies. Thank you.

Question 80:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Deputy

Chairperson, the Military Command Council of the SA National Defence Force meets on a regular basis. They analyse, discuss and determine any threat to peace and any breach to peace or any act of aggression. They are supposed to make assessments and recommendations on the security situation that may take place externally where their focus is or internally because if you are protecting sovereignty there is no way you will not sometimes look internally.

The Commander in Chief’s chief responsibility is to make sure that he has deployable cadres. He is also the chief advisor to the Minister. He is the person who will when the command council from the Commander in Chief to deploy be expected that that order is taken.

I am told that this is what happened that was that meeting – there was nothing sinister about the meeting. However, I am also told that this routine process which from time to time is taken on board when haywire when the communication was processed in an unusual way.

I have asked whether this was done deliberately t leak and I have been assured that there was no mischief intended. The person who made these mistake has been caught. I think that we can reassure the hon member that the Military Command Council was just trying to plan in case the order comes that says be ready to deploy.

Hon members will remember that in July last year, the military took a little bit of time to come. That was because those who were been deployed from Limpopo, elsewhere and so on, had to wait for vehicles which were stored where the Northern Cape to be rolled around. So, this time the Command Council was taking precautions so that if and only if that instruction comes they are ready to deploy. Thank you very much.

Mr G MICHALAKIS: Hon Deputy Chairperson and hon Minister, the documents state that the reason for deployment is and I quote here, “Exacerbated by a perceived lack of action from the security forces and the Police to combat criminality.”

Is the Defence Force of the opinion that the Police are not doing their job and does the Defence Force really have the resources to fulfil its own mandate and support the Police? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: I will not try

to respond on behalf of Ntate Bheki Cele. I will reflect on the responsibility we carry as the Ministry of Defence is to ensure that lives and property within and without the borders of South Africa. I think when the whole story about the zama zamas started that this matter was concerning. I think that it would be really uncommon for a military person to look at the type of guns carried by the so-called zama zamas as these are not civilian weapons they are carrying, so the military will have a keen interest as to who are these people. Are they military like ourselves and what are they doing in our country? Is the Police able to match that fire for fire? So, I think in their discussions as I say I was not there, it might have been if these are soldiers from other countries and they are disrespecting us, maybe will get the command and maybe we will be able to match them for fire for fire. For any nationality that comes in, threatens our communities with machine guns and rape our women, create something we cannot tolerate as a country.

Is the opinion of the military that the Police are not doing their job? I will hear from them as I will be having a meeting with them tomorrow. I will put the question. Are we in a position to really go out? We are not in any position as the

Defence to be agreeing to every mission let alone the fact that we do not want to be deployed internally because we do not have the resources.

However, should the Defence be kept in their barracks’ and their offices when the civilian lives are threatened? No. However, can we deploy ourselves? No. We will only be deployed when the President say so. They will only be deployed when the Minister gives the order also. They will be deployed when Parliament has been apprised on time about how many, why, and where for.

So it would be difficult for a Defence Force of any country to stand by and watch their women being raped and not respond, honestly.

Mr E M MTHETHWA: Hon Deputy Chairperson and hon Minister, good afternoon. Yes, Deputy Chairperson. Am I audible?

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): You are too audible. You may continue.

Mr E M MTHETHWA: Hon Deputy Chairperson, thank you so much.

Are there any malice intended by the hon member, hon Minister who distributed the document through unauthorised media? I know you have said at the beginning that you think that there was nothing like that. However, are you sure hon Minister that there was no intended malice on this matter? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Deputy

Chairperson, when I picked up I obviously had to have a discussion with the Chief of the Defence. He had already investigated and already engaged the member responsible. He was not used to be in that capacity working with the distribution of information. The military is convinced that there was no malice and there was no mischief intent. However, the member has been reprimanded. I am hoping that they have also shown the member how to communicate in future.

Mr N M HADEBE: Hon Deputy Chairperson and hon Minister, a leaked memorandum poses a national threat and perpetuate fake news. What strategies does the SA National Defence Force, SANDF, have in place to mitigate this occurrence from taking place? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: As I have said

they will have to train their members on how to handle whether

they are seniors because in that structure it is senior officers. So they would have to go back the so-called leaks do not happen because this was not intended to be a leak from what I can understand.

We must also be careful about how we communicate and our anxiety was that if we do not make sure that all the members in the Military Co-ordination Commission, MCC, know that a preparatory meeting anticipating possible deployment must be treated as just that unofficial and therefore not to be communicated, not to be given to the media because what you effectively did was saying to the media we are ready. Maybe deep flip side of it was we also said to the perpetrators like the zama zamas who are armed there that we are ready. That was not the intention. However, if that message reached them then they must know that as soon as the President says that we must come in, they must know that we will go and protect the resources of South Africa; human and material. Thank you.

Mr M S MOLETSANE: Hon Deputy Chairperson, let me apologise for not switching on the video. I have network challenges where I am.

Hon Minister, if the allegations regarding the leak is authentic and that is a misconduct.

Which disciplinary measures have been taken by the Minister against those responsible? Thank you, Deputy Chairperson.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Before anybody

takes a disciplinary action against anybody you go into an inquiry mode. That is exactly what I did when I heard by summoning the Chief of Defence to make that enquiry. He came back to say, yes there was this leak, but it was not intended to be mischievous or malicious, but we have taken action against this member. I am not exactly sure if this was what the action is, but at the time of talking, possibility of a demotion was mentioned and which I thought was too harsh because if you have not fully trained somebody and you have not given clear simple guidelines you do not go to the worst possible punishment. So I think that the member responsible has been given a serious warning and will probably be in that position again he has been taken off. So we think that we will not be too punitive because in the first place we should have trained the member properly. Thank you.

Question 75:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Deputy Chairperson. The reduction in the Defence budget hon Nchabeleng will know that this country at the dawn of democracy agreed that it would never go below 2% of the gross domestic product, GDP. However, we can say to you that in the last Medium-Term Expenditure Framework, MTEF, we have actually lost R8 billion per annum which cumulatively comes to around R24 billion that has a bearing on how we have been able to continue with the four-structure as it is. That has affected not only the everyday life of the soldier, that has affected your ability to keep your prime equipment in shipshape, that has affected the quality of services and your planning and that has actually pushed us into being more budget-driven than task-driven as a Defence Force.

If you look at the Air Force you have had trained young pilots rarely to go losing flying hours and that is detrimental for their careers. You have had very cruel people who sell us parts for repairs who charge us an arm and a leg, and you have, therefore, not been able to afford to keep that equipment in prime condition. Therefore, your ships have suffered. Your airplanes have suffered. Your acquisition and renewal of what you have has suffered. Therefore, we think that we will be seeing a little light in the tunnel. We have

taken this matter up. We have been able to present our matter at Cabinet. We are waiting to see if it can be heard further. We also know that there is no way the issue in Mozambique is going to be resolved if we are not there. That also takes away from the little that we have. We also know that hon Members of Parliament are worried every time when they see the Auditor- General’s, AG, report that says the cost of employment is too high, cut, cut, cut.

Therefore, to mitigate that we have started doing certain things. We have approached the Treasury and Treasury has given us some money as you may have seen in our last budget to start employee initiated pattern and we have also had to address the issue that we are a little too top-heavy in bottom of this.

So, we are addressing the issues of the structure, but the truth of the matter is that it is not the structure that has been absorbing, it is because that which came to us had to be sometimes be diverted into paying salaries and sacrifice programmes because the people are there and they must be paid. It has had to be diverted into missions because we are committed on the international. So, when you get a bad audit and they say the cost of employment is too high it is because all the other programmes that we have are not funded. It is because we are diverting to do this thing. It is because if

you don’t pay salaries what are you saying. It is because your borders we are told we have porter’s borders, yes we do. It is not for lack of trying. However, are we able with the budget that we have to afford to put 22 companies there? We are not.

Therefore, the cuts have really been detrimental to the stability within the Defence Force. It has been detrimental to the morale within the Defence Force, but as I say there is a little light that seems to be shining. Are we doing anything? Yes, we are running around and we have engaged with people who have the original equipment so that we buy straight because we have discovered the differences. Somebody sells us part for R11 million when we can get the part for US$3,000 that is just how cruel sometimes we are. We have been doing that, going straight to the manufacturers, talking to them, and reviving relations so that our equipment can be. We have also been looking at our Defence industry, you will know that the budget cuts the funding for Denel comes via the Armaments Corporation of South Africa, Armscor, from the Defence. Therefore, if you cut that funding it means that Armscor is unable to take the money where it should go, that is why Denel crumbled. So, we’re trying to fix everything by running around resuscitating even the Defence industry. We will soon be inviting members of the committees to Lekgotla which we hope we will have before

the end of this year of the SA Defence Industry so that we can sketch the way forward. Thank you, Deputy Chair.

Mr M E NCHABELENG: Thank you, hon Deputy Chair. Thank you, hon Minister, for the elaborated response to my question. Hon Minister, it is evident that the cutting of the budget of the Department Defence and Military Veterans is negatively affecting the work of the department. What is the department doing in order to stop a possible collapse of the Defence Force? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: As I said,

Deputy Chair, we have engaged Cabinet. We are working on a plan which will have timelines, costings and everything we will engage Treasury. We are also looking at this time around like all the other defences across the world if we set up an industry as Defence we want to see Defence directly benefiting whether it is in getting equipment or getting our equipment serviced. We are also looking at how we can protect the defence Intellectual Property, IP, paid for through this department which has flown out. We are also encouraging young people who are coming in to be more efficient, but also to go into engineering.

We are also talking to the Department of Mineral Resources and Energy to say that when we revive the Defence industry, is it possible that South African 100% companies can begin to produce again whatever it is that we need that they would get good prices when, for instance, they need steel that we temper a little bit with exporting when that needs at home. We are looking at talking to companies that are producing, for instance, ... [Inaudible.] ... to help us mitigate to the costs in the Defence of electricity. We are doing our own refurbishments in Defence. We are building our own facilities. We are even baking our own bread to save since here and there to make sure that we actually can save whatever ... [Inaudible.] ... that we can divert it back into operational funds. Therefore, we are hoping that all of this and if Treasury smiles at us we will be able to come back every three months and say that you will not regret giving us extra cents because this is where it has gone and this is what it has done.

Therefore, we are committing ourselves, but internally we are also looking at the structures and the policies. Have we lost money because we have been careless? Do we have corruption?

Yes, we do have. Are we acting on its instructions to build the Secretary for Defence and the Chief of the National

Defence Force have been given to deal with members in uniform and in civilian to deal with issues of corruption so that we clean up? We don’t just come begging for money, but we also prove that we can look after the money and direct it to where it is, it should be going.

Mr S F DU TOIT: Thank you, hon Deputy Chair. Hon Minister, on the lighter note yesterday when the Minister of Justice and Correctional Services was in the House he also alluded to the fact that correctional services are baking bread and now they’re ... [Inaudible.] ... basic baking bread. Therefore, you correctly stated now that some people are eating too much bread with ... [Inaudible.] ... in the cookie jar. Minister, my question I want to know if the Minister would agree that the fact that historical overspending on the salary component of the SA National Defence Force, SANDF, wrong objectives as well as the outsourcing of repairs to foreign nationals contributed to the current financial dilemma the SANDF found itself in that necessitate this budget reduction. When will the contracting of Cubans be stopped for the SANDF to rather spend the funds on South African responsibilities? Thank you, Deputy Chair.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you, hon

Deputy Chair. Yes, we all make bread because when we buy the bread from the shops they charge us close to R30 per loaf, and when we bake the bread we bake it for less than R10. So, it makes sense for defensive correctional ... [Inaudible.] ... also we are happy. The hon member says is it because the cost of employment. The cost of employment looks like we are having too many people, but hon member will remember that we started off with a very big Defence Force, we went to a Defence Review. We agreed on 75, it has been whittled down to 73. We are whittling it down again, but that is not the real cost if your figures of the human beings, the people who fight because you can have machines but you do not have the boots on the ground, you do not have Defence. Those boots the numbers remain what we wanted and even smaller. We then went into another Defence Review in 2015. There wasn’t a cent from anywhere to implement that Defence Review.

Therefore, for my argument is your cost of employment looks like it is budgie simply because your budget has been shrinking over the years. The only consistent expenditure is this one of human beings, and this one of human beings in a democratic South Africa also grows by the year because you’re not going when the cost of living is higher not to give the

cost of living to the soldiers. You’ll have to think about that. We are now having unions in the Defence. As the money

... because we are subcontracting to foreigners we are looking to that and will come back to the House, I’m not sure about where we are subcontracting to foreigners. Should we be continuing with the contracts of the Cubans is the matter of fact. We had a lot of challenges.

I am very happy to say that most of our armoured cars are on the road because the Cubans helped to fix. Is it possible that we can relook at the contracts I have given the instruction to relook at them, all the contracts between ourselves and Cuba? It is not inconceivable that into the past week we can amend or even do away with some of the contracts. Have we all the contracts, I don’t think so. Do we want to stop training our children in Cuba in the medicos? What was the reason why we sent them there in the first place?

However, there are other elements within the contract that we have that we really are relooking at. So, I think hon members may be happy to know that, yes, we are considering the contract between us and Cuba. We do not want to end it like we are enemies, we are not enemies with the people of Cuba, but we also must look out for every cent in the interest of our

own economy. Therefore, we are looking and reassessing. Thank you, Deputy Chair.

*Xitsonga:*

Man B T MATHEVULA: Ndza khensa, Xandla xa Mutshamaxitulu.

*English:*

Minister, I’m covered from your first response. Thank you. You look beautiful.

*Xitsonga:*

HOLOBYE WA SWA VUSIRHELERI NA KHALE KA VALWELA NTSHUNXEKO:

Ndza khensa.

*English:*

Mr D R RYDER: Thank you very much, Deputy Chair. Yes, Minister, it is good to see you looking well again. Minister, under your predecessors Lindiwe Sisulu and Nosiviwe Mapisa- Nqakula, the Ministry of Defence became one of the most expensive if not thee most expensive Ministry in the country despite the military itself being grossly underfunded. Now, Minister, in spite of ill-advised trips to Russia taken by yourself and you’ve told us what steps you’ve taken to reduce expenditure, but can you tell us how much was actually being

saved and to which operational components for the Defence Force that amount has been reallocated to? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Technically,

the supplementary question comes from my response. However, the hon member is asking for figures which I do not have in my head. If I remember, the unfortunate thing is having sit on this Chair for a long time, I remember the rules. The unfortunate thing is that if it is figures you will have to give me time because if I give you an estimation and I give you a wrong figure you will accuse me of misleading the House. Therefore, Deputy Chair, I’d rather come back and look at this question again the hon member is asking me what we have saved.

The hon member makes an assertion says ill-advised visit to Russia. I went to Russia because I was invited to the 10th International Conference on Peace hosted by Moscow. Yes, I went to that conference and it would actually help the members of the DA to read my speech. You conclude without understanding and without reading. Your enemies, I know this country’s enemies, my enemies can’t be your enemies. I went there if anything it is the Russians who should be taking issue with me because I spoke out against war. I spoke out

against the disrespect for multilateralism to unilateralism. I spoke out against the emergence of Narcissism.

Therefore, I would like members to read before they go on the attack because sometimes, yes, you must hold us to account, but it is sometimes better to read before you go on the attack because if I was my host I would have kicked Thandi Modise out because there she was fighting for the reform of the security council, fighting for the respect of multilateralism, and speaking about Africa and the continued looting of her resources. I’m not a lackey of anybody. Therefore, I was not ill-advised. Was it my first conference to go and speak on peace? The current Deputy Chairperson of the National Council of Provinces knows that I have addressed. I have walked to this Africa preaching and talking about dialogue negotiations. Was it the first time that the Minister of Defence of South Africa visited? No. Was she the only one invited? No. African states were there and I spoke on behalf of Africa, all the regions of Africa. Therefore, it is not really fair. Thank you, Deputy Chairperson.

Question 73:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Deputy

Chairperson, the hon member asked us whether there are any

improvements in integrating the military veterans into the domestic workforce after they retire. Yes, part of the reasons why the President called an imbozo focusing on the military veterans was to bring in the premiers in the provinces. Part of the reasons why we interact with the Minister of Agriculture and the Minister of Transport is to try and get those who are still fit, those who are retired but can still go and do something and those who need jobs to be integrated into the civilian workforce. It is not always easy.

So, yes, there are efforts that we have been doing at the Passenger Rail Agency of South Africa, Prasa, and we have been called upon to look at Transnet. We are also very proud that, on their own, some provinces have come to the fore. For instance, KwaZulu-Natal has 14 contracts in transport that they have given to military veterans. They have also supported eight projects from military veterans in agriculture. We do know that within agriculture itself the Minister is looking at instances where a little help is pushed towards the military veterans. I think that comes along very tidily.

We know that eThekwini has absorbed about 350 military veterans. We know that Mpumalanga has looked at 885. That is interesting because all of us know there were never 885

military veterans in Mpumalanga, and some people would ask. It is because sometimes when a military veteran cannot, by themselves, take a job the dependants are given the opportunity. They are given a bursary so that the fire at home is kept burning. We are looking at that, but we are also sure that when you have educated dependants of military veterans you have actually contributed economically to the family because these dependants are supposed to take care of the family. It is the African way; we don’t grow up and walk away

– we grow up and become parents to our parents who parented us when we were babies. So, we are doing that.

We are also looking at the provincial department of Economic Development, Environmental Affairs because it is hosting business planning and compliance workshops. We are looking at Human Settlements because sometimes there are contracts in building. So, there is a lot of things that we are doing.

Earlier on I referred to the department itself training military veterans in, not only using their tablets and cell phones, but in fixing them. That will enable a military veteran to have a little store at home where if phones break within the community then they can do something and earn a living. It is not much but that is what we are doing. So, yes, we are working with other departments to make sure that we

push for job opportunities, but we also encourage military veterans when they leave the service to sparingly use that which is coming to them. So, financial advice should be offered to every military veteran as they leave to sustain them. Thank you, Deputy Chairperson.

Mr N M HADEBE: Hon Deputy Chairperson, there is a follow-up and the follow-up would be to enquire whether the department has faced challenges in proportionally disbursing benefits to some provinces and members. If so, what have they been? Thank you, hon Deputy Chairperson.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Yes, there are

some challenges. Earlier on I said that we have provincial administrators and co-ordinators. Sometimes they do not work too well and people apply for benefits and the system just doesn’t work. That is why the Deputy President has also been doing the rounds in the provinces to go straight down there and listen to the people ourselves, to take up what their needs are. In some provinces the system works, in some it doesn’t work. So, we have not concluded our rounds of provincial visits but we know that even if we say we decentralise, we digitalise and we teach people there will be instances where some people fall in between the cracks and

that is why the warm body from headquarter, HQ, will run around.

So, yes, there are challenges. Do we have a department that is fit and proper? I am the first one to say yes there is a Department of Military Veterans, but sometimes where I sit, my structure does not talk to my mandate. Is it too late in the day to fix the structure and the mandate? The mandate is right, and so what we are working on is when they exit the system we bring in people who actually focus the department where it should be, that is taking care of military veterans across the board. So, yes there are challenges and we are thinking that it is not so much the resources, it is so much sometimes about a listening ear, it is so much about explaining how to access their benefits, it is so much about ensuring that benefits are accessible and that is why it is important to focus on the human element of the Department of Military Veterans. Thank you, Deputy Chair.

Mr C F B SMIT: Deputy Chairperson, in October 2021 veterans held the Minister hostage after some of their claims for benefits were not met. Some earlier claims included a review of integration pre-justice reparations of R4,2 million per veteran and the pension of R15 000 per month were not met.

Does the Minister think that these claims are realistic? Will the government entertain it at all? If so, how does the government plan to find a realistic consensus with a seemingly very volatile group? Thank you, Deputy Chair.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Yes, indeed we

had an experience. Were the demands reasonable? Where were the demands coming from? I think even before I looked at the figures I looked at the human beings, and therefore there is no anger. I have said it publicly that I hope that it is never ever repeated again.

When people have given their lives for something, when they feel that they are not worth anything today and their efforts were just in vein, they will take drastic steps. So, to some of us, an illegal act but also a cry for help is how we interpreted that. Is it reasonable for each member who ever fought in any of the forces in South Africa to demand

R,2 million? I don’t think this country can afford that and we said so. I think that a reasonable pension which we are now hoping to rollout before the end of this financial year is what we will put there. We have made our studies and looked at countries like ourselves, and we think that it is reasonable because we actually brought in financial experts who studied

and looked at what other countries are giving and we think that we are giving the best that we can.

Is it reasonable that the members would say that they were injured fighting for liberation? Yes, it is and that is why we are even benchmarking with other medical schemes what we can give those who are too far from where there are military hospitals. Is it reasonable that there is no appreciation that when a member themselves is not getting a bursary to further their studies when their dependants are? I think that it is unreasonable because somehow we are trying to improve the family of the military veteran. So, it is a mixed bag.

Can the state, at any time, afford any and every demand? No state can do that. So, the state must always be reasonable because in trying to accommodate the military vets you must also accommodate the non-military vets ... [Inaudible.] You want to advantage the military vets more than you advantage the others. You want a level where there is dignity, respect and equality. So, we are working on that and as I said before the end of the financial year, I can’t remember the quantum off by heart but we will be rolling out the military vets pensions. We will not be intimidated in not making sure that it is a real military vet who deserves that pension who gets

it. On that one we are not compromising. The compromise that we have put in is to agree to have an appeal spot for a member who is told they cannot prove that they were trained anywhere and they are not a military vet. There is an appeal spot that is now being instituted. It is going to cost us a little bit more because if you create another structure then you must pay for it. But I learned from a very wise man and I hope he is still alive, Douglas Gibson, in 1994 he taught me that there is a big prize for peace and democracy and sometimes people think that democracy and peace come free. They don’t. That is the prize we will pay to get dignity back for the military vets and to get peace across the fighting forces of South Africa. Thank you.

Ms A D MALEKA: Deputy Chairperson, what is the department planning to do in order to increase the number of veterans receiving training in the Eastern Cape and Northern Cape? Thank you, Deputy Chair.

The MINISTER OF DEFENCE AND MILITARY VETERANS: I said that in

fact the Eastern Cape has trained more, it has offered more even the provincial government has come to the party. The Northern Cape is a pain because houses are still an issue and benefits. We still owe them a visit. So, the further you are

into the rural areas the more disadvantaged you are. That is why we are doing this round of imbizos going to provinces so that we pick up for ourselves and see how we can alleviate. So, we will do what we are doing in other provinces both in the Eastern Cape but especially in the Northern Cape because we have not started scratching the surface there. Housing and health are an issue and we will do everything to ensure that the benefits come to the people in time and with dignity.

I have referred to issues of health, burials and even education benefits. In the Eastern Cape at least I can reel off a list of doctors the Eastern Cape has produced as military vets, but I cannot reel off the list of doctors and engineers we have produced in the Northern Cape. So, we do need to be giving more attention to the Northern Cape.

Question 81:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Chairperson. Hon Michalakis is asking me whether we will release the Auditor-General’s findings. Yes, sir, that is the short answer. We will release them, and yes, we will release the report with all the findings, good and bad. What we are working on, is to ensure that those findings are followed up, corrections are made, if people have to face the Disciplinary

Committee, DC, they face the DC; if people have to face court marshalling, they face court marshalling. But in all this, we will be making a follow-up. So, yes, when we do so in terms of the Public Finance Management Act. We will do exactly that, hon Michalakis. We will release them.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. Hon Michalakis, oh you are already on your feet.

Mr G MICHALAKIS: I’m quick on my feet, hon Deputy Chair. Thank you very much, hon Minister. You would be happy to hear that Mr Gibson is still alive and he’s indeed a very wise man.

Minister, the report finds the following, and this is quite shocking, that 90 of 122 cases of fraud were investigated, no recommended actions have been taken; about 833 cases of misconduct, fraud and infringements have not been completed; an amount of R6,1 billion of irregular expenses and

R8,5 billion of fruitless and wasteful expenses, haven’t been investigated, 171 employees illegally did business with the department in contracts of more than R30 million, and record keeping is so poor that contracts of R208 million cannot be investigated.

That is part of the findings of the contract since many things have leaked. So, this is the information that I got in that regard. I’m very glad to hear that you will be taking action. But, can we get a commitment from you today that action will also include criminal steps or criminal charges, if necessary. There is a lot of cleaning up that needs to be done. Also, I would also like to ask from you if we can get a timeframe in this regard, because the is a lot of cleaning up that needs be done, and I should imagine that some of it has already begun. So, can you please take this House into your confidence and share with us, how much of the cleaning up has already begun at this stage? Thank you very much.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Well, I can

tell this House that, we have received reports. Going back to the R1 million, our decision is that we don’t have any option, people will face DC and people will face the police. For any matter that has come our way, concerning corruption, if the police are to be involved, yes, they will be. In some instances, they have themselves indicated to us that they are busy with investigations and we give them a go ahead to do so.

A ministerial directive has already gone out to the Secretary for Defence and to the Chief to act. Now, the Chief of the

Defence must discipline his members. I can only act on his directive and that of the Secretary, that is why I have written to them to act, because if they do not act, I will have no option but to act on them for not acting. That is the commitment I am making.

Mr M A P DE BRUYN: Dubridge. Minister, your answers have covered my w=question. So, I’m fine for now. Thanks.

Mr M DANGOR: Thank you, Minister. Minister, is there any reason why members of this House should be concerned that the department will not be able to produce reports according to

the Public Finance Management Act? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: We should be

concerned. I am very new in the Executive, and I can tell you it’s a space I’m not comfortable with. It’s nicer to be where you ask questions. [Laughter.] My take is, if you take on a job, you must actually do that, because you know you are going to deliver. We are looking at our finances and we are looking at the capacity within the finance. In fact, the first month I became a bit of a burden in me, because that was my focus. The Defence is getting bad audits year after year. What is wrong

with it? What is the capacity? Why are we unable to get clean audits?

So, in one of our meetings, we will review the policies within the department. But we will also review the skills that we have within the department. It’s one thing to put in a good policy and not have a person who is able to that. Now, Defence is also an interesting environment because, you really need to know your story, and you must have the guts to stand for what you know, and sometimes, you can get intimidated because you’re facing these people. But if you do your job properly, you will get good results. So, for most of our bad audits, we have identified the areas they are in, and we have agreed with the Secretary for Defence that we will insert skills where they are needed.

That will report directly, whether it is in uniform or not in uniform. The buck stops with me and the Director-General. So, we are doing what we can do, to ensure that capacity is there and that resources are looked after. I would rather have what is not used going into the capacity building, making sure that soldiers are feeling happy and full, and that they are sleeping in good beds. That’s what we are doing. But we’ve

also had an issue where Defence per se, is also not responsible for some of the mishaps.

That is why we are interacting with Public Works to rather do certain things on our own, because we can realise reasonable savings which we can then divert into the welfare of the ordinary soldier. So, those talks are on the table. If you have a structure which demands certain skills and commitments, and you do not have those two things, then you are going to fail. You will not be able to understand the Public Finance

Management Act. It’s simple. In the past, we use to tell them to keep every receipt in the shoe box in order not to get in trouble.

Mr M S MOLETSANE: Thank you, Deputy Chairperson. The Minister has covered me by saying that those who are responsible for wasteful expenditure, are going to account. We will be waiting to see action taking place. Thank you, Deputy Chair.

Question 76:

The MINISTER OF DEFENCE AND MILITARY VETERANS: Mrs Bartlett,

yes, the Mohloli Maritime Secondary School is a specialisation school. It is the first inland school that offers maritime studies in Sharpeville. It is a unique school in the sense

that it is a maths, science and information and communications technology, ICT, school focusing on maritime. It teaches nautical science, maritime economics and robotics. If you do that in the middle of Sharpeville, you are shining a new torch altogether. What is important for us here is that it brings the navy right back into landlocked communities who had absolutely no access to the sea or things related to the sea.

Since its partnership with the Department of Basic Education, the navy has exposed the children in that high school to the navy – I am a little bit disappointed that they only came once to Simon’s Town - but I have been told that now that COVID-19 is over, there will be more trips. I am also hoping that that school will give our navy capacity because they are prepared already and they understand everything about this.

The navy has painted the exterior of the school to reflect that it is a maritime school, they have put ships anchor in the school and I am hoping that it is not just those two things – a school that looks like there is an ocean around it and an anchor from a ship – that in fact, what we do put in is the values and ethos of the navy service and respect. That also begins to kill one myth that if you are born inland,

you’ll never develop sea legs. We are hoping that our children will take that chance, especially the young women, to come in.

Recently, when we were launching the latest patrol ship, it was quiet interesting to see a young woman as a second-in- command. It’s not affirmative action. She knows her story. Yes, I will always bet for all opportunities opened to all South Africa’s children including the ones from Mohloli. I am hoping that the other arms of service will also adopt schools because one of the challenges that we have been getting is – you did away worth conscription but you have not put anything in place that teaches young South Africans about patriotism and loyalty to the country. It becomes very interesting when you visit other countries and see them as young as these already knowing that they have a choice and the choice is the military, etc.

We want to multiply Mohloli and see that the schools function better than they can, that matric results there are better than the other schools because then we can improve on that.

There is no mystery about studying science. There is nothing that prohibits anybody from Sharpeville to become a sailor. There is nothing that prevents them from not only becoming

sailors but they can even move into other industries and build ships. Thank you, Chair.

Ms B M BARTLETT: Yes, hon Deputy Chairperson. Good day, hon Deputy Chair and hon Minister. Hon Minister, thank you for the response to my question. This is one of the best projects done by your department. It can only help the learners broaden their minds. I just want to find out the scope in education: is there no thinking in your department of increasing the kind of co-operation about children of these studies in the school? Thank you, hon Minister.

The MINISTER OF DEFENCE AND MILITARY VETERANS: I think that

what the navy – that is if they are inland – can do is to be more frequent, not only coming once in a blue moon to paint but to start getting closer. It is also to sharpen subjects. As it is, already the school does what the other high schools in the neighbourhood don’t. That is why I was saying maybe we could look at increasing the number of such schools, creating a situation where even the schools compete amongst themselves, and ensuring that it is not just a school in Sharpeville that has black kids but also take the project of the democratic rainbow nation a little bit further and have a centre where you can bring all your children together sometimes, because if

all the races choose to go to the navy, the spaces are narrow. Tolerance and patience is something that they need to have.

Therefore, the navy can be a creator of the tolerant future that we need as a country. Thank you, Deputy Chair.

Mr S ZANDAMELA: Thanks, Deputy Chair, I am broadly covered by the Minister’s response that we will see a lot of Mahlolis. My question would be that: is the department looking at other initiatives just to grow a pool of skills there? Thank you, Deputy Chair.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Does it

mean you are covered or you want a response from the Minister? The way you have put it, it seems as if you are covered.

Mr S ZANDAMELA: I would like to get a response from the Minister.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Zandamela,

yes, we will do so. Hopefully, we will have sponsors in the future. Having sponsors also mean that - I don’t believe there is anything for mahala – but yes, we must thank Liberty Life. I would rather wait until we have a resuscitated, functional and productive defence industry which can come in and help us

with this project. If there is any other Liberty Life volunteer out there to sponsor and increase the number of these schools, I would be happy or just sometimes to sponsor a trip of these kids to Simon’s Town, it would be very nice.

Mr N M HADEBE: Thank you, hon Deputy Chairperson, I would like to know from the Minister: does the department have the capacity to admit graduates from Mohloli Maritime Secondary School? Thank you, Deputy Chair.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Radebe,

do you mind repeating your question?

Mr N M HADEBE: Yes, hon Minister, my question was to enquire if the department has the capacity to admit graduates from the Mohloli Maritime Secondary School? If so, what is the department’s capacity? Thank you?

The MINISTER OF DEFENCE AND MILITARY VETERANS: Thank you,

Chair, you would know that because of the financial problems, the defence had stopped their intakes. They are now restarting. Every second year, we will be taking 2 000. I am hoping that proportionately, we will be recruiting from schools like Mohloli because Mohloli gives the children who

are studying there a leapfrog chance than any other. It prepares them. They are ready made for the navy life.

Preferably, our first hunting ground should be students coming from Mohloli because they know the instruments, they know the language, and they have done maritime economics. I don’t even know what they study there but it is economics anyway. For me, I would give schools like these a chance. The other arms of service also do come out with their own initiatives. Sometimes the initiatives are paid for by the soldiers themselves. They have a fund where they contribute. Sometimes they identify a project in a village or a town and they go there. It is not necessarily that the department per se pays. I think in this instance that’s why the navy went in to Sharpeville with Liberty Life. We should create capacity even though it has been a long time that the Defence has not been recruiting.

Truth of the matter is that the older you get, the more you get tired of the sea. The younger you are, the more adventurous. The younger people must replace the older especially in times of war. No general fights a war. It’s the younger ones that must take off. The generals give commands and directs. We need to get these out there.

The responsibility of South Africa around the coastal lines has increased. Our capacity is very little. In the navy we

must consider rotation. Therefore, the numbers matter because they do need to come out sometimes to see families before they can go back again. The numbers of your personnel are important. Thank you, Deputy Chair.

Ms D C CHRISTIANS: Thank you very much, Deputy Chairperson, Minister, the school’s performance should be commended. In fact, I was going through the Facebook page now and many of the learners have stated that the standard of learning and discipline is great and that what an enjoyment it is to be at the school. This in itself says you be getting more recruits to the school and more opportunities will be opening to more students out there. In turn, what steps would you take, Minister, to make the military maritime career more appealing to some of these top learners that come from the school because I see that there is growth happening there?

The MINISTER OF DEFENCE AND MILITARY VETERANS: It means that

you look at schools’ capacity to grow. It means that you also begin to invest the teachers there. It means you draw the career paths for students – the products of the school. It means also that you can build sister schools because this one can become a pilot to the other schools.

Discipline is good at school. It is what we need as a country to produce young people who still respects. If we don’t do that, we are all doomed.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you

very much, hon Minister. We really want to express our appreciation for the way you have responded to the questions from the members. It is also for us sometimes very enlightening to sit here and listen to the kind of responses and the kind of questions that come up. We want to express our appreciation. We will now have a break because of the way we suffered yesterday. We are offering tea and coffee.

The House suspended at 15:36 and resumed at 15:49.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much. I hope the members on the platform have grabbed a cup of tea or coffee. We suffered yesterday, we just wanted to warm up today.

We express our appreciation to the Minister of Defence and Military Veterans and we are now going to proceed to questions to the Minister in the Presidency responsible for state security.

We would also like to express our appreciation to Deputy Minister as he is always in the House whenever he is supposed to be responding to questions even when he was Minister of Enterprises, but you were the Deputy Minister of something else before you came here. You have always been one of the people that have respected the NCOP and you have always been here when we need. We will now request you to ascend to the podium. We will immediately continue and call the Minister Responsible for state security to respond to Question 77 as asked by hon K M Mmoiemang.

Question 77:

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Thank you very much Deputy Chairperson and hon members. I must also indicate that I have been forewarned about the temperature in this room yesterday.

The High-Level Review Panel implementation plan was revised hon members and prioritises the passing of the General Intelligence Laws Amendment Bill also known as GILAB in the third quarter of this financial year.

The Bill seeks to amend the National Strategic Intelligence Services Act and other relevant intelligence laws so as to

among others to re-establish the state security to establish a domestic intelligence service as well as foreign intelligence service in accordance with the Constitution of the Republic.

While SSA, State Security Agency, has number of occasions admitted that the progress towards implementing the High-Level Review Panel recommendations has been slow. There are a number of recommendations that have been fully implemented.

As of the 1st July 2022, 26 out of 73 recommendations have been fully implemented. Sixteen of the recommendations have been partially implemented and the remaining recommendations that are also included in the implementation plan will be implemented during the last quarter of the 2022/23 financial year and during the 2023/24 financial year. Thank you very much Chairperson.

Mr K M MMOIEMANG: Thank you Deputy Chair. Let me express my appreciation in the manner in which the Deputy Minister has responded comprehensively to the question I posed. While noting the numbers of the matters that are raised in the High- Level Review Panel in terms of implementation and also noting that the Deputy Minister indicated that in the third quarter the General Intelligence Laws Amendment Bill will be finalised.

The question that I want to pose Deputy Minister is, does this finalisation of the General Intelligence Laws Amendment Bill also appreciates the key recommendations that were also covered in the Zondo Commission Report as it pertains to the state security matters? Thank you Deputy Minister, thank you Deputy Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Thank you very much hon members. There are a number of interventions that the agency has put in place while awaiting the passing of GILAB, hon Mmoiemang.

One of the interventions was to centralise some of the administrative operational responsibilities to the office of the accounting officer appreciating that there may be weaknesses in the period before the finalisation of GILAB.

We have also resuscitated the systems and control measures in the agency which were identified and some of them having collapsed over a period of time.

There is a structure called I am intelligence management whose sole responsibility is to produce intelligence product. The structure receives information from various sources including

provincial offices after extensive analysis corroborated by evidence the structure intelligence products for the clients.

The reason we do that among others is to ensure that the product is not doubted hence we analyse the issues about the value chain and the distribution of the intelligence products quite importantantly so that your clients do not have any doubts about the product you are providing to them. Thank you very much.

Mr G MICHALAKIS: Thank you hon House Chairperson. Firstly, Deputy Minister, I think this is an improvement me sitting here, the Chief Whip of the Council has also agreed that this is quite an improvement to have someone in the Free State and I am sure that it gives the Free State people hope for 2024.

Deputy Minister, one of the crucial recommendations of the high level report was the minimisation of the secrecy specifically with reference to the panel report. The findings of the Zondo Commission further highlighted these previous findings and recommendations on various levels.

Deputy Minister, do you think currently with the little, almost no exposure of the secrecy measures that are in place

and upliftment or any of that, do you think that we can really believe that there is an appetite within the department to ensure that secrecy within the SSA is balanced with transparency and accountability so that secrecy is no longer used to hide criminal activity? How can you convince us today with what we have seen or have not seen to date that you are really serious about balancing secrecy with accountability?

Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Thank you very much hon member. Deputy Chairperson, and members, you will appreciate it if I were to report to the House that the Minister and I as well as the department have already started the process to demystify the entire notion about secrecy of intelligence.

We are already working on a partnership with the institution of higher learning which I will not mention at this stage.

Very soon we will be hosting colloquiums and they will be public among others will be addressed by a number of institutions where they are talking about institutions that deal with intelligence that deal with security in the country and internationally that will come and share a platform about

some of the experiences that globally what are the issues around intelligence.

So, we are in the process to appreciate that we need to demystify this notion of our secrecy to an extent that even when you ask for a pen and people will tell you that it is an operational issue. So, we want to make sure that we deal with those issues and we will appreciate that that programme even members of the public would want to come and be invited.

The DEPUTY CHAIRPERSON OF THE NCOP: There is a serious problem with that one’s connectivity. We just wanted to explain that there was a problem for hon Nyambi to log on hence you saw a little bit of confusion but is has been dealt with now. We will just ask hon Zandamela to ask his follow up and after hon De Bruyn we will ask hon Ndongeni to take the chair again and then hon Nyambi will chair the session further.

Hon Zandamela, we have advised you before to log off and log in again. We can’t hear you. Hon Zandamela we will come back to you. We will allow hon De Bruyn to ask his question and we will come back to you. Log off and log in again.

Mr M A P DE BRUYN: Thank you Deputy House Chair. Hon Minister, with regard to the appointment of Thembi Majola as the new director general of the SSA, President Ramaphosa made a statement and I quote:

The appointment of the Ambassador Majola to this position is an important part of to stabilise the position of the country’s intelligence services. Her extensive experience in government international relations and security makes a well place to lead a reform and rebuilding of the State Security Agency.

Minister my question would be, in what way did Thembi Majola’s appointment assist in the implementation of the recommendations and to what extent has factionalism in the SSA being eradicated? Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Thank you very much Deputy Chair. Hon member you will remember that the issue about instability in the agency is raised both by the High-Level Review Panel Report as well as the Professor Sandy Report that dealt with the July incident last year.

Therefore, one of the things that the President announced some of the decisions in relation to the location of the agency on

5 August was the whole issue of stabilising the agency because there was a lot acting and as you know if a lot of people are acting in any institution, there is a lot of indecision in the period and we are happy that as part of stabilising the agency, we now have a permanent director general.

We have for the longest time had many acting director generals. I may not respond about other issues of factionalism but I think she has been doing quite well to stabilise the institution.

I think almost above 90% of the top management has been stabilised to ensure that we focus the organisation to carry out its mandate.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Zandamela, are you winning in terms of your connection?

Mr S ZANDAMELA: I don’t know if I am audible now House Chair?

The HOUSE CHAIRPERSON (Mr A J Nyambi): You sound fine, you may continue.

Mr S ZANDAMELA: Thank you House Chair. Minister, in the milestones set by the ministry, does that include the complete overhaul of the intelligence and security sector as their current existing suggestion of the intelligence sector? Thank you House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): I am not sure if I understood the question, I heard the part about the overhaul of intelligence. What is very clear from the High-Level Review Panel Report is that the entire organisation was repurposed in terms of its mandate and I think there are number of recommendations arising from that observation of what needs to be done and we implementing those recommendations again to repurpose the organisation to its original constitutional mandate.

I think we are on track to ensure that we achieve these recommendations inspite of the difficulties that we continue to face in the implementation of some of the recommendations.

But I think we are on track not to overhaul, I don’t think that’s the language used in the High-Level Review Panel but it notes the fact the organisation was repurposed and therefore

is important that the organisation must come back to its original mandate in terms of the Constitution.

We are on track led by Director General Ambassador Majola in that regard.

Question 82:

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): The Principal Agent Network, PAN, Report was not reintroduced to the Hawks. Instead, it was referred to the Investigating Directorate by the Zondo Commission. The Investigating Directorate is currently seized with the investigation on the matter and has been in contact with the department. To reintroduce the Principal Agent Network, PAN, Report to Hawks would therefore be duplication and a waste of state resources as two law enforcement agencies would be investigating the same matter. Thank you very much.

Ms C LABUSCHAGNE: Thank you, Chair. The Zondo Commission recommended that investigations should be carried out internally for disciplinary action against members and also by law enforcement agencies against possible criminal statutory contraventions. Deputy Minister, you have now said, and I am glad that you said that it has been referred to the National

Prosecution Authority. My question then is, are there any internal disciplinary actions currently underway against Arthur Fraser as an example or any other members or previous members as implicated in the Zondo Commission Report or any other prima facie evidence of maladministration and corruption?

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): One of the recommendations of the High Level Review Panel Report as well as some of the recommendations from the last Zondo Commission Report is an appointment of the independent forensic investigation company, which has now been appointed to investigate matters and make recommendations to the agency on, among others, disciplinary action which must be taken by the agency against transgressing members. Thank you very much.

Ms N NDONGENI: Thank you Chair and hon Deputy Minister. I am sure, hon Deputy Minister, we will agree that over and above possible criminal transgressing alleged to the operation of the Principal Agent Network, there are equally serious breaches of internal discipline and protocols that may require internal investigation and discipline in action. My question

is, what is the situation in this regard from a broad general principle without details?

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): [Inaudible.] ...the independent forensic investigation company ... [Inaudible.] ... hon member, has already, which is again an answer I will give to another question, has already forwarded about 5 reports. Some of those reports have been forwarded to the NPA for further decisions to be processed. We are the structures that are dealing with disciplinary actions internally. They are also considering based on those reports, that some of the disciplinary actions that must be taken based on serious misconduct and transgression.

Mr N M HADEBE: Thank you, House Chair. Hon Minister, with regards to the State Capture Commission Report suggestion to establish a single dedicated anti-corruption agency in the means of the revelations on the Principal Agent Network, PAN, programme, has the Ministry looked into accelerating formal establishment of the National Anti-Corruption Advisory Council? If so, when and how? If not, why not? Thank you, House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): I think we have sufficient mechanisms to deal with issues arising both from the High Level Review Panel as well as the recommendations of the Zondo Commission Report. I don’t think that we need to further establish another structure to deal with that. For an example, like I indicated that we have already appointed a forensic independent company which is dealing decisively with issues of to investigate.

Remember, earlier we had what was called Project Veza which also investigated internally some of the alleged misconduct and transgression by members. So, we don’t foresee a need of another body to do this work. I think we have sufficient mechanisms internally to deal with what has been raised both by the on ongoing basis internally but as well as implementation of the recommendations from various commissions.

Mr A ARNOLDS: Thank you, House Chairperson. The South Africans do not believe that the State Security Agency can be saved and be able to do the crucial work that they are mandated to do due to the political interference, the massive ongoing abuse of assets at the State Security Agency and the interference with criminal investigations into wrongdoing. Deputy Minister,

we need an intelligence environment that is free of scandals and inefficiency. Deputy Minister, do you believe that the referral, only now, of the Principal Agent Network Report are being used to settle political scores in the name of National Security? Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Hon member, at this stage we don’t want to make speculations and to enter their realm of making political speculations about why certain things happen elsewhere.

However, we think that the work that we have started to do to make sure that we reimage the institution from the past, which is described by the High Level Review Panel, and we think we are on track, like I said, including what I have reported earlier that we have already adopted a program to demystify what is called secrecy about the intelligence. We think that will go a long way to make sure that we rebuild confidence of the South Africans to the institution itself because historically the institution has a constitutional mandate to make sure that all South Africans live free, free of fear.

Question 78:

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): The agency as per the recommendations of the High Level Review Panel appointed the forensic firm on 02 November 2021 to conduct investigations into the agency. To date, five reports have been received from the forensic investigators and have been referred to the National Prosecuting Authority, NPA Investigative Directorate to assess whether any members of the agency should be criminally charged. The structure responsible for enforcing discipline in the agency is also studying these reports and will soon charge implicated members.

Further to that, the Zondo Commission referred members of the State Security Agency, SSA, implicated in criminal activities to the Investigative Directorate. The SSA is also working very closely with the Investigative Directorate on these matters.

Thank you very much House Chair.

Ms L C BEBEE: Hon Chairperson, Hon Deputy Minister, thank you so much about your detailed report that you have made. [Connection problems.] [Inaudible recording.] If so, what are the relevant details Minister? Thank you Chairperson.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you very much hon Mamaa even though your first part of your question had a

little of problems. Hon Deputy Minister, I hope you have got the question?

The DEPUTY MINISTER IN THE PRESIDENCY for STATE SECURITY (Mr N

G Kodwa): No, Chair, I regret that I cannot give the wrong answer to Mamaaa. [Laughter.] I did not get the first and the last parts.

Ms L C BEBEE: Okay, let me repeat it Deputy Minister. Without getting into further details about the gravity and categories of the allegations levelled against the intelligence officers, has any risk assessment been undertaken to determine the suitable and convenient placement of some implicated officials in strategic and sensitive positions? If not, why not and if so, what are the relevant details, hon Deputy Minister? I hope you heard me very well, Babaaa?

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Well, thank you very much Mamaa for the question. What I can confirm is that, in the light of some of the investigations, revelations and recommendations in a case where there were members who held very sensitive positions, some of those members have been moved to less sensitive

positions whilst the investigations are underway. That is all I can confirm hon Mamaa.

Mr S F DU TOIT: Hon Deputy Minister, is it highly likely that because of high infiltration of political objectives that the State Security Agency must still house intelligence agents that have the ability to act against the best interests of the state? If yes, are there any measures in place to rid the agency off of these individuals? I thank you House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): We do not believe hon members, as we speak with the situation obtained today we still have members who may act against the Oath of Office, Oath of Secrecy or against the Constitution of the Republic. We think that the capable leadership under Ambassador Majola is almost going to a right direction of taking the organisation to its original constitutional mandate. We do not believe that there may be one or two individuals who may want to undermine some of the programmes and actions that are undertaken by the leadership currently.

Mr D R RYDER: Deputy Minister, through you Chair, the Zondo Commission has also pointed out that the many cases of

misconduct and criminal activity also included large sums of cash withdrawals. Some are saying that the budget of the State Security Agency increased from about R42 million in 2016 -17 to over R322 million in 2017-18 when Mr Fraser was the Director-General. The department reports that about

R225 millions of that was used for what is called covert operations.

Now, the former Minister of Finance, Mr Tito Mboweni said in this House that approximately $50 million have been stolen in cash from the State Security Agency offices and that he was insisting it be recovered or he will be reduce the department’s budget to recoup that fund. Has the money been recovered and has the responsible people been charged yet?

Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): I will not respond on behalf of the former Minister of Finance but like I indicated to the earlier question asked by hon Mmoiemang about some of the work that we are doing to make sure that we are dealing with the wrong doings in the organisation including recovering the money that was stolen in the organisation. One of the things we have done, hon member is to strengthen the internal controls. We do accept that the

internal controls in the organisation for some time in a particular period have collapsed. They were made to collapse so that these activities you are talking about can easily be done. We have closed the tap, to put it bluntly. Since then, from 2018, such activities as you mention are no longer permissible in the organisation given the fact that we have now put systems and strengthened the internal controls in the organisation. Thank you.

Question 89:

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): House Chairperson, the State Security Agency categorically states that it had no involvement with the Phalaphala farm before and after the alleged criminal acts, that took place in February 2020. Further to that no state resources were utilised by the State Security Agency to conceal the February 2020 alleged theft at the Phalaphala farm in Limpopo.

The State Security Agency derives its mandate hon members, from Section 2 of the National Strategic Intelligence Act, 1994, Act No 39 of 1994. This mandate does cover the private residencies of the President. Thank you.

Mr S ZANDAMELA: Thank you House Chair, as the Deputy Minister in the Presidency, have you engaged Mr Cyril Ramaphosa on the need to come clean to the nation about his involvement in the criminal activity that took place at his farm, Phalaphala farm? If not why not, if so when is the President willing to answer truthfully to the authorities about his involvement?

Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): House Chairperson, when any crime is committed, the first thing people who must investigate the crime is South African Police, and therefore any question about ... in this case for an example, the allegation is not about the involvement of the State Security Agency and therefore any questions about what the President is doing about the alleged theft aligned criminality at his farm is a matter that I think the appropriate institutions would be responsible and answer the question. Thank you.

Ms C LABUSCHAGNE: Thank you House Chair, Deputy Minister do you agree that legislation should be reviewed to enable security agencies as we as the Joint Standing Committee on Intelligence, JSCI, to report incident for investigation to the National Prosecuting Authority, NPA, in situations where

resources and/ or processes were allegedly utilised illegally? Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): House Chairperson, thanks for the question hon Labuschagne. I do support the fact that we need extraordinary measures do deal with some of the incidences that we have witnessed. I am not sure whether the JSCI as a committee, because is another committee that has got a particular process and that is why even people who participate they go through a particular process, should be empowered more than what we have, to deal with issues about investigations. Unless there were violations about issues of intelligence. Where we’ve got for an example, South Africa Police Service, we’ve got

Independent Police Investigative Directorate, IPID, we’ve got NPA, that’s why even in courts they use collaborated evidence from those institutions. I’m not sure if the suggestions are that if you do investigation will also be required the intelligence to stand in front of the court to provide and collaborate certain evidence but I think the JSCI as a committee has got mammoth task to do, to deal with some of these issues that we’ve seen some of them in the public domain. Thank you.

Mr N M HADEBE: Thank you House Chair, hon Deputy Minister with regards to the use of the SAPS Intelligence Crime Unit to reach for the alleged suspects in the Phalaphala gate farm robbery, what checks and balances has the ministry regarded has not been followed? And what action in terms of consequence management will there be for those involved, because the incident was not officially reported? Thank you House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Crime Intelligence does not fall under State Security, if there are any relevant questions to be asked, those questions must be asked to a relevant department. Thank you very much.

Ms A D MALEKA: Thank you House Chairperson, and thank you, hon Deputy Minister for clarifying the constitutional and legal mandate of State Security Agency. Hon Deputy Minister, it is no secret that the complainant in the Phalaphala matter is the former head of the State Security Agency, who for some reason has not taken the country in his confidence about the exact that time that this matter and the accompanying exhibit were brought his attention. As far as the Deputy Minister has gone through the complaint by the complainant, has the complainant mentioned the State Security Agency as an accomplice or an

actor in whatever way in this matter? And if so, can the Deputy Minister take the country into confidence about the specific allegations made by the complainant that implicate the State Security Agency. Thank you House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Thanks very much House Chairperson, and thanks very much hon Maleka. No, there are no allegations implicating the State Security Agency from the complaint and the complainant. Thank you very much.

Question 83:

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): The State Security Agency, the SSA, through Project Veza did conduct an investigation into parallel vetting structure. However, a more detailed investigation was advised to determine the implication of national security fully. The Veza project investigations were geared towards internal disciplinary actions as members involved appeared to have acted outside of the scope of the vetting regulations.

Yes, checks have been conducted on the legitimacy of the top secret clearances that were issued at that time. The purpose

of that vetting structure was to vet selected individuals and provide them with purported SSA clearance certificates.

The certificates issued were not the same as the ones used by official SSA vetting structure. The process undertaken by those vetting officers was weak, outside of the scope of regular vetting and not channelled through proper structures. Thank you very much.

Ms C LABUSCHAGNE: Deputy Minister, what steps have been taken to reverse and set aside the irregular appointments and promotions based on this illegal vetting system within the SSA? And, has any criminal charges been laid in this regard? Thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): House Chair and hon Labuschagne, you will happy to know that the certificate is valid only for five years. After five years, people are re-vetted again. So, if there would be any people who were there at that time - which is quite a long period back now that we are talking about - they would be undergoing re-vetting now, at the moment.

So, it will be during the period of re-vetting that we pick some of these issues up. However, we are building capacity internally to deal with these issues of re-vetting, to make sure that even those whose certificates have not lapsed or expired, or are left with certain month before they expire, they will also go through the process of re-vetting to deal with this anomaly that happened during this period. Thank you very much.

Mr M A P DE BRYUN: House Chair, Deputy Minister, based on your answers in a nutshell, you have stated that there was some form of investigation and checks conducted to some of the persons that were guilty in issuing these clearances?

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): Just to assure the House: As part of broader investigations, I think this is one area that the independent forensic investigating company that was appointed is focusing on. However, we are not only waiting for the reports, like I indicated already. Five reports have been given by the independent company. There are processes internally, as I mentioned, and one process is that people are re-vetted. We are able to pick up those who were vetted through another

process which undermined vetting regulations. Thank you very much.

Mr E M MTHETHWA: House Chair, Minister, unless my assumption is incorrect in terms of the law that he State Security Agency is the solely custodian of the security clearance certificate, as you have alluded before. It is my view, hon Minister, that those certificates, like identity documents and passports, remain the property of the state.

Therefore, Minister, based on your response of irregularities in the assurance of some of these certificates: Has a measure been considered to withdraw and confiscate those certificates that are illegally issued? If not, Minister – I know you have just said it, but for emphatic purposes -why not? And, if so, what are the relevant details that you may add on what you have said before? I thank you.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): House Chair, hon Nyambose: No, the State Security Agency is not the sole custodian of security clearances.

According to the National Strategic Intelligence Act 99 of 1994, the Defence Intelligence and SA Police Crime

Intelligence have a mandate to conduct vetting within its services.

The State Security Agency conducts vetting to its employees as well as the entire public service. Like I said earlier, however, the issue about the validation and the period in which the certificate lapses is five years. The State Security Agency personnel are subjected to a process of re-vetting, as I indicated earlier, in terms of members who were re-vetted outside of the regulations. Thank you very much.

Mr A ARNOLDS: House Chairperson, Deputy Minister, the project of vetting of senior government officials and executives of state-owned entities has not yielded the required results in eliminating corruption due to the lack of enforcement of the law.

My question to you is: What plans are in place to deal with the capacity challenges which you have mentioned? We have heard this for several years now. So, what are those capacity challenge plans while preventing the national vetting system from failure?

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY (Mr N

G Kodwa): One of the difficulties we face, hon House Chair, is the non-co-operation – if you like, resistance – from very senior public servants, some of whom are not co-operating when it comes to vetting. Although vetting in itself takes a bit of a time, there are a number of state-owned entities where people are not co-operating in terms of, and as required by law, that they must be vetted.

It is a point we make – not only here, but also with the executive that makes appointments – whether we need to probably review their appointments, where people must be vetted before appointment, pending the outcome or we must review that part.

It is a matter that I think must be reviewed, as we build capacity, to vet the public service. There are a number of regulations and laws, which I have no doubt, that to deal with the challenge that I have just mentioned – of people who are not co-operating. From some, we get resistance when it comes to vetting. Thank you very much.

Question 79:

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY: The

use of such equipment is regulated by the Regulation of Interception of Communications and Provision of Communication- Related Information Act, Rica. Equipment for use in monitoring and interception also known as grabber is defined as listed equipment according to Rica. The following excepts speak to the question raised directly and these excepts are taken directly from Rica.

Chapter 8 section 44(1)(a) of Rica defines listed equipment as follows:

The Minister must, by notice in the Gazette, declare any electronic, electro-magnetic, acoustics, mechanical and other instrument, device or equipment, the design of which renderers it primarily useful for purposes of interception of communication under the conditions or circumstances specified in the notice to be a listed equipment.

Chapter 8 section 45 titled Prohibition on manufacture, position and advertising of listed equipment declares: Firstly, no person may manufacture, assembly, possess or sell, purchase or advertise any listed equipment. It further says,

the conditions under which public or private entities are allowed the use of such equipment is defined in Chapter 8 section 45(2) which reads:

It does not apply to any telecommunications service provider or other person who or law enforcement agencies which manufactures, assembly, posses, sell, purchase or advertising listed equipment under the authority of a certificate of exemption issued to him or her or for that purpose by the Minister.

Thank you very much.

Ms T C MODISE: Thank you very much, House Chair. The hon Minister will agree while there is a sound legislation to regulate the ownership of use of this equipment without monitoring of their proper use by both private and public entities. This can result in a serious abuses and unlawful use. For instance, hon Deputy Minister, according to the recent media report, there is one metropolitan municipality that has procured grabber for among other uses spying on the caucus of other political parties. In this regards, are there internal structures, system and capacity in the department to monitor the lawful use of the equipment by private and public

entities? If not, why not? If so, what are the relevant details, hon Deputy Minister? I thank you, Papa.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY:

Thank you very much, House Chair. And thanks very much, Mama. The Higher National Certificate, HNC, and its entities has indeed identified the challenge of proliferation and the usage of listed equipment. Capacity has been built and developed internally to ensuring that the matter is being addressed. And that matter is a matter of noncompliance that the member is talking about by transgressors adequately addressed because issue about some of this listed equipment being available in open market, it creates a big problem. And therefore, the issue of building capacity is a matter that is being addressed internally and a report in this regard shall be provided.

Thank you very much.

Ms S B LEHIHI: Minister, noting how interception devices invade individual constitutional rights to privacy, will such regulations also include putting in place oversight measures to monitor the use of surveillance?

*Setswana:*

Ke a leboga.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY:

House Chair, if you could help me just to repeat the question.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Lehihi, can you please repeat the question.

Ms S B LEHIHI: Okay. Minister, noting how interception devices invade individual constitution rights to privacy, will such regulations also include putting in place oversight measures to monitor the use of surveillance?

*Setswana:*

Ke a leboga gape, Modulasetilo.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY: I

can confirm, House Chair, that already there are discussions. I think, hon Labuschagne, you know this and hon Mmoiemang.

There are discussions within the committee about these matters about exemption of certificate because these matters are regulated. And there is a reason why the use of listed equipment is regulated because you are protecting the rights of civilians from intrusion from undermining their privacy and so on. And I think the oversight both of Parliament through its various committees will also play an important role hence

these discussions are taking place at a level I have just mention. Thank you very much, hon member.

Mr N M HADEBE: Hon House Chair, the Deputy Minister partly covered me but I would want to say, it is understood that the use of technology and monitoring tools serves as a method to combat advance and complex crimes which pose as threat to the state. How can the public have control of their privacy and prevent the abuse and encroaching of their section 14 right to privacy? Thank you, House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY:

Which is why I think the legislature came with Rica precisely to answer that question because Rica among others protects the ordinary South Africans civilians from any abuse by anybody who may be in position of a listed equipment. And I think the discussions that are taking place elsewhere will amongd others make sure that we protect the citizens from intrusion from any other equipment that may undermine their privacy. But however, I must emphasise that it is important that the way we must deal with the elements of organised crime - we would need a transnational organised crime in which it is very complicated and complex. We would need some of this little equipment to

deal decisively as well to protect citizens from these elements of organised crime.

Ms H S BOSHOFF: Thank you very much, House Chair. And good afternoon, Deputy Minister.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY: Good

afternoon.

Ms H S BOSHOFF: Deputy Minister, the fact that security service of South Africa is a laughing stock with all the corruption and fraud hidden behind secrecy and legislation. And that for the past two and a half years the feedback we received when asking on legislation is, we are waiting for finalisation of the department. Up until now nothing has been produced. If this government is serious about fixing state security will you today giving us a specific date for Amending the Appropriate Bills? Thank you, House Chair.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY:

House Chair, one of the things that I can assure the member and assure the House is that we have adopted a philosophical framework and central to that philosophical framework by intelligence academy is what we referred to as doctrinalship

in terms of intelligence that instead of focus from a state security to a national security. In other words, it places the role of citizens at a centre of national security. And I think it will go a long way because it builds patriotic citizens who take upon themselves to make sure they protect their national which speaks to issues in some is called organs of people’s power. But basically, it is community-based organisation who also as part of national security, we need to strengthen them.

So, there is a whole issue that must be done in order not to demystify only but also to change what I will referred to as doctrinal shift of intelligence from state security to national security where it requires patriotic citizens to play an important part so that all citizens like yourselves will recognise and realise that you are part of making sure that there is a national security and stability in the country.

Thank you very much.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you, hon Deputy Minister Kodwa. That brings us to the end of questions to you this afternoon. Allow me on behalf of the leadership of the National Council of the Provinces led by Ntate Masondo, Deputy Chair, Mme Lucas and the Chief Whip, hon Mohai, to thank you, hon Deputy Minister, Kodwa, for availing yourself to answer

questions in the National Council of Provinces. And that concludes the business of the day. The House is officially adjourned. Thank you, hon Deputy Minister.

The DEPUTY MINISTER IN THE PRESIDENCY FOR STATE SECURITY:

Thank you very much.

The Council adjourned at 16:45.