**UNREVISED HANSARD**

**NATIONAL COUNCIL OF PROVINCES**

**THURSDAY, 20 OCTOBER 2022**

***PROCEEDINGS OF HYBRID NATIONAL COUNCIL OF PROVINCES***

The Council met at 14:05

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

The Chairperson announced that the hybrid sitting constituted a sitting of the National Council of Provinces.

The CHAIRPERSON OF THE NCOP: Hon delegates, before we proceed, I would like to remind you of the following: The virtual sitting constitutes a sitting of the National Council of Provinces. Delegates in the hybrid sitting enjoy the same powers and privileges that apply in a sitting of the National Council of Provinces. For the purpose of the quorum, all the delegates who are logged on to the virtual platform shall be considered present. Delegates must switch on their videos if they want to speak and that delegates should ensure that the microphones on their gadgets are muted and must always remain

muted. All delegates in the chamber must connect to the virtual platform as well as insert their card to register on the chamber system. Delegates who are physically in the chamber must use the floor microphones. All delegates may participate in the discussion through the chat room and note that the interpretation facility is active and that permanent delegates, members of the executive, special delegates and Salga representatives are requested to ensure that the interpretation facility on their gadgets are properly activated to facilitate access to the interpretation services.

I would like to take the opportunity to welcome the Deputy President. I would like to remind delegates that in terms of Rule 229 of the Council Rules, the time for reply by the Deputy President to a question is five minutes. Only four supplementary questions are allowed per question. The member who had asked the initial question would be the first to be afforded an opportunity to ask a supplementary question. The time for asking supplementary questions is two minutes. The time for reply to supplementary questions is four minutes.

Supplementary questions must emanate from the initial question.

# WELCOMING OF HIS EXCELLENCY, PRESIDENT GHALI AND HIS DELEGATION

(Announcement)

The CHAIRPERSON OF THE NCOP: Before we proceed, today, we have guests and fellow compatriots in the gallery from the African continent, specifically from the Sarahawi Democratic Arab Republic, His Excellency, and the leader of the delegation Mr Brahim Ghali, who are visiting us today. [Applause.]

Your Excellency, the President of Sarahawi Democratic Arab Republic, Brahim Ghali and your esteemed delegation, fellow presiding officers, delegates and ladies and gentleman, it is indeed a great and rare honour to acknowledge the President of Sarahawi Democratic Arab Republic, His Excellency, Mr Brahim Ghali and his delegation this afternoon in the gallery of the National Council of Provinces.

As members are aware, President Ramaphosa met with the President Brahim Ghali of the Sarahawi Democratic Arab Republic to pay a working visit to South Africa. The visit is intended to reaffirm our continued solidarity with the people

of Sarahawi Democratic Arab Republic in their continued struggle for self-determination.

Today, President Ghali is briefing the members of the National Assembly, led by the chairperson of the Portfolio Committee on International Relations and Co-operation, Mr Supra Mahumapelo, on current developments in Western Sahara.

In welcoming President Ghali to South Africa on Tuesday, this week, the President of the Republic, His Excellency, Mr Cyril Ramaphosa, noted that President Ghali’s visit is a reunion of comrades who share common views and interests, and who together, seek to advance the struggle for freedom, self- determination and territorial integrity. South Africa stands by its principled position on the ... [Inaudible.] ... for Sarahawi people as enshrined in the United Nations Charter and a ... [Inaudible.] ... of the African Union.

Having emerged from a past characterized by oppression and discrimination on the basis of race, we, as South Africans have pledged to: firstly, heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; secondly, to lay the foundation for a democratic and open society on which government is based

on the will of the people and where every citizen is equally protected by law; thirdly, to improve the quality of life of all citizens and free the potential of each person; and lastly, to build a united democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

As a nation, we remain committed to the achievement of these aspirations on which our Constitution is anchored. It is in this context that we support the view expressed by our own President this week that the decolonization of Western Sahara is essential to the achievement of the Africa we want. We must intensify international pressure so that the long delay to the referendum on the self-determination of the people of Western Sahara is realized. It has always been our view that the international community and the United Nations in particular should assume their legal and moral responsibility on granting respect to the inalienable right for self-determination of the people of Western Sahara.

With these few words, I welcome His Excellency, President Ghali and his esteemed delegation to the National Council of Provinces and to the Parliament of the Republic of South

Africa. With these few words, we salute you. Thank you very much.

# QUESTIONS FOR ORAL REPLY: DEPUTY PRESIDENT

Question 19:

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you, hon

Chairperson. Allow me also to convey our greetings to His Excellency the President of Saharawi. We feel honoured by his presence in our country. Coming back to the question, hon Chairperson, as a government we are cognizant of the negative impact of load shedding on our country’s economy and the inconvenience and hardship that it has caused the entire country. As a result, government has been working with the energy sector to remove a cap on private generators, increase the number of request for proposal issued to the private sector and contract for more megawatts from existing independent power producers.

Since its revival in 2018, the renewable energy programme has connected almost 2 000 megawatts of solar and wind energy to the national grid, courtesy of Bid Window 4. The Bid Window 5 will contribute 2 600 megawatts by 2024, and Bid Window 6 will procurement some odd 5 200 megawatts of wind and solar energy.

Government has also created a regulatory environment that is conducive to opening up the market for alternative power generation. For instance, regulatory authorities have relaxed the licencing threshold for generation projects from 1 megawatts to 100 megawatts. This means that power plants with a capacity of less than 100 megawatts can supply electricity to a wide range of users, like businesses and homes. Updated regulations allow municipalities also to produce power independently. Eskom would also buy surplus power from existing producers like your mines, your factories, malls and other private generators.

Apart from the external, but associated factors we have outlined above, Eskom itself as a business entity has been making adjustments, and to date the following interventions have been implemented:

Eskom is aggressively maintaining its power station fleet. Maintenance budgets have increased to improve operational reliability and bureaucratic guidelines have been relaxed.

Eskom is embarking on a significant recruitment drive to employ highly competent technicians including former plant managers, engineers, and so forth.

Eskom has proposed adding an additional 8 000 megawatts of clean energy projects to the grid over the next two to five years.

Government is also considering various changes that will speed up the acquisition of independent power producers and reduce further red tapes. When all these necessary tasks have been done, an announcement will be made about this.

To address the demands, Eskom has proposed building almost

8 000 kilometres of transmission lines over the next 10 years.

Eskom has proposed financing and regulatory support for land and servitude purchases as part of our just energy transition.

Eskom has proposed a holistic approach on decarbonisation and environmental compliance by accelerating the retirement of our ageing and unreliable coal-fired power plants.

Contracts with six independent power producers have been concluded this year, and an additional two projects are expected to be concluded before December 2022. Eskom will purchase power from independent power producers and provide it to the consumers.

Since the announcement that was made by the President on July 25, we’ve taken decisive action to capacitate the leadership of Eskom through the appointment of the new board. As Cabinet, we are confident that the technical expertise within the board will ensure that as a country, we attain the target of improving Eskom’s energy availability factor from the currently undesirable levels that are below 60%. We remain optimistic, hon Chairperson, that the operationalisation of these interventions under the guidance of the new board will yield positive results that will lower, and eventually end the current challenge of load shedding. Thank you very much.

*IsiXhosa*:

Mnu Z MKIVA: Mandibulele Sihlalo kule Ndlu ibaluleke kangaka. Mandithathe eli thuba ndibulise kuye uSekela Mongameli namaLungu eNdlu. Sekela Mongameli, masiyibulele into yokuba, qho sikubiza kule Ndlu, awuphozisi maseko koko uyeza usabele. Xa sibuza imibuzo uyaphendula, xa sikubiza uyasabela.

Ndivumele nditsho ukuthi, ungumabizw’asabele.

*English:*

Thank you very much, hon Deputy President. For me your response demonstrates the respect the ANC-led government attached to principles and practices of corporate governance

which govern the relationship between government as a shareholder, the Eskom board and management. This is important for the effective management and transformation of Eskom where roles are not conflated and confused and there is no interference in the operations and management of Eskom for political expediency.

I also wish to appreciate and welcome the appointment of the new Eskom board which has overall been publicly applauded for its representation of relevant and diverse skills required for taking Eskom into new heights. My question, hon Deputy President, is whether there are plans by the government to assist the Eskom board to attract more relevant skills and address the challenges as mentioned. Thank you very much, Chair.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much, hon Chairperson, and thanks to the hon member for the question. I think that the Eskom board already has submitted a list of skills that adapt to be a very scarce skills in the country, so that this list can be circulated in the Department of Home Affairs, so that anyone who’s coming into the country or recruited to come into the country under the pretext of shortage of skills will then be appointed on the basis of the

preferred and identified skills that the country is in shortage of. So, yes, we are in the process of assisting the board in whatever way we can do it to ensure that all the relevant necessary skills that are needed by our energy generation entity, all those skills can be acquired with the assistance of government. However, we are confident that the board is up to the task and I’m sure that their presence will bring the necessary changes that will end the current situation. Thank you very much.

Ms C LABUSCHAGNE: Thank you, Chairperson. The economic reconstruction and recovery plan is quite explicit in including energy security as one of its top priorities. It also breaks up the reconstruction and recovery into three phases: the first being engaged and preserve which talks about macroeconomic interventions and specifically states that its intention is about saving distressed household, firms and jobs. Not only does load shedding do quite the opposite, but the proposed tariff increases from Eskom which essentially shifts the financial burden of Eskom’s historical bad decisions until they are already ... [Inaudible.] ... man in street. Deputy President, do you think that most households can afford a 30% increase in the cost of electricity?

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much, hon Chairperson. Like I’ve said before that as government we are aware of the negative impact that load shedding is bringing to the country and the hardship that our people are facing. The rising cost of electricity definitely will impact negatively on the lives of our people, impacting negatively on livelihoods and making more or less everything to be more expensive. It is a situation that would want to correct and I’m sure that we will stabilise the generation of electricity. In the short run I think we will be able to lower the energy prices by allowing more and more generation, more players in the space of generation, creating the necessary competition, not allowing Eskom as a monopoly to dictate the price.

Therefore, I’m sure that the route that we are taking as a country by allowing more independent producers that can produce energy and sell energy, and that will create a very competitive environment in the energy generation and the sale of electricity. Thank you very much.

Ms M O MOKAUSE: Thank you, Chairperson of the Council, it is Mokause. Deputy President, your responses for us, as the Economic Freedom Fighters, clearly do not demonstrate commitment. It clearly shows that your government do not have plans to get South Africans out of this crisis of darkness.

Having said so, Deputy President, a large number of small business owners cannot afford to buy generators to keep their lights on during the never-ending Eskom blackouts, and for them four hours a day without electricity poses a serious financial challenge. Do the intervention that you just spoke about, Deputy President, refers to includes assistance with blackouts plans for electricity supply? Are there such plans, tangible plans? If there are, are there any alternative power supplies as well like your solar energy which have been taken into account? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much, hon Chairperson, and thanks to the hon member for the question. I stated before that the plan that has been put forward by the President is trying very hard to respond to the situation that we are faced with, and we are very aware about the hardship that has been caused by this situation to small businesses, to households, and to everyone in the country. Now, the plan constitutes a number of interventions. We will speed up our build programme, firstly, Medupi and Kusile so that they come into operation and they come into service - that we think is a low-hanging fruit. We will increase our maintenance of the current fleet of our power stations. Now, that will mean additional resources for maintenance which has been done.

We have allowed businesses to generate energy that section 2 of the Electricity Generation Act which has allowed embedded generation from 1 megawatts to 100 megawatts, it’s a step in the right direction allowing the private sector also to enter the space of generation. Therefore, as we speak now, these private sector companies that are generating energy, they’ve almost up their scale to almost 197 megawatts which some of the megawatts are then sold to Eskom. All the Bid Windows that we have instituted right from Bid Window 4 that has contributed almost 2 000 megawatts, Bid Window 5 that will contribute probably 2 600 and Bid Window 6 that will contribute 5 200. Now, all these interventions when they come into place they would really change the situation. We said that we will reduce the red tape.

The process which independent power producers follow to apply for them to construct their own power plants, that process must be shortened by probably attending to the process that is followed in the application of environmental impact assessment that takes almost a year even more than a year at times. This will be shortened so that all those who are interested in generation projects can be assisted so that they construct their projects in a shortest space of time available. We’ve also said that we will allow the board to recruit the relevant

skills that are required right at the plant level to manage our stations and that has been actioned. We’re hoping that the current board will do everything necessary to stabilise the situation in this public entity because this board we believe that it possesses all the necessary expertise that is needed in a board. Thank you very much.

Mr S F DU TOIT: Thank you, hon Chair. Hon Deputy President, Chapter 2 of the Bill of Rights is clear when it states in section 27(1)(b) that everyone has a right to water. Deputy President, I’m on record requesting government to ensure that water reticulation plants, water pump stations, reservoirs, booster pumps ... [Inaudible.] areas ... [Inaudible.] ... are exempted from load shedding. Since the rolling blackouts and the load shedding results in water shortages, low levels in reservoirs and this results in process action and it’s not conducive for social cohesion.

The subject line in the initial question is short and power supply guarantee. Deputy President, have you considered ensuring short-term power supply guarantee to the water supply division of municipalities during power interruptions that has a negative long-term effects on economies, the communities and

if not, why not, and the relevant reasons. Thank you, Deputy President.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you, hon

Chairperson and thanks to the hon member for the question. I must say, however, that all services that we render as government are very essential, and acknowledge the fact that the disruption that is caused by these load shedding is not boding well for the country and we’ve repeated that and we’ve apologise for the situation. Now, it will be very difficult to select any service because, for instance, a hospital presents a very essential service. A police station presents a very essential service. All services that are assisted by electricity are very important. Therefore, we are faced with the situation where households can’t cook and households can’t have water. It’s a very undesirable situation I must say and I hope that all the interventions that we have put in place will in the shortest space of time try and address the situation.

I’m saying to the hon member, yes, I understand the effect that is caused by this load shedding on water supply. We’re trying very hard to say that let’s try and save life by ensuring that all hospitals and clinics in the country are avoided from this situation of load shedding, and that

probably is working and I’m not very sure with all other services whether we can be able to include all of them because the energy availability as we speak now it’s less than 60%. We are trying to rebuild to come above 75% where we could cover all essential services. So, yes, it’s a very unfortunate situation which we are hoping that in the shortest space of time is going to be addressed. Thank you very much.

Question 20:

The DEPUTY PRESIDENT: Thank you, thank you once more Chairperson. Electricity Supply Commission, Eskom, has adopted an integrated security approach, in partnership with law enforcement agencies, to address criminal activities, specifically relating to critical infrastructure that is enabling the organisation to generate, transmit, and distribute energy.

In order to do this, Eskom keeps an eye on hotspot areas every day. It uses these patterns to keep an eye on its security and send positive early warnings to different parts of the business.

Eskom has taken the following steps, along with the government, to protect our vital electricity infrastructure:

The Joint Operations Centre located at Eskom Megawatt Park has brought in added support from specialised SA Police Service, SAPS, units, the Directorate of Priority Crime Investigations as well as other specialised units such as Provincial Essential Infrastructure Task Teams.

And the National Security Command Council and the National Intelligence Coordinating Committee, all these are also brought up and are kept up to date on infrastructure crimes and the trends.

SA Revenue Service, the Special Investigating Unit, the SA Police Service, the Department of Home Affairs, and the National Prosecuting Authority, mining houses, at times they work together on high priority projects.

Eskom has also reported that cases handled by the SAPS are being tracked on a regular basis. Crime reporting mechanisms and whistle blowers reporting systems are in place, as early warning systems.

Eskom has analysed all national key point sites and is installing smart technologies at generation power stations.

Helicopters and drones are utilised in isolated areas where criminal networks still target infrastructure.

While protecting critical infrastructure, regulatory and legislative changes should address the scrap metal industry and nonferrous metal demand.

The research results of a study commissioned by the Department of Trade, Industry and Competition, were presented to government for consideration. And subsequently, the draft policy proposals were gazetted for public comments in June this year. Before the year ends, I think Cabinet will consider for approval this draft policy and proposal.

Our work in protecting critical infrastructure has not been limited to Eskom. We are taking lessons from our response to Eskom and replicating it across other critical infrastructure. This fits with making sure that all of our efforts to grow the economy are long-lasting.

Hon members can rest assured that infrastructure crimes and their effects are getting more attention to bring justice to all those who are offenders.

But we want to call upon all our communities to also play their parts by partnering with government and protecting all water, electricity, roads, schooling infrastructure that is located within their localities. As we collectively do this, we will ensure and guarantee the accessibility of services for our children and for future generations. Thank you very much, Chairperson.

Ms C LABUSCHAGNE: Chair, hon Ryder is in a meeting, can hon Kingsol Chabalala take hon Ryder’s question? Thank you.

Mr K CHABALALA (Gauteng): Chairperson, Deputy President, an issue facing many residents right now is the slow replacement of damaged and faulty transformers. In many areas across the country, for example in my constituency in Emfuleni, replacement can take up to five years, and residents are told to pay or sign an acknowledgement of third forms for their own transformers. Deputy President, will you commit to instruct Eskom to adhere to a prompt turnaround time of no more than seven days and pay for their own assets instead of extorting money from our people disparate for service? Thank you.

The DEPUTY PRESIDENT: Thank you very much Chairperson, I think the hon member is correct to say that the turnaround time, at

times is a bit long – caused by a variety of factors on the side of Eskom. In one instance Eskom replaced a generator and in two weeks that generator was stolen and they had to come back and replace that generator. But, before replacing that generator, some security measures were supposed to be put in place and that took a bit long because it was not going to be helpful to replace the generator only to be stolen again.

But now that all our structures are in place, all these interventions, institutions have come together to ensure that we deal with vandalism, we deal with theft. Like, you will bear with that some people have been arrested in a number of these power stations they were stealing from. That could not happen before, but because of the current plan, I think we are almost there. We are dealing with the criminals; we are matching pound-for-pound and I am sure as government we will succeed. And that will change the turnaround time of Eskom.

Thank you very much.

Mr N M HADEBE: Chairperson, hon Deputy President does Eskom have the enhanced intelligence and security capacity to ward off and protect infrastructure currently, considering there’s no back up to our unitary national electricity supply? What is the effectiveness of those security measures, considering the

critical state Eskom is in currently and what is the Deputy President’s position in this regard? Thank you, Chairperson.

The DEPUTY PRESIDENT: Thank you very much Chairperson, Eskom does not have the required capacity in terms of the intelligence structures. That is why we have sourced the crime intelligence structures of our SA Police Service. We have sourced some number of expertise. Units that are operating under the SA Police Service to work with Eskom.

Now, we quiet happy that the kind of support that we have sourced to come and help Eskom is starting to yield results. Now, like I said, we are starting to arrest people. We are starting to reverse this scourge of theft of our cables, of our water infrastructure, of our electricity infrastructure. We are reversing this scourge.

And thanks to the intervention, by the SA Police Service with their different units. And thanks to the Special Investigating Unit that have assisted in investigating some of the priority crimes, in terms of our infrastructure. You will notice that we have stopped the stealing of our infrastructure in Passenger Rail Agency of South Africa, PRASA, in, Transport

network, Transnet. And on a daily basis we are arresting those people.

So, our effort is not only focusing on Eskom, we are also focusing on all infrastructure related matters around the country, because the damage and the effect is equally the same. If you steal an infrastructure related to an electricity and steal an infrastructure related to water, the outcome would be disruption of services. So, we are doing everything in our power to stop this theft. Thank you very much.

*Setswana:*

Rre K MOTSAMAI: Ke a leboga Motlatsa Tautona. Mo kgweding e e fetileng, Tautona Cyril Ramaphosa o ne a kgaola leeto la gagwe kwa moseja go tla go semagana le tlhakantsuke ya kgaogo ya motlakase mono gae ka go tshwara kopano le Kabinete. Mo puisanong le Kabinete mo Tautona e neng ele modulasetulo wa yona. Ke tshwetso dife tse di tserweng go rarabolola tlhakatlhakano ya kgaogo ya motlakase le tiriso ya mafaratlhatlha a a sa direng a motlakase? Ke a leboga Motlatsa Tautona.

The DEPUTY PRESIDENT: Chairperson, I think the intervention that the President brought in the whole challenge that we face

as a country, it was very important. Because that intervention brought a plan after a thorough consultation with all relevant role players. The President consulted widely and at the end of the day presented a plan.

Now, this plan seeks to put all our efforts together to ensure that we work together and attend to this problem of load shedding. This plan takes into consideration our maintenance of our infrastructure; it takes into consideration our built environment in this power generation infrastructure. It takes into consideration the role of business in alleviating the shortage of power.

It takes into consideration, all legislations that need to be attended to, in order to speed up processes that will help us to end load shedding. And it also speaks to the skills that are required that will enable us to deal with load shedding. And finally, it also speaks to leadership that is needed at the helm of our power utility.

That is why finally a board was appointed. Now, this is a new board with all the necessary expertise and I am sure if we give this board an opportunity, this board will turn the situation around. Thank you very much.

Ms M O MOKAUSE: Chairperson, on a point of order!

The CHAIRPERSON OF THE NCOP: What is the point order hon Mokause?

Ms M O MOKAUSE: I do not understand what the Deputy President was on about. He did not respond to the question that was asked. He spoke about something else. The question of hon Motsamai was not responded to. And, I am pleading now to ... [Interjection.]

The CHAIRPERSON OF THE NCOP: That’s unfortunately not a point of order [Interjection.] hon Mokause ... [Interjection.]

Ms M O MOKAUSE: ... will not what? The question was not answered. The question was not answered.

The CHAIRPERSON OF THE NCOP: ... we will move on. We will move on to the next question [Interjection.] the next is Question

21 ... [Interjection.]

Ms M O MOKAUSE: Chairperson of the Council, the question of hon Motsamai was not responded to.

The CHAIRPERSON OF THE NCOP: ... hon Mokause, you can’t behave the way you are doing now ... [Interjection.]

Ms M O MOKAUSE: ... you cannot a blame on us if Parliament did not arrange for interpretation ... [Interjection.]

The CHAIRPERSON OF THE NCOP: ...if you ... [Inaudible.] ... they will switch off [Interjection.] Thank you very much ... [Interjection.]

Ms M O MOKAUSE: ...Parliament did not put interpretation [Interjection.] and it’s not our fault ... [Interjection.]

The CHAIRPERSON OF THE NCOP: ...Question 21, is a question on Communal Land Administration and Tenure Reform Summit [Interjection.] This question is from Bebee and is directed to the Deputy President.

Mr M NHANHA: Chairperson, on a point of order!

The CHAIRPERSON OF THE NCOP: What is the point order, Nhanha?

Mr M NHANHA: Chairperson, I rise on a point of order. I am a bit concern that hon Mokause was actually cut short whilst she

was speaking and you had not given that instruction. I’m worried when staff can willy nilly cut off Members of Parliament without your instruction Chair. Thank you very much.

The CHAIRPERSON OF THE NCOP: Yah, it’s noted, it shouldn’t happen that way, it’s noted, but we are moving on.

Mr K MOTSAMAI: Chairperson, on a point of order!

The CHAIRPERSON OF THE NCOP: What is the point order, Mr Motsamai?

Mr K MOTSAMAI: Chairperson, I am wondering that if I ask a question in my own language and it’s so difficult for the Deputy President to answer my questions. Usually when I try to ask Deputy President questions, he behaves the way he behaved. He doesn’t answer my questions. Sometimes the Deputy President will simple say, he doesn’t understand the language. Today, he did not even answer my questions. So, I don’t know why I must ask a question and yet he doesn’t have an interpreter next to him. Can you please reserve my question, because he didn’t answer my question?

The CHAIRPERSON OF THE NCOP: No, we won’t do that Motsamai, what we will do is to note the point that you are raising and we will try and find an appropriate way of managing it going forward.

But of course, I think it’s also important for me just to say to you, you can’t ask issues and link them to the debate and discussions taking place in response to questions, today. Not unless of course there’s very legitimate point that you are making.

And I would also say that if you want to raise point of orders, let’s please raise them us such, legitimate point of orders and clarify them very, very carefully so that there’s no confusion on this matter. Thank you very much, we will proceed to the next question, [Interjection.] Question 21 on Communal Land Administration and Tenure Reform Summit [Interjection.] from Bebee to the Deputy President. Hon Deputy President.

Ms M O MOKAUSE: Chair, Chairperson, Chairperson!

The CHAIRPERSON OF THE NCOP: Don’t do that.

The DEPUTY PRESIDENT: Thank you very much, hon Chairperson. I respect your ruling with regard to the last matter. However, I wish to say that I will be happy to receive the question and probably offer a written reply. The member should really appreciate that he spoke in a language that I could not really understand. There was an interpretation and I thought I understood the question. If the feeling is that I did not answer the question, I am prepared to go an extra mile to try and answer the question through a written response.

Chairperson, that’s what I can offer through your guidance. Thank you very much.

The CHAIRPERSON OF THE NCOP: Yes, please proceed.

Question 21:

The DEPUTY PRESIDENT: Hon Chairperson, indeed, in May of this year, the government held the Communal Land Administration and Tenure Summit. This was the culmination of years of work by government and a wide range of stakeholders from different parts of society, especially those from the institutions of traditional, Khoi and San leadership.

The highlights of the summit must be understood in the context of the ongoing programme of land reform in South Africa, whose

aim is to ensure equitable access to land for all of us as stated in our Constitution, in particular Chapter 2 section

25. The summit's resolutions included, among other things, the following:

Firstly, making laws about communal landownership that define the different ways people can own land in both rural and urban areas;

Secondly, the introduction of legislation and other measures to protect communal land from being bonded, alienated, lost, or sequestrated by financial institutions and any other developers; and

Thirdly, government should empower traditional councils to establish or use legally recognised communal land administration structures and support them to successfully administer land under their jurisdiction. This encompasses institutional, budgetary, staff and conflict resolution mechanisms and training.

The outcomes also brought to light different points of view and new issues that will need more attention when policies and

laws are made about land administration and tenure reforms in communal areas.

The Inter-Ministerial Committee on Land Reform and Agriculture has also sent a team of Deputy Ministers that will further consult our kings and queens on the outcome of the summit.

Where there is not complete agreement, more consultations will be held as we were doing it, visiting all provinces and meeting with traditional leaders. We are further consolidating our consultations.

Under the leadership of the Deputy President, the task team raised matters that are of concern to traditional, Khoi and San leaders and we have also reached out to them to allow them space to talk. During these meetings, we also discussed issues that came up, like I said, from the summit, especially issues of Khoi and San leaders. Their recognition was also raised sharply.

In terms of implementing this work, draft policies are already being developed by the Department of Agriculture, Land Reform and Rural Development in response to the review of communal property associations, following a number of consultations by the department with various provinces, under the leadership of

the Minister of Agriculture, Land Reform and Rural Development.

While the outcomes of the summit are being processed through the Inter-Ministerial Committee on Land Reform and Agriculture, other related matters have been raised during our engagements with traditional, Khoi and San leaders, which will be submitted to Cabinet for consideration in line with government processes. These are matters that affect our traditional, Khoi and San leaders respectively. These outcomes will subsequently be communicated again to all traditional, Khoi and San leaders after ... [Inaudible.]

The CHAIRPERSON OF THE NCOP: Deputy President, I know that the question you are dealing with is indeed very, very important, but I think you are running out of time. So, can you find a way of concluding?

The DEPUTY PRESIDENT: I have concluded, Chairperson. Thank you very much.

*IsiZulu*:

Nk L C BEBEE: Angibonge Sihlalo, ngibingelele uSekela Mongameli noSoswebhu Omkhulu nozakwethu abalapha eNdlini.

Ngiyabonga ngokuthi ukwazile ukuwuphendula umbuzo wami noma umude kodwa futhi lo mbuzo ngiyazi ukuthi ubuziwe ePhalamende elikhulu, wawuphendula. Ngakho yikho ngiwuphinda futhi kuleli Phalamende lethu i-NCOP ukuze baqonde, bazi kahle ukuthi uhulumeni wethu esiwuholayo uyabonisana, awenzi nje izinto yedwa, wenza izinto okuthiwa ama-Summit into engakaze ize yenzeke kudala. Manje ngizowuhumusha umbuzo wami, Sekela Mongameli.

*English*:

There are issues of others on which consensus was reached at the summit where more consultation is still continuing. My question ...

*IsiZulu*:

... Sekela Mongameli ...

*English*:

... what are the timeframes for the implementation of the issues where consultation is still continuing, and also what are the timeframes to conclude consultations and start implementing.

*IsiZulu*:

Ngiyabonga Sekela Mongameli wami ohloniphekile kanye noSihlalo.

*English*:

The DEPUTY PRESIDENT: Hon Chairperson, divergent views came out with regard to all the issues that were canvassed in the summit, with areas of agreement and areas of disagreement. We took the process further in our consultations with traditional, Khoi and San leaders in different provinces, in an attempt to resolve whatever was not really agreed upon in the summit.

Now, where we are at the moment, I think we have reached a point where we think we can put our submission, with the last visits that was made to the Eastern Cape ... We can now present a consolidated view of issues where there is consensus, where there is no consensus and our proposed way forward.

Our proposed way forward is that, in terms of all the issues in different communities, the attitude is not the same. Some feel that land can be held by traditional councils; some feel that land should be held by communities themselves; some feel that land can be held by kings. Now, there is no one size fits

all. So, this is what we are going to present to Cabinet so that we find alternative ways of resolving this matter and concluding it once and for all for the sake of our people living in communal areas. Thank you very much.

Ms B T MATHEVULA: ... [Inaudible.] ... English ... [Inaudible.] ... interpretation via the other languages. I don’t know about the others but mine, the Tsonga interpretation is not here. Can you please assist with that, Chair?

The CHAIRPERSON OF THE NCOP: Okay, thank you very much. We will ask the Table to look into that. I’m sure the point is noted. The Table did indicate at the beginning of the sitting that there is a slight problem with Afrikaans, not with the other languages. So, if the Table can look into that please.

Ms M O MOKAUSE: Chair, it’s me.

The CHAIRPERSON OF THE NCOP: Hello, whose speaking?

Ms M O MOKAUSE: It’s the one who you wrongfully unmuted. I’m rising on a point of order. When we are here as the EFF to ask questions, we need to be answered properly. We are not going

to be told that answers are going to be sent back through written replies. The Deputy President is here to answer questions and there is absolutely no point in you protecting him in the way you are doing. It is our constitutional right to ask him questions ... [Inaudible.]

The CHAIRPERSON OF THE NCOP: Mokause, you know I’m very worried as the ...

Ms M O MOKAUSE: You can’t be worried! Worried about what? I’m a Member of Parliament. I’ve got a right to speak in this House. I’ve got a right to speak.

The CHAIRPERSON OF THE NCOP: I’m very worried about your anger and your disruptive energy. [Inaudible] ... very, very worried.

Ms M O MOKAUSE: I’m not disrupting anything! Don’t protect ANC deployees from our account. You even let staff mute me.

The CHAIRPERSON OF THE NCOP: Can I ask the Table to please ensure that hon Mokause does not speak until or as and when she is given permission to do so by the presiding officer.

Ms M O MOKAUSE: ... [Inaudible.] ... ensure that next time you don’t sit in that Chair. I can promise you that.

The CHAIRPERSON OF THE NCOP: So, hon Mokause, for now I’m not allowing you to speak.

Ms M O MOKAUSE: Why are we not answered in the House?

The CHAIRPERSON OF THE NCOP: I’m not allowing you to speak. We will proceed to the supplementary question from hon De Bruyn.

An HON MEMBER: Point of order, Chair.

The CHAIRPERSON OF THE NCOP: Please, please.

The CHIEF WHIP OF THE COUNCIL: I’ve been raising my hand ... [Inaudible.]

The CHAIRPERSON OF THE NCOP: Let’s start with you, Chief Whip.

The CHIEF WHIP OF THE COUNCIL: Chairperson, I’m standing because of the language that was used in the House by the previous speaker towards the Chairperson of the Council. The previous speaker was hon Mokause. Now, if we allow ourselves

to use such language that is in a manner really dismissive and disruptive, that does not leave presiding officers with an option to reconcile our differences in the House, we are not helping the order in the House. I’m appealing that members must appreciate that here we are dealing with the Deputy President who had shown enough humility earlier by indicating that he’s willing to go an extra mile in responding to the question by hon Motsamai because of the failure of the interpretation system.

An HON MEMBER: And it’s allowed.

The CHIEF WHIP OF THE COUNCIL: We accept the point made by hon Mathevula that at all material times and always the House should have a full interpretation system. We agreed on that previously. However, if we are told by the Table that an interpreter has fallen ill and is not there at a given time, we will make use of the Table and the skills that we have, to always help the presiding officers to facilitate cordial discussions in the House.

So I’m appealing. The Chairperson of the National Council of Provinces, on behalf of the House, deserves respect, as much as he equally fosters that respects to members. So, none among

us has every right to undermine the presiding officers. So, I think we should do that thing. We should be circumspect about why we are here and we should be respectful towards the presiding officer. Thank you, Chair.

The CHAIRPERSON OF THE NCOP: Thank you very much. Ne will now proceed.

Mr K MOTSAMAI: Point of order, Chair. Chairperson ...

*Setswana*:

Modulasetulo, wa itse go utlwisa botlhoko gore ke botse potso, fa ke botsa potso o mongwe a tle a e botse ka IsiZulu. Fa a fetsa go e botsa ka IsiZulu, yaka e palelwe ke go arabiwa ka Setswana. Mo morago ga moo, Motlokomedimogolo wa rona eleng Mokause o mo gore a re etelele pele, a re bontshe tsela.

Yaanong, fa ke botsa potso ka Setswana e be e palelwa ke go arabiwa ka Setswana kgotsa ka puo e nngwe le e nngwe, e ka nna Tshivenda, IsiZulu kgotsa Xitsonga, mme nna ke boditse potso, le nna ke tshwanetse ke bone selo se ke se tletseng mo ka gonne nna ke moemedi wa batho ba ba buang Setswana. Yaanong fa e le gore Motlokomedimogolo a ka se kgone go tlhola a bua sepe, ba go e tswalela, e botsa fela gore goreng nna ke sa

arabiwe. Mme o kgonne go bua IsiZulu ke mo utlwile. Yaanong ke ne ke kopa karabo.

*English*:

The CHAIRPERSON OF THE NCOP: No, no, all questions deserve to be answered — all questions. I must say that often enough it’s not that the question is not answered; it’s because members are unhappy with the ... [Inaudible.] ... if members and so on are unhappy with the answer that has been provided or given.

At one time or another, there is a situation which arises that relates more to language interpretation, interpreters and so on, and as the Chief Whip has properly pointed out, there is commitment to address all of these issues as and when they arise in subsequent sittings of the House. So, there is really a commitment to address all issues. There is no preference towards any language. However, we note the point that you have raised and we will do our utmost best to ensure that its addressed. That is the best that we can do at this point. As I indicated earlier on, the Table had indicated that there was a problem in relation to the interpretation of the Afrikaans language, not Setswana or Sotho and so on. So, we will address the issues in an ongoing way but let’s do it orderly. Let’s assess the processes and let’s make a contribution by making

sure that the House functions and functions optimally. Thank you very much. We will proceed to hon De Bruyn.

Mr A ARNOLDS: Chairperson, I rise on a point of order. My point of order is that we have raised this issue about the interpretation facilities, not now, but also previously in the Council, and it has not been attended to. It’s unfair to have the facilities not working in terms of the process of the House.

The other thing is that we don’t take any lectures from the Whip in terms of the processes here. He can lecture the ANC members here but not the EFF.

Then, the other thing is, why ... [Interjections.] ... Chairperson? Chairperson, why is our Whip muted? The person responsible for failing us here in terms of the interpretation facilities is supposed to be muted and not the Whip. Thanks.

The CHAIRPERSON OF THE NCOP: Yes, Nyambi?

The HOUSE CHAIRPERSON (Mr A J Nyambi): Chair, you have assisted us with the ruling. However, there’s a very important matter that will always keep coming. When a judge sits there

and we are sworn in as members of the National Council of Provinces, we elect the Chief Whip of the Council. So, for any person to tell us here that hon Mohai is the Whip of the other party is wrong and it must be corrected. Hon Mohai is the Chief Whip of the National Council of Provinces. So, I’m rising to correct it so that it does not send a wrong message when the Chief Whip of the Council calls us to order as he has correctly done. Thank you, Chair.

The CHAIRPERSON OF THE NCOP: Hon members, noting everything that has been said and what has happened thus far, I’m appealing that we move on to the second supplementary question by hon De Bruyn of the FF Plus.

Mr M A P DE BRUYN: Chair, I apologise for my video. I have some technical difficulties. Deputy President, since the Communal Land Administration and Tenure reform Summit earlier this year, several community members and organisations have complained that the summit was badly organised and that it was a waste of the government’s time and funds, and it was also stated on numerous occasions that the voices of traditional leaders were prioritised over community members and other organisations.

Deputy President, what was the cost of this failed attempt to host the summit and how is this cost being justified if only a few elite traditional leaders’ opinions were heard and attended to. Thank you.

The CHAIRPERSON OF THE NCOP: Hon De Bruyn, I can see from the signs by some of the members in the House that they couldn’t quite get the question. I think it has to do with the system. However, can you please repeat the question again, but do it a bit slower and louder.

Mr M A P DE BRUYN: Okay, I will try, Chair. I said that since the Communal Land Administration and Tenure reform Summit earlier this year, several community members and organisations have complained that the summit was badly organised and that it was a waste of the government’s time and funds, and it was also stated on numerous occasions that the voices of traditional leaders were prioritised over community members and other organisations.

Deputy President, my question is, what was the cost of this failed attempt to host the summit and how is this cost being justified if only a few elite traditional leaders’ opinions were heard and attended to. Thank you.

The CHAIRPERSON OF THE NCOP: Thank you very much. We will have the Deputy President respond, but before he does so I have just been told that the interpretation facility is active, except of course in Afrikaans. Please use the channels as indicated on your screen. There is supposed to be an indication there. For instance, channel one is Afrikaans; channel two is English; channel three is Tsonga**;** channel four is Ndebele; channel five is Xhosa; channel six is IsiZulu; channel seven is Sesotho; channel eight is Sepedi; channel nine is Setswana; channel 10 is siSwati and channel 11 is Tshivenda.

Mr J J LONDT: Chair, the channels are working like Eskom.

Ms B T MATHEVULA: You are busy mentioning the channels but channel 3 for Xitsonga is not working.

The CHAIRPERSON OF THE NCOP: Okay, the Table will attend to the other matters.

The DEPUTY PRESIDENT: Hon Chairperson, I was part and parcel of the summit myself, and if you ask me whether the summit was a success or not, I will say it was a success. Firstly, it was oversubscribed. There were people who had not been invited but

who came and we took a decision to allow everyone to participate. Those people who came uninvited came from communities. We allowed them, to the displeasure of all other participants who were not happy about that decision of allowing them. We had over 1 000 people participating.

All stakeholders had an opportunity to say their say. That is why, when we came out of the summit we said there were divergent views, solely because of the different experiences of different communities in their traditional communities. I said some preferred that their land must be administered by traditional councils. Some preferred that the land should be administered by communities themselves. Some preferred that the land should be administered by kings and queens. There were moments of altercation where people would stand up and

... there was a moment of unevenness in the running of the affairs of the summit.

However, we eventually succeeded in coming out of the council and we consulted further. We went to the kings; we went to all traditional leaders in the provinces where there are traditional leaders. Now we can safely say that we know what the views of the people are. So, we can now proceed and take the next step.

If you ask me about the costs that we incurred in probably convening the summit, then I cannot say that outright here, but it is information that I can source because that was organised by the Department of Agriculture, Land Reform and Rural Development. Thank you very much.

*IsiZulu*:

Nk S A LUTHULI: Sekela Mongameli lo mthetho owaziwa nge- Communal Land Rights Act wachazwa njengomthetho ophambene noMthethosisekelo wezwe owesinqumo senkantolo soMthethosisekelo. Isizathu saba ukuthi lo mthetho unikeza amakhosi nabaholi bendabuko amandla angaphezulu ukwedlula izakhamuzi okwenza kube lula ukuthi abahlali bahlukumezeke ezindaweni zasemakhaya. Nalo mthetho we-Communal Land Tenure Policy kanye nemigomo efana noTraditional Courts Bill noTraditional and Khoi-San Leadership Act, nawo wawukhombisa ukunikeza amakhosi endabuko amandla evile mayelana nokuphathwa komhlaba ezindaweni ezazisesabelweni ngesikhathi sobandlululo. Umbuzo Sekela Mongameli uthi: Kungani iqembu elibusayo likubona kufanele ukuthi linikeze abaholi bendabuko namakhosi amandla angaphezulu kwabahlali basezabelweni nasezindaweni zasemakhaya esikhundleni sokunikeza abahlali amandla athe ukuthi xaxa? Ngiyabonga.

*English*:

The DEPUTY PRESIDENT: Hon Chairperson, it was question that was debated extensively at the summit. Sitting here, I can tell you that as government we need to find a balancing fact. Now the balancing fact ... as much as we say traditional councils can administer the land, in between we must factor in community boards that will sit and agree on alienating a certain piece of land for business, alienating a certain piece of land for a school, for a hospital. I mean the direct participation of the community is always encouraged. So, as we finalise and put down the policy we are not going to allow traditional councils or traditional leaders alone to administer the land. They will do that together with their communities. We are going to set up structures that will alienate land, that will decide on the land use and that will decide on the inner or outer boundaries. So, the participation of communities is not going to be suppressed or undermined.

Thank you very much.

Mr W A S AUCAMP: Thank you, hon Chairperson. Hon Deputy President, I want to say, same old same old. I have listened to the answers that you gave today and you say that you are having talks and that there is consultation. The fact of the matter is that communal land occupants still do not have

ownership rights to the land they live on. Twenty-eight years since the advent of democracy, they still don’t own their land. Successive ANC government administrations have promised to address the issue of landownership in communal areas but they have all failed to follow through on their promises. The current administration’s term is ending in 2024 and still communal land occupants do not have ownership rights to the land they live on.

Hon Deputy President, like the ANC’s other failed policy, broad-based black economic empowerment which did not bring about broad-based empowerment but only empowered a selected few within the ANC, the same happens with land distribution where very few people actually get title deeds.

Can the Deputy President take the nation into his confidence and admit that the ANC government has failed rural communities by failing to address landownership and agricultural support in communal land areas? Will this government carry on in the footsteps of the previous ANC governments and just talk and just have consultations or will this government actually start to do something?

So, hon Deputy President, my question is, apart from the talks and the consultations, and everything that you’ve mentioned today, what is this government going to do differently in order to help people living on communal land to start owning that land?

The DEPUTY PRESIDENT: Hon Chairperson, what we are going to do differently this time is to ensure that land is transferred to the people. [Interjections.] The people should determine how the land should be utilised and the people will, at their own discretion, alienate land for different uses, whether it’s for business or social amenities in their area. However, above all, this land should be beneficial to the people. This means that the land should be utilised productively to fight hunger and poverty. This is one move that is aimed at utilising this land which is lying fallow, that is not utilised and is getting invaded, so that finally the people can benefit from this land. So this time it’s going to happen. We have confronted the matter. We have spoken to the people who are concerned, the communities and traditional leaders. We have heard their views and we are now at the point where we are going to put down the policy. I have consulted widely. I have crisscrossed the country. I have met almost all traditional leaders. I met communities at the summit, and sitting here I

can say that government has got a view of what these stakeholders think about their land. Yes, we are talking of only about 13% of the land. If this House wants me to give an account of the amount of land we have restituted to people through the claims, land that we have redistributed to people and what is happening with that land, we can do so. However, the question is about the summit and about communal land.

Thank you very much.

Question 22:

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, we are pleased that, for the first time in a long time, all 13 vacancies on the Eskom board have been filled. The new non- executive directors collectively bring engineering, energy policy and delivery, and accounting expertise.

The board’s mandate is based on an existing shareholder agreement. Because of the load shedding crisis and other changes in the electricity supply industry, this agreement will be looked at again. It is up to this newly appointed board to re-evaluate the performance of Eskom’s Chief Executive and other members of Eskom’s executive management. If they find that there is poor performance I think it is up to the board to act. The board will also focus on problems

with power generation and other energy related issues like procurement, hiring former and experienced Eskom workers, and fighting fraud and corruption.

In order to show that government is still committed to good governance, we believe that a competent, experienced, and capable board has been chosen to set up clear mechanisms to hold the executives accountable. It is our expectation that the board is empowered to run the affairs of Eskom in a diligent manner and adopt zero tolerance for poor performance, corruption, abuse of power, dishonesty, and conflicts of interest whenever such arise. This includes actions that try to undermine our efforts to build an energy utility that is financially stable and geared toward meeting its developmental imperative. Thank you very much, hon Chairperson.

Ms M O MOKAUSE: Am I unmuted by the powers in the NCOP?

The CHAIRPERSON OF THE NCOP: You are.

Ms M O MOKAUSE: Chairperson, I do not know why you are so disruptive together with the Deputy Chairperson of the NCOP and then behave like saints. You have factionalised the NCOP to a point where you chair with emotions and that is

incorrect. We are going to remove you and your party. Come 2024, you will not be seated there.

Deputy President, the executives at Eskom have consistently demonstrated incompetence and arrogance in the way in which they have managed the energy crisis in South Africa. At what stage of load shedding would the Deputy President consider bringing in more competent black executives to Eskom, so that we may finally bring to an end the energy crisis this country is facing? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much for the question. The hon member should appreciate that we are a shareholder in the running of the affairs of the utility. As a shareholder we have appointed a board to administer and oversee the operations of this utility. We should refrain, as a shareholder, from interfering on the daily running of the entity.

Hon member, now that we have appointed the board I think we have done a good job. It is a competent board with all the skills. The board must first evaluate all the people that are working including the CEO and everyone there. After the evaluation the board will be in position to say whether there

is a gap in the skills that are required by the utility and indicate those specific skills. If the skills are not found in the country the board will escalate that matter to the shareholder which is government. Government, though its processes and the Department of Home Affairs, can advertise for such skills for people who want to offer these skills to come into the country and they will be given the necessary permits.

So, yes, as much as we see the challenges that are faced by Eskom as government, we should allow the board that we have appointed to run the affairs of Eskom and not interfere. Thank you very much.

Mr D R RYDER: Good afternoon, Chairperson and Deputy President. It is possibly your last questions session in this House. Deputy President, if one consults industry experts and people inside and close to Eskom, the consensus is that the CEO, Mr Andre de Ruyter, is in fact doing extremely well in spite of the massive problems that he inherited and the continuing undermining of his attempts to turn Eskom around, including sabotage and police complicity.

Further consultation indicates that his efforts are being undermined by, amongst others, deployed cadres of the ANC and the turnaround has to reverse a massive drop in productivity which is being due to the treatment of all state owned enterprises, Eskom included, as sheltered employment for overpaid and underqualified politically connected individuals. The turnaround at Eskom is being hampered by procurement processes and conditions that make no business sense, further exacerbated by the construction mafia which holds projects to ransom. Noting the arrests last week and court appearances relating to the Kusile and Medupi procurement corruption, that is just the tip of the iceberg. Deputy President, the question I have for you is what amendments to the preferential procurement regulations is Cabinet going to make to ensure that Eskom becomes economically viable again, without passing exorbitant price increases onto consumers? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, thank you very much for the hon member’s question. The matter on procurement processes within Eskom, which have contributed negatively in the stability of the organisation, is currently with National Treasury to find the best way of assisting Eskom to be able to promptly respond to issues of breakdown and be able to buy the necessary parts that are needed in these

plants so that they can continue their maintenance programme and ensure the availability of electricity. So, that matter is under consideration.

I must however dispel the myth that you are trying to present to this House that the challenges within Eskom are because of cadre deployment. The board that we have appointed and Adre, the CEO, are given ample opportunity to run the affairs of the utility without government’s interference. I have been there and I have never seen the Minister or the President interfering, and we have not interfered; we have given them enough space to operate. It is not for me to try and assess the performance of the CEO. I reserve my comment and I will allow the board as the rightful body to do that assessment and act beyond that. Thank you very much.

Mr N M HADEBE: Hon Chairperson, to the hon Deputy President, considering that a lack of performance by Eskom’s chief executive officer will filter down to the performance of his subordinates, I will like to know which operational measures other than sanctions are in place to keep Eskom’s employees accountable when they do not reach their performance targets? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, we have given all the powers to the newly appointed board in accordance with our shareholder agreement. The board is entitled and fit to run the utility. Like I said, the board should evaluate the performance; why load shedding, why these breakdowns, what is happening to the maintenance of this power utility and finally take a decision. If its findings is underperformance then they must act, and in a way that will bring confidence and stability to the utility. So, yes, we are waiting in earnest for the board’s evaluation that will be announced very soon. I am sure that they are also worried about the ongoing load shedding as the new board and they will want to end it, and for them to end it they must understand exactly what the root causes are. Thank you very much.

*IsiZulu*:

Mnu A J NYAMBI: Ngibingelele uSekela Mongameli.

*English:*

Thank you, hon Deputy President. For me your response demonstrate the respect the ANC-led government attaches to principle and practice corporate governance which govern the relationship between government as the shareholder and the Eskom board and management. This is important for the

effective management and transformation of Eskom where roles are not conflicted and confused and there is no interference in the operation and management of the Eskom for political expending. I also appreciate and welcome the appointment of the new Eskom board as you have indicated which has overall been publicly applauded for its representation of relevant and diverse required for taking Eskom to new heights. My question is whether there are plans by government to assist the Eskom board to attract more relevant skills and address challenges mentioned by hon Mkiva earlier on?

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chair, thank you for the follow up question by hon Nyambi. Yes, already the board within this very short space of time has managed to re- evaluate the list that was submitted to the Minister by the executive of skills that they think are required and very scarce in the country so that these skills can be sourced internationally. That list is with the Minister now and it is going to be circulated to the relevant department, Home Affairs, so that the required exemptions are granted to people in possession of such skills. So, yes, skills shortage is one matter that has hampered the good functioning of Eskom and I think the current board is well geared towards addressing this

matter with the assistance of the shareholder. Thank you very much.

Question 23:

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you, hon

Chairperson. During the last financial year, the Minister of Co-operative Governance and Traditional Affairs worked to improve the wellbeing of traditional communities by strengthening the laws and policies that govern the institutions of traditional leadership.

The government now can focus on economic development in traditional communities while standardising support for traditional leadership across provinces. In addition to the support provided by line departments to communities on communal land, priority programs like rural invest, which has been developed by traditional leaders, are being championed to deliver sustainable social and economic development initiatives in rural areas.

In this regard, the Inter-Ministerial Task Team on traditional and Khoisan leaders has been in continuous engagement with the institution of traditional leaders to source their perspective on how government should improve the lives of the people

living in communal land among other things. To further ensure that communal land is productively utilised by beneficiaries, the government is paying attention to the provision of effective post-settlement support.

In this regard through the Inter-Ministerial Committee on Land Reform and Agriculture, we are focusing on improving co- ordination of integrated post-settlement packages to beneficiaries of land including finance, infrastructure and access to water resources for development. As government, we are still seized with the bigger responsibility of accelerating land reform to achieve restorative justice and social inclusion, especially for people living in traditional communities or communal land.

While our land reform has encountered challenges along the way and has not exceeded our expectations, significant progress has been made in our restitution and redistribution programme of land to its rightful owners in a way to restore dignity and justice to those who are dispossessed. The Department of Agriculture, Rural Development and Land Reform is currently finalising the communal land tenure policy to address the long standing issue of communal land administration ownership,

security of tenure persons and communities as stated in section 25(6) of the Constitution.

The municipalities in tribal land regions must include projects in their integrated development plan to release suitable and well located agricultural land for productive use, distribute this land for human settlement and provide beneficiaries with fencing equipment, markets and finances under the National Spatial Development Framework. The government programmes will address service delivery concerns; land reform blockages, local economic development and the welfare of all South Africans whether they live in urban or tribal communities. Thank you very much, hon Chairperson.

Mr C F B SMIT: Thank you, hon Chairperson. Hon Chairperson, considering section 91(2) of the Constitution of 1996 and the National Assembly Rules, Rule 352(1), Deputy President, you have a responsibility to ensure that South Africans living on tribal land own their homes by getting individual title to their properties like all other South Africans. You have a responsibility to ensure that tribal communities are handed the means to lift themselves and their children out of poverty. You have a responsibility to ensure that these

communities again feel like they belong as South Africans and have their dignity back again.

So, Mr Deputy President: Will you support the DA’s efforts for poverty alleviation and fast-tracking land reform by transferring ownership and title deeds of residential and business properties on tribal land to all the actual owners as individuals? Or do you consider these communities as secondary citizens of this country? I thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much, hon Chairperson. Of course, that was the purpose of the Communal Land Administration and Tenure Summit that was held. I am not very sure whether this is the DA’s view that land must be transferred to the people that were dispossessed. I am not very sure of that. However, the fact of the matter was that the summit was called solely to ensure that this process of transferring this land to the rightful owners and finally to hand the title deeds to these people. That was the essence of the summer.

We consulted these people who are living in these areas, we consulted the traditional leaders and now we are starting this process. Furthermore, everyone who is living in a communal

area will eventually have a title deed. That is where we are talking about the inner boundaries that will be redetermined. Finally, those occupying the pieces of land in the inner boundaries will then be given a title deed. Of course, the outer boundaries that will determine the exact land that is available that it belongs to a certain tribal community, that will be determined, the title deed will be offered and presented to that tribal council that this land belongs to these people.

We will assist these people to administer their land by creating the necessary infrastructure and structures that will administer the land on a daily basis and present also some conflict resolution mechanism that should anything happens or conflict arises in terms of the administration of this work, there is a mechanism to resolve those conflicts. Thank you very much.

Mr M A P De BRUYN: Thank you, Chair. Deputy President, you have answered my question to some extent already. Now, just to be clear, are there any measures or development towards the

... [Inaudible.] ... ? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: I am sorry, hon

Chairperson, I have not heard the question.

The CHAIRPERSON OF THE NCOP: ... [Laughter.] ... hon De Bruyn, we are calling on you once again to try and speak a bit ...

Mr S F DU TOIT: ... hon Chair, can you, please, give the following speaker an opportunity just for hon Bruyn to get a better reception. The reception is the challenge at this stage.

The CHAIPERSON OF NCOP: Let’s try again just one more time. Hon De Bruyn, one more time. Can you speak a bit louder, a bit slower and speak to the microphone?

Mr M A P De BRUYN: Yes, I apologise, hon Chair. I am having some technical difficulties here. Am I audible now?

The CHAIRPERSON OF THE NCOP: Yes.

Mr M A P De BRUYN: Alright. Deputy President ... [Inaudible.]

... you have answered my question to some extent just now, but just to make sure are there any measures or developments of rezoning or reclassification of tribal land to make the

provision for the ... [Inaudible.] ... on tribal land? Thank you.

The CHAIRPERSON OF THE NCOP: Deputy President, let’s hope you have heard that.

The DEPUTY PRESIDENT OF THE REPUBLIC: No, I’m struggling. I’m

struggling, Chairperson. If you’ve heard you can help me.

The CHAIRPERSON OF THE NCOP: Yes. Maybe let’s try this other solution. Yes, please proceed.

Mr S F DU TOIT: Thank you, hon Chairperson. Deputy President, the question is: Is the Deputy President aware of any measures or developments towards the rezoning and reclassification of tribal land to make provision for the transfer of ownership and private ownership of community members on tribal land?

Like, the hon De Bruyn mentioned that you have partially answered that question.

The DEPUTY PRESIDENT OF THE REPUBLIC: Yes, thank you very much, hon Chairperson. Yes, I have answered that question. So, what will happen right away is that beyond this consultation

process we will put policy and legislation that will enable this process to proceed. The policy will deal with the management of the land whether it is a traditional council, whether it is a community itself where there is no traditional council, how best the land disposal to individuals within that community and how finally they will get their title deeds. On the outer boundaries, how finally this land will be transferred to the entire tribal community or the community.

That is the outer boundaries.

So, this is going to be determined by the legislation that we will pass and the policies that we will pass. You will be aware that different communities and different tribal settings prefer different options. Nevertheless, we are not really worried about these different options if finally, the outcome will be the same. Finally, the beneficiaries of this land should be the people in communal areas.

We have said that we will demarcate land for production and that is where we will assist to set up our integrated support supporting those who want to till the land for their own livelihood and for business to sell their own ... [Inaudible.]

... Thank you very much.

The CHAIRPERSON OF THE NCOP: Thank you very much. We will move to the third supplementary question from hon Modise. Hon Modise, as she prepares to take the platform I am told, informed and advised that there is tea available. Hon members can just leave orderly. One person at a time or so. Hon Modise.

Ms T C MODISE: Thank you very much, hon Chairperson. Hon Deputy President, we will surely agree that our constitutional democracy accept and define the role of institution of traditional leaderships in our governance and country, land reform and socioeconomic transformation of our rural communities.

I appreciate the ongoing government efforts in working with institution of traditional leaderships in addressing land reform and welfare of rural communities. It shows that the government led by the ANC is working together with all stakeholders.

*Setswana:*

Sedikwa ke ntšapedi ga se thata.

*English*:

Keep up the good work that you are doing. My question is: Are there ongoing plans by government to mediate dispute associated with the land reforms in some of the rural communities, hon Deputy President? Thank you very much.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much, hon Chairperson. The process of consultation with the traditional leaders, like I have said, it has come to the point where we are reaching finality. We will come up with the proposals on how to address the issues that are raised by traditional leaders. A whole range of issues pertaining their pensions, pertaining their salaries, pertaining their traditional councils, pertaining their tools of trade and pertaining to the land under their jurisdiction. So, all those issues will be pulled together in a report with proposals.

This task team that is led by the Deputy President will present that report to the President for his consideration. Probably, the President might want to take this matter to Cabinet so that we take a final decision on how best we want to assist traditional leaders. Now, a traditional leader in the North West should be assisted the same as a traditional leader in Limpopo. So, we must standardise these offerings and the support that we will give to the traditional leaders.

Now, pertaining to our land reform process, we have identified that there are traditional leaders that don’t have land but they are traditional leaders and they have certificates. So, we have taken a decision that these traditional leaders in terms of our land reform programme they must be given land.

That land will be for both human settlements but in the main for agricultural purposes. So, that will be done. Now, the land that will be given to these traditional communities will be administered in the same way as the communal land because that land will be bought for the people to be utilised by the people in order to fulfill their productive needs.

So, this is the approach that we are taking and I am sure mid- November we will be presenting this report. We will make it well known to the country that these are the findings and these are the recommendations. Thank you very much.

*Xitsonga*:

Man B T MATHEVULA: Ndza khensa, Mutshamaxitulu.

*English*:

Deputy President, the ruling party has on numerous occasion failed at expropriating land without compensation, setting back black people struggle for land reposition and proving

once more that it is not serious about transferring land back to our people. Which form of support has the Deputy President render to small-scale farmers living in tribal land?

*Xitsonga*:

Ndza khensa.

The DEPUTY PRESIDENT OF THE REPUBLIC: Thank you very much. Hon Chairperson, the failure of the amendment of the Constitution cannot be solely attributed to the ANC. All the parties in the National Assembly were represented. They had different views on how best this expropriation of land should happen.

Nevertheless, finally, parties should understand that there were people that were dispossessed of their land and these people, finally, they must be given back the land. The land should not go back to the state. This land used to belong to people. It was taken from people. So, this land must be restored to the people. So, I wanted to correct that.

In future, I think we might find common ground and work together and ensure that we achieve this noble goal of restoring the land that was dispossessed from the people, back to the people. Concerning our small and medium enterprises that are doing farming, that are doing small businesses in

rural communal areas, through this exercise of putting a process to take back the land to individual title, in the process there will be land that would be demarcated for businesses where small businesses will be operating.

Now, if there are small farmers there would be land that would be demarcated for farming or small producers to farm there.

Those producers would be assisted by government. So, this process will happen orderly. We want to encourage our people not to leave communal places and go for the cities because there will be enough and ample opportunities that would enable them to foster livelihood, to improve their social wellbeing and to fight hunger. The government will bring back their asset, which is the land. They will own the land and they will produce on the land. Thank you very much. [Applause.]

Question 24:

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, part of the fragilities that the Covid-19 pandemic has exposed is the need for government to fast-track its programme for breaching the digital divide. To this end, the government is committed to ensuring that everyone has access to information and communication technology infrastructure that will eventually improve their lives.

Research done by the Independent Communications Authority of South Africa in March this year shows that rural and township communities need better access to information and communication technology services. In his regard, we have made headway in the implementation of the National Broadband Policy, which aims to deliver affordable, high quality, high speed broadband connectivity to all South Africans.

In order to advance the National Broadband Policy, the government is implementing the SA Connect Programme, which has been split into two phases. The first phase was the pilot that has been rolled out in eight district municipalities across seven provinces, which include Vhembe in Limpopo, Gert Sibande in Mpumalanga, Pixley Ka Seme in the Northern Cape, Thabo Mofutsanyana in the Free State, uMgungundlovu and uMzinyathi in KwaZulu-Natal, as well Dr Kenneth Kaunda in the North West.

Broadband connectivity has been afforded and offered at 970 government facilities, including schools, hospitals and administration offices. After the first phase, Cabinet amended and approved the SA Connect Programme in January this year.

Following that approval, the revised model is focussed on the following key interventions: for Phase 2 of the programme, which is being implemented over a period of three years, we

want to connect 18 000 schools; 3 873 health facilities; 8 241 tribal authority offices; 15 691 government sites, including 949 libraries, Thusong centres through the State Information Technology Agency of South Africa, to connect underserved South African communities and households to the internet by deploying 33 400 Wi-Fi hotspots, in collaboration with SMMEs and internet service providers.

The 52 district municipalities will implement this programme, focussing on rural and township areas. This work will significantly reduce digital divides. The relevant Ministries, including Cogta are now planning government institution infrastructure and family and community Wi-Fi hotspots. Our government strives to ensure that geography does not really prevent people from obtaining information and using the Internet, which is crucial for education, training and economic growth in developing countries.

Digital transformation, including preserving digital and network infrastructure can empower rural and township communities to generate wealth, eliminate unemployment and poverty. We will connect even the most remote rural communities, to improve their quality of life. Thank you very much.

*Sepedi:*

Mna M E Nchabeleng: Ke a leboga Modulasetulo, ebile ke dumediia maloko ao a lego gona ka mo gare ga NCOP. Ke leboga le Motlatiamopresidente ka karabo ya potiiio yeo ke e botiiiitiego. Gabotse ...

*English*:

... is that the ... [Inaudible.] ... is trying very hard to close the gap created by apartheid spatial planning. Hence, the question talks to connectivity in rural areas and townships. As we all know, rural areas and townships are areas where the black majority and African people were confined to.

*Sepedi*:

Re a leboga Motlatiamopresidente. Gape ke gore ...

*English*:

Information and communication technology is critical for both the rural and township economies and the general livelihood of the people. The response provides detailed statistics, which outline in detail, programmes to connect rural areas to ICT services. This programme will have to be closely and regularly monitored by the NCOP select committees, to ensure that there is adherence to ...

*Sepedi*:

Ditumelelano tieo di bilego gona.

*English*:

Now my question is: What legal measures have been put in place to ensure that social obligations imposed on the mobile operators, who recently acquired their auctioned mobile broadband spectrum, as part of their licence conditions are fully implemented? Are there measures put in place to connect all these centres to alternative forms of energy, such as solar to mitigate problems associated with load shedding?

Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, the question posed by the hon member is very important. There are conditions attached to the spectrum for those who have been awarded the spectrum, so that these service providers deliver to the rural people. Government will monitor the exact commitment that they have made, to ensure that they deliver on the said commitments.

This matter is very critical in the development of the country. We cannot, as a country, say we are moving forward, while we are leaving a sizable number of people behind. All

those people living in rural areas are left behind, in terms of information and their connectivity. Now, the development that we seek to achieve, as a country, will be uneven.

So, as government, we are attending to this matter and we are now rolling out this infrastructure in the various 52 districts of the country. I am sure this will eventually level the playing field.

Secondly, we are quite aware of the electricity disruptions and I am sure now that we have given our municipalities the authority to procure generation capacity, it will alleviate challenges of load shedding, especially in rural areas. Our intention is that the current load shedding challenge should not be the mainstay of the country. This was regarded as a short-term programme that must be dealt with, so that everyone in the country receive reliable energy to do their own businesses for households. For the production of goods and services, energy is very vital.

So, as much as we are saying we are going to deal with the problem encountered by Eskom currently, this should be dealt with in a manner that it does not come back in future. Once we are done and through with addressing all these challenges,

load shedding should be a thing of the past. It should not come again. We will have enough energy at our disposal to be able to grow the country, to grow this economy and to allow new entrances to connect to the grid. Thank you very much.

*Xitsonga*:

Ms B T MATHEVULA: Ndza khensa nakambe, Mutshamaxitulu.

*English*:

Deputy President, noting that ICT has great potential to impact the lives of black people in rural areas and township communities significantly, which initiative have the Deputy President taken to ensure that access to technologies is affordable for our people? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson,

firstly, the hon member will appreciate the fact that we are at the initial phase. We have piloted by rolling out this infrastructure and I am sure our people are paying probably more for data, which is a question that we are dealing with. Very importantly, is to connect and to put the necessary infrastructure in all our rural communities. Currently, we have just piloted in the seven districts and now we are rolling out this connectivity to all our districts.

Beyond that, I think, in the process, we must allow a discussion with all our service providers, so that the amount of services they provide are reasonable to the consumers, especially those people who are residing in rural areas. The cost of data must be affordable to our people. It must not be a burden. Otherwise, connecting this infrastructure will be a futile exercise, if this infrastructure is not going to be utilised. Thank you very much.

Mr N M HADEBE: Hon Chairperson, hon Deputy President, with regard to your responsibility to the National Human Resource Development Council in fostering collaboration between government and social partners towards addressing the shortage of skills in critical sectors of the economy and considering that skills such as those required in ICT are critical skills, what is the Deputy President doing to ensure engagement with relevant stakeholders to address the problem that those in rural areas face with reference to access to opportunities pertaining to ICT-based interventions and programmes as users as well as potential contributors to the skills pool? And what link will the Deputy President create between this mandate and ensuring that it filters down to antipoverty mandates such as the public employment programmes, integrated service delivery and enterprise development? Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, in terms of our skills development in the country, I think this is a very important area of our work that has been identified by the Department of Higher Education. So, there are serious programmes that are being delivered in our TVET colleges, just to give our learners basic information, technology skills to be able to work with. I am sure, over time, they will improve and they will graduate and be able to proceed and acquire degrees.

However, basically, our TVET colleges have provided that space to get our people to acquire the necessary ICT skills. This is going to be a long process to get it to some of our rural people that have not completed Grade 12, to some of them who dropped out of school. However, it is important for their survival and their development to acquire these skills, so that they can effectively manipulate these skills for their own development and survival.

So, we think that the root of these TVET colleges that don’t have some strict requirements and entrance requirements, and some community colleges that will have less entrance requirements should be built all over the country, especially in rural areas, where we can teach our young people these very

skills. Then they will be able to manipulate and make use of the infrastructure that is deployed currently, for their own small businesses and for their own production of goods and services, for their own livelihoods and for their own development. Thank you very much.

Ms D C CHRISTIANS: Hon Chairperson, hon Deputy President, Vision 2030 of the National Development Plan set a target of 100% of South Africans will have access to broadband services at 2,5% less of the population’s average monthly income. Will you agree that this was realistic and achievable target, had your government not slept on the job? Six district municipalities from across the country, including the troubled O R Tambo in the Eastern Cape were identified as pilot sites for SA Connect. In O R Tambo, SA connect has failed to change people’s lives and to improve service delivery. The rollout of Phase 1 was first announced in 2013, where 970 critical government facilities were to be provided with 10 megabytes of broadband services and this took nine years to achieve the 970 critical government facilities.

Now in the Western Cape, 1 290 schools are now connected to broadband, 249 schools have subsidy alternatives to broadband,

752 schools have local area networks installed with a further

553 schools with partial access installed.

Fast-forward to February 2022, the Minister of Communication announced during the state of the nation debate as follows: In three next three years, we will connect 44 600 government sites, including schools, health facilities, libraries, Thusong service centres and traditional authority offices that will be connected through telecommunication operators, and in the same period, we will roll out more than 33 000 community Wi-Fi locations and broadband to households. My question is: You are as good as your last performance. Your government took nine years to connect a mere 970 sites. Please, explain to this House how your government will connect 77 600 sites in three years. Thank you.

The DEPUTY PRESIDENT OF THE REPUBLIC: Hon Chairperson, thank you for the question from the hon member. The hon member started by reading the National Development Plan and the target that we have set – the 2030 target. It is now 2022. In terms of that target, we have a remaining eight years to fulfil this great target.

Yes, we have lost some time along the way. We moved slowly at times and at times, there was no movement at all. However, as a country, we cannot really destroy and kill ourselves for that lack of movement at times. Now that we have regained our momentum, I think, we should appreciate that and work harder, to ensure that we meet his deadline.

I am confident that through the pilot programmes, Phase 1 and now entering Phase 2, we will be able to increase the momentum and be able to connect all these districts. Yes, it is quite a very extensive work that will require focus and dedication from the department, working together with our districts, our provinces to ensure that this happens and happens very quickly.

I am quite happy that some provinces such as Gauteng have taken it upon themselves to deal with the districts within their jurisdiction and help them to connect. So, with the inclusion of provinces and the resources at disposal, this can enhance the pace of the laying down of this infrastructure in different provinces.

Yes, I agree with the hon member that we have lost time, but not all is lost and we can still catch up on the time until 2030. Thank you very much.

The CHAIRPERSON OF THE NCOP: I would like to thank the hon Deputy President for availing himself to answer the questions in the NCOP and further wish to express appreciation to MECs, permanent and special delegates, as well as Salga representatives for availing themselves for this important sitting.

The Council adjourned at 16:32.