**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**TUESDAY, 6 DECEMBER 2022**

***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

The House met at 10:00.

Acting Chairperson Ms R M M Lesoma took the Chair and requested members to observe a moment of silence for prayer or meditation.

The Acting Chairperson announced that the vacancy which occurred in the National Assembly due to the resignation of Ms A F Muthambi had been filled by the nomination of Mr E M Dlamini with effect from 30 November 2022.

# ANNOUNCEMENTS

The CHAIRPERSON (Ms R M M Lesoma): Hon members, before we proceed with today’s business, I wish to announce that the vacancy which occurred in the National Assembly, owing to the resignation of hon A F Muthambi, has been filled with effect from 30 November 2022, by the nomination of hon M E Dlamini.

The member had made and subscribed the solemn affirmation in the Deputy Speaker's office. I welcome you, hon Dlamini.

# MOTION ON THE ORDER PAPER

(Draft resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Moved - That the House, in terms of Section 51(3) of the Constitution Act 108 of 1996 and Rule 43(2) of the National Assembly, resolves to sit at the Cape Town City Hall on 13 December 2022, for the Consideration of the Report of S89 Independent Panel established in terms of Rule 129(a)-(q).

Question put: That the Motion be agreed to.

Motion agreed to.

# CONSIDERATION OF CHILDREN’S AMENDMENT BILL AND OF REPORT OF PORTFOLIO COMMITTEE ON SOCIAL DEVELOPMENT THEREON

Ms N Q MVANA: Thank you Chairperson. The Bill that we are talking about is to amend the Children’s Act of 2005, so as: To amend and insert certain definitions to provide for the

Children’s Rights to privacy and protection of information; to further provide for the rights of unmarried fathers; to extend childhood development programs; to also provide for the designation of functions for a register of the National Child Protection Register; to further provide for the care of abandoned orphaned children and additional matters that may be regulated; to also provide for the rules relating to care and protection proceedings; to further provide for medical testing of children in need of care and protection or adoption; to provide for additional matters relating to children in alternative cases; to further provide for matters relating to adoption and intercountry adoption; to further provide for the hearing of child abduction matters; to further provide for matters relating to surrogate motherhood; and to provide for matters connected therewith.

The Portfolio Committee on Social Development, having considered the proposed amendments by the National Council of Provinces to the Children’s Amendment Bill, referred to it on

22 November 2022. If we look at ATC Report of 22 November 2022, it agrees to the amendments. Rule 288(3) of the National Assembly states in the Report that the committee must: If it is not unanimous, report one - it specifies in which respect and why there was no consensus; and in addition to the views

representative of the majority in the committee, convey any views of a majority in the committee in order to facilitate debate when the report comes before the House.

Members of the majority party objected, I mean, members of the minority parties objected to the adoption of the Children's Amendment Bill. However, what I would like to emphasise and express in the National Assembly is that as the portfolio committee, as we are the majority, the Portfolio Committee on Social Development recommends that this House adopts this report and approves the second reading of the Children’s Amendment Act. Aluta continua!

*Declarations of Vote*:

Ms B S MASANGO: Hon Chairperson, on 8 November 2022, when it was clear that the department would not make the deadline of

11 November 2022, the North Gauteng High Court served in part, and I quote:

It, is in the best interest of the children in the Republic that the period stipulated in clause 3(1) of the Order, made by the court on 12 November 2020 is hereby extended by a further period of 12 months, from the date of this Order to

11 November, 2023.

While this is a grave indictment on the Minister in the department, giving 12 years now that the foster care crisis has been going on, it should also have been a welcome opportunity by the Minister and the department to incorporate the amendments that are pertinent to the foster care crisis as proposed by five of the nine provinces during the NCOP public hearing process.

Instead, the proposals were not even considered and all we are supposed to approve today are commas and full stops. This is in direct contrast to the best interests of the children that the high court, as the upper guardian of all children, refers to. It is no secret that the extension was required.

Because the Department of Social Development, DSD, still has a backlog, although reduced, of expired Foster Care Orders, and if the North Gauteng High Court was not extended, Sassa would be obliged to stop paying these children's foster child grants.

The North Gauteng High Court Order is the only reason why Sassa can legally pay foster child grants in cases where the Child Foster Care Order is expired. It is disconcerting, therefore, to imagine what would have happened to the many

Foster Child Grant recipients had the North Gauteng High Court not extended the Order.

When the Children’s Amendment Bill Amendments starts taking effect, they will gradually reduce the demand for foster care and the backlog of extensions. The demand could have been reduced much quicker if the amendments proposed by the five provinces to section 150(1)(a) and Section 159(2)(a) in the NCOP process had been considered.

As the Bill stands, it provides no immediate solution to the Foster Care Orders that will expire in 2023. Why the department and ANC keep pushing the consideration of these sections to a later stage is confusing at best and deeply concerning at worst. It is reasonable to predict that the backlog is here to stay until the Children's Act clarifies that social workers should prioritise poverty relief for orphaned children in the care of relatives.

This means immediately referring them to Sassa to get the Child Support Grant top up and not attempting to process them through the overburdened foster care system, resulting in years before families receive any income support.

We call on the Minister to use the extension granted by the North Gauteng High Court to reconsider the two amendments to the two sections, as mentioned by above, as this will deal once and for all with the 12-year-old crisis and will be her legacy as the Minister of Social Development.

It is concerning to learn that after days of hearings by the NCOP and inputs by provinces, there was absolutely no community discussions on what amendments they wanted the drafting team to do. The characterisation of what to place can be best referred to as a complete application of the committee’s law-making mandate to the department and parliament’s officials.

In spite of all the mayhem that has ensued in the foster care space, we note with appreciation, the progress made by some provincial departments of Social Development in promoting the use of the long term section 186’s two extensions, and call on those provinces that have left behind to put the best interest of children of the Republic at the center of the work they.

It is also concerning that some provinces have been issuing temporary extensions, done on affidavit, with no home visits or social worker report, and call on the department to not

hide these reporting so that the portfolio committee can know what the full extent of the backlog is at any given time. This will allow for proper oversight seeking of solutions based on reliable information. South Africa’s children deserve no less. Thank you.

Ms L H ARRIES: Thank you very much, House Chairperson. House Chairperson, the Eff rejects the Children’s Amendment Bill in its current form and the committee’s report. When the Bill was sent back to the portfolio, we were told that the Bill was sent back to the National assembly because of minor correction, spelling errors and some legs. But this is not true. The reality is that, the colleagues in the NCOP went to committees and received substantive submission.

Five provinces in the NCOP raised substantive objections in section 105 and 109. These objections were not even considered or presented to the portfolio committee. This is how the parliamentary legal advisors must lead us, by acting as if they have hidden interest? The EFF has repeatedly and constantly raised the issue of foster care. There’s a huge crisis in the foster care system because of a backlog that is not being resolved.

Placing children in foster care is done through a court order, and it is intended to provide conducive environment for children, with positive support. House Chairperson, we still have a shortage of social workers and tools of trade for social workers, like cars. There’s a shortage of cars, so how can the work of the social workers be effective? We still have a shortage of social supervisors’ runner, to manage cases allocated and cash flow.

Due to Covid, more than 150 children were orphans, placed in the overcrowded homes or with relatives who did not have the space or means to look after them. The court deadlines has still not been met, and it has asked for further extension. Otherwise, the children won’t get their foster grant for this month, and therefore, the EFF rejects this report and the Bill. Thank you.

Ms L L VAN DER MERWE: Thank you very much, Chairperson. I will keep my video off because my connection is unstable. House Chairperson, South Africa is a country at war with its women and children. Our numbers tell this story. Malnutrition amongst children is rising. Tragically, three children are murdered daily, and it is clear that the system meant to protect our vulnerable children, is failing them.

When the Children’s Amendment Bill was first tabled to the National Assembly, the IFP decried a flawed process. We decried the inaction of a department that had to be forced by the North Gauteng High Court, to find a legal solution to South Africa’s foster care crisis. This is a crisis 12 years in the making. When the Bill left the National Assembly, it was sent to the NCOP to conduct its own processes.

Against this background, the KwaZulu-Natal Portfolio Committee on Social Development, for example, held six public hearings, covering 11 districts. Submissions from all nine provinces were received. But surprisingly, not a single proposal from KwaZulu-Natal and other provinces were considered, or even responded to by this department. It is now clear that, the original flawed process, as highlighted by the IFP and others, was simply repeated at provincial level.

The Chairperson stated in her introduction that, the Bill dealt with the rights of the unmarried fathers, and matters relating to adoption. But this is not true, we didn’t deal with it. Some of the voices were in fact ignored, were those of the unmarried fathers. We also heard of many voices, telling us of the department that is anti-adoption, something the IFP has raised consistently.

Now, the Johannesburg High Court has confirmed that the Department of Social Development delays adoptions, and often harasses or bullies women who want to put their babies up for adoption. Just as upsetting is the fact that recently, at a portfolio committee meeting on the foster care crisis, one province made mention of the fact that, some foster families are untraceable.

It goes without saying that, if foster parents are untraceable, the children in their care are also untraceable. These are vulnerable children who have been lost whilst in the care of the state. This points to a deepening crisis as it pertains to the welfare of our vulnerable children.

Chairperson, the IFP is resolutely in favour of strengthening legislation that seeks to protect the well-being of all children.

But we cannot fall in line with a process and outcome that merely seeks to tick a box to satisfy a court order. The IFP once more calls out the Minister of Social Development to come back to the National Assembly in 2023, and table an urgent plan of action to outline exactly how government aims to employ the thousands of state trained social workers who are

sitting at home. About 17 000 social workers are currently doing the work of 70 000 social workers.

Until we get an explanation of how this department loses children in the foster care system, a plan for the employment of social workers, a plan of on how this department will fix its anti-adoption stance, and until this department becomes the vanguard for the rights of vulnerable children, we cannot support this report. Thank you. [Interjections.] [Time expired.]

Ms T BREEDT: Thank you House Chair. Chairperson, the other House had an opportunity to actually improve on this Bill. They could have taken the provinces in the opposition parties’ concerns into account, and effected real change in this Bill. They could have put the children first, but they chose not to. The unfortunate fact is that, even though there were good proposals made, and many provinces agreed on these proposals, the other House did not improve or change the Bill for a few semantic changes or did not improve that which is fundamentally wrong with this Bill.

The Bill as it is here today remains flawed, and does not speak to the actual challenges being faced within the foster

care space. The problems as raised when this Bill was debated here, and I will not repeat myself, this Bill has been pending since 2012, and there is nothing either than a check box exercise for the Ruling Party. The fact of the matter is that, we are failing our children. Our children deserves better, and South Africa deserves better. We will not support this Bill or report. I thank you.

Ms M E SUKERS: Thank you, Chair. The Children’s Act is the country’s most important piece of legislation for vulnerable children. It therefore follows that any amendments we make to the Act should be in children’s best interests. This Children’s Amendment Bill should reflect their voices, their needs, and include the protection measures most necessary to keep them safe.

But it was not the stories of orphans in need of financial support and family care that drove this Bill. Instead, the driving force in the incomplete and inadequate Bill approved by Parliament was political expediency, expediency that has overridden the needs of our country’s most vulnerable children. It is common knowledge that the Children’s Amendment Bill was designed to provide a comprehensive legal solution, to the country’s decades long foster care crisis.

A response to the North Gauteng High Court Ruling in 2011, government was ordered to amend the Children’s Act to fix the foster care system. Yet, despite the negative effect of the broken foster care system on orphans, courts have been forced to intervene on six separate occasions over the last 11 years to stop foster care orders lapsing, and prevent children losing their foster care grants.

Although the goal of the Bill is to strengthen protective measures for children, the Department of Social Development did not act with urgency to get the Bill passed, and despite eventually inducing Parliament and the NCOP to expedite the Bill to try to meet the most recent court deadline of November 2022. It failed in its goal, requiring an additional extension. The result, was yet another court order, and a rushed and flawed Bill.

There was no debate over clauses, an exclusion of all content included by the opposition, and the eventual rubber stamping of the Bill. It is predictably the consequence of the political expediency. This Bill fails to provide capable unmarried fathers with the right to care for their children. It contains a definition of a child in need of care and

protection that both contradicts the Department of Social Development’s National Child Care and Protection Policy.

Also, it could result in social workers placing children with relatives where there has been no attachment. It could further lead to lengthy screening processes before children are deemed eligible for the child support grant top up, and cause the children who are already in foster care to lose their foster care grant. The ACDP will not support this Bill, and we cannot support this bill, because it provides no protection for children that are vulnerable. I thank you.

Mr M G E HENDRICKS: Hon House Chair, when I was a young man, I worked in the foster care section for the department, and it was called the “Department of Coloured Affairs” in those days. I have a good understanding of the foster care system. I support the hon members who are very concerned that the governing party got an instruction from the Presidency to comply with Constitutional Court orders to meet deadlines. I was very disappointed to hear that the member of the portfolio committee is telling this House that we have the numbers and we will do just what we want to do. It is such that even if you listen to the presentation of several provinces, many of the provinces are run by the ANC.

It looks like the members of the portfolio committee have not learned from Chief Albert Luthuli. We promoted the relationship of fatherhood. They haven’t learned the passion that Mandela had for children. They are just interested in caring orders of the Presidency to meet deadlines and they are not taking into account the valuable contributions that members of the opposition parties have raised in this House and also in the other House. I am very disappointed with the leadership of the other House as they are not giving guidance and leadership to the National Assembly. That is their purpose! They mustn’t just tick boxes. So, Al Jama-ah will not support this report. Thank you very much.

Ms M M A MFIKOE: Hon House Chair, thank you very much. The adoption of the Children’s Amendment Bill is indeed a milestone in the history of the current administration. It is also quite significant that this process is concluded in a month where there is a global commemoration of both the World’s Aids Day and the 16 Days of Activism for No Violence against Women and Children. This present a clear linkage between the displacement of children affected by HIV and Aids as well as gender-based violence and femicide.

The development of the Bill quietly arises from the challenges of the onslaught of the HIV and Aids pandemic on many young children in the early 2000, and it is a response to the scourge of gender-based violence and femicide, which continued to claim the lives of many women ... [Inaudible.] ... and displaced and requiring state support.

It must be noted that the driving force behind this is indeed the dedication and commitment to protect our children, some of whom still suffer as a result of being removed as well as being isolated from foster care because of a range of socioeconomic challenges that plagues our communities. It is in this regard that the Children’s Amendment Bill seeks to update and add definition to the Children’s Act of 2005.

It further protects children’s rights to privacy as well as to protect their information and extent the jurisdiction of the children’s court. It also strengthens the work of the department by further enhancing the Bill, in particular, providing and protecting the rights of unmarried fathers and providing for funding of early childhood development programmes. It provides for the designation and duties of a register for the National Child Protection Register. It also provides the rights relating tom surrogate motherhoods and

providing for process relating to adoption as well as international adoption. It provides for the hearing children’s abduction matters, including making provision for other associated matters affecting our children.

It must be noted that throughout this process, the department has had to deal with the revision of other articles that are indeed unrelated to foster care due to the complexity of the process of revising the laws to permit the improvement of foster care procedures. This was also marked by the unfolding political dynamics as indicated by the committee chair within the portfolio committee which could be perceived in some instances as a deliberate attempt to derail the adoption of the amendments to the Children’s Act. Needless to say, the challenges that confronted the portfolio committee throughout this process were not unabated.

It is however necessary to appreciate that in the face of implementation of this Children’s Act, it would be imperative that all platforms for strong social compacts be established. It must also be emphasised that the public consultation as well as other relevant stakeholder engagements has been an important part during this process. It should be maintained in

order for us to ensure that the views and aspirations of all South Africans are inscribed throughout this process.

In light of this, if the Department of Social Development operates independently from numerous social partners and stakeholders that play a role in this sector, it would be really impossible to meaningfully improve the lives of our children. It is important therefore that we appreciate that numerous civil society as well as religious, including cultural organisations have contributed to the work that the department of Social Development and its various entities do. It is very critical that some partnerships are ... [Inaudible.] ... and also used as vehicles to ensure that children's rights are protected and that they are never found to be compromised.

As we conclude, the January 8th movement welcomes and adopts the Children’s Amendment Bill which was processed by the portfolio committee on 30 November 2022. The finalisation of the processes with regard to the Bill pertaining to children’s rights and in particular, the foster care system as well as the early childhood development are prioritised. It is important to note that while some challenges were encountered during this process with the opposition not supporting certain

aspects of the Bill, the ANC has been successful in leading the programme towards the adoption and consideration of this Bill.

Thus Bill is in our view an important step in protecting our children and strengthening systems that are in place to secure and protect their wellbeing. The movement of the people asked Parliament to adopt the Bill as well. Our children, our future, our future leaders. Ke a leboga [Thank you.]

Question put.

Objections noted.

Bill agreed to.

# CONSIDERATION OF FIRST REPORT OF NATIONAL ASSEMBLY RULES COMMITTEE FOR 2022 ON RULE AMENDMENTS, GUIDELINES AND PRINCIPLE OF RULING

The CHIEF WHIP OF THE MAJORITY PARTY: Hon House Chairperson, I move that the report be adopted.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: The colour is

very much right. It was there before the EFF was born. Thank you very much.

Hon House Chairperson and hon members I greet you all. The National Assembly Rules Committee met on 4 and 23 November when it considered *inter alia* a number of Rules Amendments and guidelines. Rules Amendments concern virtual and hybrid sittings, bringing objects into this House and a number of Minister’s replies on a question day. Guidelines relates to the removal of members from the Chamber and the use of backgrounds for virtual meetings. Other matters concerned delay replies to questions and principle of ruling.

Hon House Chairperson, the Speaker as the Chairperson of the Rules Committee, hereby present the first report of the Rules Committee for 2022, dated 23 November 2022 as follows: Hon members, please take note that I am delivering this report on behalf of the Speaker. Thank you very much. And as a member of the Rules Committee as well.

Firstly, Rule Amendments. The amendment of Rule on virtual and hybrid meetings - on 9 June 2020, the National Assembly adopted Rules for virtual meetings. These Rules allows this

House and its committees to meet using online platform. The National Assembly has adopted a mostly hybrid system where some members are present in the Chamber and others online. While the Rules applied to all virtual sittings, the technical amendments relating to the insertion in the Rules of the word “Hybrid.” will ensure there is no ambiguity when reference is made to these types of proceedings.

Hon House Chairperson, the purpose of this Rule, is to enable the National Assembly and its committees to hold compliant virtual and hybrid meetings using technological platforms. The Rules of the National Assembly remain in operation and are supplemented by this Rule in order to provide the virtual meetings.

Hon House Chairperson, the application of the Rule is as follows: This Rule applies to the sittings of the National Assembly in the event of a physical sitting is not possible without a use of a technological platform as determined by the Speaker.

Secondly, meetings of committees in the event a physical meeting is not possible without the use of technological platforms as determined by the Chairperson.

Hon House Chairperson, in this Rule the Speaker or chairperson of a committee shall issue a notice and an agenda for the virtual or hybrid meeting which must include the date and time of the meeting. All documents of the meeting shall be distributed by electronic means which members have access. The venue for the virtual or hybrid meeting shall be deemed to being Cape Town as the seat of Parliament.

Hon House Chairperson, with regard to privilege and order in meetings, in a virtual or hybrid meeting, members shall have the same powers, privileges and immunities, which they ordinarily enjoy in parliamentary proceedings. Where relevant, current Rules on order in public meetings and order in debate shall apply.

Hon House Chairperson part b – presiding officers in a virtual or hybrid meetings; the presiding officer or chairperson of a committee shall have all powers as provided for in the current Rules.

The quorum required shall be those as determined by the Constitution and the Rules of the House. Members who access the meeting via the secure link sent to their email addresses,

shall be deemed present for the purposes of establishing a quorum taking a decision or voting on a matter.

Hon House Chairperson, with regard to voting; members shall be entitled to cast their votes either electronically by voice or by having their vote recorded by their respective Chief Whips. The procedure to be followed is predetermined by the Speaker and directives are announced in the meeting by the presiding officer or chairperson of a committee. Only members who are present, when a vote is called shall be permitted to vote. The results of a vote are announced and where possible the names of members and how they voted are recorded in the minutes and proceedings. Members must ensure that their votes are correctly recorded.

Hon House Chairperson, with regard to public involvement, access to proceedings must be facilitated in a manner consistent with participatory representative democracy and where possible a virtual or hybrid meeting must be livestreamed.

Hon House Chairperson, with regard to process guidelines, the Secretary to Parliament, together with authorised officials and technical teams, are responsible for technical support to

facilitate a virtual or a hybrid meeting. The Secretariat must be given at least three days’ notice of a meeting.

Preconference testing must take place at least a day before the meeting. Technical support must be available during a virtual or hybrid meeting. The Secretariat must maintain the minutes and records of proceedings. The Secretariat must maintain a system that is capable ...

Hon House Chairperson, I move that this report be adopted by this House House as adopted by the Rules Committee. Thank you. [Time expired.]

*Declarations of vote*:

The CHIEF WHIP OF THE OPPOSITION: Hon House Chair, this committee has a unique opportunity to rectify the errors of the past and restore Parliament’s accountability. This institution and this committee has an ability to make sure that Parliament is restored to what it is meant to be, to do what is meant to do as the Constitution has envisioned it.

However, often members of the ANC in this House like to crawl about the nine wasted years as though ...

*IsiXhosa*:

... ibingengabo aba babephaya ...

*English*:

... voting to protect the ANC and its compromised President. It is you now also refusing to learn from the lessons of the Fifth Parliament. It is you now also who are playing fast and loose with every report that has advised us on how to strengthen Parliament’s oversight role.

The Rules Committee has been tasked to unpack the recommendations of the State Capture Report, instead the Speaker delayed this process all year round. She instead made problematic arguments that we ought to wait for the President’s implementation plan before we can get started with our work. This once again demonstrated the fundamental misunderstanding the ANC of the role of Parliament and the importance of its independence from the Executive. This has been proven by the series of awful discussions that the committee has made.

The DA proposed the reintroduction of the interpellation, a mini debate that allows the interrogation of particular issue. These interpellations were simply discontinued back in 2002 for no apparent reason. So, now, we are saying because Parliament has often been found wanting in its role of holding the Executive to account let us reintroduce interpellations

into our rules so that we can make sure that we can interrogate issues and Ministers as we are meant to do. It has got nothing to do with our political parties but everything to do with the South African and the people who sent us here.

It enhances accountability and greater accountability but the committee shut it down. They voted out the recommendations with no care in the role about what it is meant to do and the role that the committee is meant to do. Now the committee is also delaying the recommendations of establishing the Portfolio Committee for the Presidency. This is despite spirited motivations made by various political parties about why we need a committee for Vote 1 and Vote 1 to be held accountable.

There seems to be a misunderstanding that Vote 1 has an actual budget and that with the President now that has amassed a lot of executive powers within his Presidency, it has become critically important for us to have a special committee that deals with Vote 1. But once again, there is dilly dallying, there is merry-go-round and there is booming, I mean, because the ANC has no interest in making Parliament to work. They know that when Parliament works, South Africa works and when Parliament works they are in trouble.

Years ago, a Khodo report was commissioned to look into how to strengthen the oversight mechanisms of Parliament. After that a High Level Report was commissioned to do the same thing.

Most recently, a billion rand was spent on the Zondo Commission Report which makes a series of recommendations on how we can make this institution what it should be. Sadly, the Rules Committee is likely to treat these recommendations in a similar fashion. We are likely to treat the Zondo Commission the similar way we treated the Khodo report which is gathering dust somewhere. Likely to treat the Zondo Commission the similar way that the High Level Report has been done. We keep spending money, commissioning reports to tell us what we already know.

What we already know is that we have been sent here to hold the Executive to account and to pass legislation but we are doing none of those things. The more things change; the more things stay the same. Clearly, what really needs to change in the next Parliament is for us to remove this ANC from its majority. It would help you to pay attention. Thank you, hon Papo.

If this committee does not change its ways, we will no doubt have Nkandla 2,0, State Capture 2,0 and Phalaphala 2,0 because the one common denominator is this organisation.

Ms P MADOKWE: Hon Chairperson, Parliament is a channel through which a diversity of political views owes to find expression unhindered and without rigid provisions that prevent Members of Parliament from holding the Executive to account.

Legislative houses are not the extension of the Executive and cannot be used to protect the Executive from accounting for their actions. These amendments to the rules are nothing more to the rules but another attempt by the thoroughly discredited leadership of the ruling party to use Parliament to cover up their incompetence and corruption.

The amendment of Rule 64(e) preventing members from displaying placards is a direct response to the silent protest of the EFF waged against Mr Enoch Godongwana for a series of his missteps both in his personal capacity and his official capacity. The right to air divergent views cannot be interfered with as the amendment of this rule now seeks to do. The amendment of Rule

137 to reduce the quota of questions to a Minister may answer on a question day from ten to four is also a means of ensuring that Ministers are never held to account in an efficient way.

Ministers come to answer questions once a quarter so there is no reason for limiting questions for them to just four questions per quarter.

The fact that the Rules Committee has not paid enough attention to the sensitivity of removing female Members of Parliament from the House is very concerning. The assumption that female members of the Protection Services cannot be violent towards female Members of Parliament is presumptuous and plainly inaccurate. The amendment of Rule 73(13) and 201(3) does not help in any way the concern of the violence perpetuated against female Members of Parliament when getting removed from this Parliament.

More instructively, these amendments do not explicitly prohibit the use of violence by the Protection Services when removing Members of Parliament thereby giving these rogue officers the right to abuse and beat up Members of Parliament without worrying about being held accountable. We reject this report and the amendments. Thank you.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Order, hon members. Hon members, please stop rejecting each other.

Mr N SINGH: Hon House Chairperson, the Rules of the NA are intended to protect our citizens in accordance with our Constitutional values and upon which hard fought democracy rests. To ensure that the rights and liberties as promised to all who live in South Africa are achievable means that the state demands an accountable transparent and willing Executive. One of our key tools in Parliament in trying to accomplish these necessary values is to ask questions to the Executive on state matters regarding their departments.

Unfortunately, the work and this state institution, which is Parliament, seems to be lost to some members of the Executive as they fail to meet the deadlines or answer questions at all.

The IFP is not satisfied that under the current amendments we will achieve the objective that we want. Another concern is that, even in answering questions it must be mandatory for Ministers who are involved in question sessions to be physically present in Parliament. Of late we had issues where we had to adjourn, wait and Ministers have connectivity problems and it was the Minister of Communications *nogal*, that has those problems. We cannot have a situation where Ministers are not physically present to at least answer questions once a quarter.

In the current context of South Africa’s relations between government and citizens, accountability is something that is on top of every person’s mind. This requires a great response from Parliament when performing its duties of oversight. I just want to say that we will accept the amendment and wait and see. Hon House Chair, it is very worthy to have the rules and amendments before this House but what matters is what happens afterwards.

The implementation of this Rule is key to the functioning of Parliament and gives real meaning to the operation. In this regard, we have a Rule 129, section 189, we have a panel that was set up to make enquiry into what we call Phala Phala matter. They have produced the report and it is our report and we are waiting in anticipation to see that the Speaker on behalf of all of us in Parliament will object to any attempt to negate the findings of this report. That is the matter for another day.

In accepting the current amendments, the IFP eagerly anticipates its proposal to the Subcommittee on Rules to bring about greater accountability in Parliament. This takes form in the establishment of the committee providing oversight to Vote

1 – the Presidency. We believe that this would be one of the

most important rules to come before this House and reports from the Parliamentary Budget Office often indicate that large sums of money are allocated to Vote 1 which is currently not monitored or accounted for like you have done to all other departments

This leaves a lot of money unaccounted for and it is our considered view that all matters must be held to the people of this country. Thank you very much.

Dr C P MULDER: Hon Chairperson, colleagues, rules in any institution are there to facilitate the process and to make sure that that process and that institution function effectively. When we draft Rules, one should always put yourself on the other side or position. If you were on the other side of the argument, how would you look into those Rules? The dynamics of politics are that there may be a day when those who currently are in government, may become the opposition and those in the opposition may one day become the government. So, Rules should be drafted in such a manner that we act in the best interest of the institution, to facilitate the process of how we work.

Most of the Rules that we are dealing with today - the Deputy Chief Whip dealt with them - are basically technical things in terms of the reality where we now have to accommodate hybrid sessions, virtual sessions, etc. I don’t think anybody disagrees with that. I think we all understand that and we all support that. It is not ideal; it is quite frustrating that Parliament does no function the way that it should function, in terms of all members being in one place and argue and debate.

Some of the Rule amendments that we are dealing with today, I think, make sense. I think, it should be accepted and it makes sense that you do not use Parliament for a protest. In Parliament, you don’t need placards and posters. In Parliament, you argue with words. And if you don’t have words, posters are not going to assist you to try and get your position across. Use arguments and convince people with the words that you use. You don’t need posters and protests to do that.

However, it is unfortunate. And I think, the whole idea reality and reality that we need interpolations needs to be explored further. Interpolations are very small mini-debates. It is fascinating how you can use interpolations, because it

is two members that combine the debate. One starts, the Minister responds, another colleague interpolates and brings some more debate, the Minister responds. It is very lively kind of interactions between the executive and MPs. I think we should once again reconsider that, going forward. I don’t think the final word has been said regarding interpolations. I think, it is something we need to explore and that we should take on board.

The last one thing I would like to say is, if we are honest with one another, it is unthinkable that the Vote of the Presidency does not have an oversight committee. There is no reason that that should not be the case. The Presidency, like any other branch of the executive should also be in a position where oversight is being done. I think, we should also rethink that reality, because it creates the wrong impression. It creates the impression that we don’t want oversight over the Presidency. I don’t think anybody agrees with that. I think we should reconsider that.

However, for the rest, it is technical and I don’t think we should have a problem. Thank you.

Mr S N SWART: Hon House Chair, the ACDP has taken note of this report and the amended Rules, which relate to virtual and hybrid sittings. Whilst we fully support the need to physically meet and the need for committees as well as the NA to physically meet, we do appreciate that there are challenges in this regard, resulting in virtual and hybrid meetings.

We also support the ban of all weapons, dangerous threatening objects, articles, bringing those in the Chambers, as well as the amended Rules relating to the conduct of the Parliamentary Protection Services. I think, it is also very important to note that we, as smaller growing parties, have raised the issue about limited time and limited time to put question, as well as mini-debates and we appreciate that this matter is receiving ongoing attention.

The ACDP also supports the establishment of the Portfolio Committee on the Presidency that would improve oversight over the Presidency. We believe that this is very important and that the recommendations of the Zondo Report should be looked into, as a matter of urgency.

We also appreciate what other speakers have indicated about us supporting and protecting the Independent Panel Report. I

think that it is very important for us to bear in mind what the Constitutional Court set out in the EFF versus the Speaker of the National Assembly. The court made it very clear that the fact that members of the Assembly assume office through the nomination by political parties or to have a limited influence on how they exercise the institutional power of the Assembly, where the interests of political parties are inconsistent with the Assembly’s objectives - now the Assembly appointed that panel and it is its report - members must, not may, must exercise the Assembly’s power for the achievement of the Assembly’s objectives.

For example, members may not frustrate the realisation of the ensuring that government by the people of its attainment, if its attainment would harm their political party. In other words, the interests of the NA should be put ahead of narrow political party interests. The court said, if they were to do so, they would be using the institutional power of the Assembly for a purpose other than the one for which the powers confer, and this would be inconsistent with the Constitution.

Hopefully, we will learn from this direction, this instruction, particularly, next week when we vote on the Independent Panel Report. I thank you.

Mr Q R DYANTYI: Hon House Chair, I rise to welcome and appreciate the work of the Rules Committee presented here. I want to thank the Chairperson of the Subcommittee on Rules Review as well as the Speaker for doing this work. We had a quite a number of meetings. We did very comprehensive work in the subcommittee and we are satisfied that the matters that are being tabled here, ranging from the virtual meetings, issues of interpolations, oversight over the Presidency, physical removal of members, and so on have been considered very well in both committees.

I must just make this point firstly, to respond to hon Gwarube from the DA. She was asked in the very first subcommittee meeting to present the interpolation proposal and to indicate to that subcommittee, firstly what the gaps were and why. In the first place, this issue would have been removed. She presented that very unconvincingly. The response and the agreement of the committee was that, since the interpolations were removed, there have been more innovations that were intended to enhance accountability and that included your

mini-plenaries. Even with mini-plenaries, the mini-debate is already happening.

So, the issue of the lack of accountability is just ...

*Afrikaans*:

... in Afrikaans sal ek sê, ’n verkiesingsfoefie, wat hulle nou hier ingooi.

*English*:

So, there is no point about that.

On the issue of the oversight committee on the Presidency, hon Singh from the IFP would have presented this matter. We were clear and said to them: “Tell us where the gaps are in terms of all the committees that are existing. They were not attending to this. We even went further to ask the Budget Office to give us those kind of items. We said that in the next meeting we would discuss whether there are gaps. So, they cannot come here and say that the ANC is just voting them down.

We bring into that committee our content as well as our numbers. We are unapologetic about the fact that we are a majority party here. We being both. So, I think, it is important that we understand that. If we identify gaps in the existing committees, we will debate and consider that committee, but as things stand, there is none. We asked them to provide us with evidence, to lead us. You cannot just come

here and just make wishes that are not based on evidence and facts on the journey that we are travelling. I am hoping members will stop doing that.

On the issue of the questions being reduced from five to four, it was made very clear. This is in the interest of making sure that you spread the questions among the cluster of Ministers. For example, sometimes they attend three hours of questions, and there would be Minister who would come and leave without answering their questions, because we would have concentrated on a few Ministers. There is a reason for the four, and so again, it is enhancing that accountability.

I cannot respond much to the EFF. We missed them in both the subcommittee and the Rules Committee. So, they are just an opposition that is clearly blind.

On the issue on the vote for next week. I just want to indicate that there is a date – Tuesday 13 December. There is a venue – Cape Town City Hall. The ANC is already there. Bring it on. We are ready with our content and our numbers. I thank you.

Motion agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Report accordingly adopted.

# CONSIDERATION OF RECOMMENDATION OF CANDIDATES TO FILL TWELVE VACANCIES ON SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BOARD

Mr B M MANELI: House Chairperson, hon members, Ministers and Deputy Ministers, committee support staff, fellow South Africans, I rise to introduce this report of the Portfolio Committee on Communications and Digital Technologies on recommendations of 12 non-executive members of the board of the South African Broadcasting Corporation, SABC as the candidates for the new board, owing to the expiry of the board tem on 15 October 2022. This is at the backdrop of a period in which the country reflects on gender-based violence and femicide, with a need for the SABC to inform, educate and entertain society.

The SABC is governed by the Broadcasting Act 4 of 1999. Section 13(1) of the Act states that the 12 non-executive members of the board must be appointed by the President on the

advice of National Assembly. The portfolio committee is therefore tasked with ensuring that nominations, shortlisting, qualifications, verifications, security vetting through the State Security Agency, interviewing and therefore making recommendations to this august House.

Hon members, a letter dated 20 June 2022 was received from the Minister of Communications and Digital Technologies. One; informing the National Assembly about the impending expiry of the office of the SABC Board of Directors on 15 October 2022. Two; requesting the National Assembly to initiate the recruitment process in terms of section 13 of the Broadcasting Act No 4 of 1999 to constitute the SABC board. The referral to the committee was published on the ATC Reports on the

30 June 2022 during the constituency period.

Fellow South Africans, proactively, the portfolio chairperson involved the provision of Rule 158 of the National Assembly Rules, and therefore considered the referral and engaged the committee support staff to proceed with publishing and advert in the media calling for nominations of persons to be appointed to constitute the SABC board as detailed in the report. The committee constituted a subcommittee of seven

members proportional to representation of political parties to run with the processes and report to it.

Hon members, on the 8 September 2022, the subcommittee met to consider - in its criteria - the skills, experience and expertise required to constitute the SABC board and agreed to recommend 37 names for shortlisting out of the 120 names received, as explained in the detailed report which the committee approved. The shortlisted candidates’ interviews were conducted virtually on the 13 to 16 September 2022.

Qualification verification and public comments processes were concluded in two weeks from the 8 September 2022 and security vetting came in batches with the last batch received only on the 21 November 2022.

As stated in the committee report, during the interviews, three candidates and during the security vetting process one candidate withdrew from the process for various reasons. In line with its adopted process, the subcommittee, on the

27 September 2022, considered all public comments received on various candidates with the assistance of legal advice from Parliament legal services and decided not to proceed with recommending names without security vetting outcome.

Fellow South Africans, on the 24 November 2022, the subcommittee met and agreed to recommend names to the committee which also met on the 24 November 2022 at a different time. The committee agreed to the following recommendations for considerations by this august House. One; that the following names, taking into account skills expertise, experience, need for continuity and change, gender balance and other demographics, be considered for the appointment in the SABC board in line section 13 of the Broadcasting Act 4 of 1999.

One; Dr Renee Horne; Adv Tseliso Thipanyane; Mr Khathutshelo Ramukumba; Prof Franz Krüger; Ms Nomvuyiso Batyi; Ms Phathiswa Magopeni; Ms Aifheli Makhwanya; Ms Magdalene Moonsamy; Ms Rearabetsoe Motaung; Mr David Maimela; Mr Dinkwanyane Mohuba and Mr Mpho Tsedu. Two; that in order of priority, Mr Zolani Matthews, Ms Palesa Kadi and Mr Quentin Green, be considered as the reserve pool to be considered for appointment by the President in case of any eventuality given the time it has taken to conclude the SABC board appointment process.

Hon members, before I sit down let me make the following observations: One; ... Thank you. [Laughter.] The report is presented for consideration. [Time expired.]

*Declaration(s) of Vote*:

Ms D KOHLER: House Chairperson, cadre deployment is an interesting exercise. But what it does for the ANC is that it ensures that there are those within the entity which will vote at the behest of the ANC for an issue which decision is to anyone else totally an irrevocably counter intuitive. Yet, loyalty to the political party seems trumped all and that is how we ended up with the Zondo Commission, and that is how in

10 years’ time we will read about Zondo the sequel on the front pages.

Now, I was put in this committee some three months ago and two weeks later, I was on the SABC board subcommittee, received

120 CVs one day later and shortlisting of 37 was done the following morning before caucus and signed off that afternoon. The following interviews began four days later. It was rushed through despite the fact that this committee had known for five years the date on which the board term would end. On the

26 September we were made aware of the fact that there was going to be an inevitable delay in vetting.

So, the SABC has been left without the board for nearly two months with no oversight over the CEO, who apparently headed off to Qatar to watch the football. This was the same CEO who

just weeks ago bragged to this committee how he brought the losses down to R201 million. But while he was focusing on his favourite football team, he scored an own goal as the losses projection suddenly trebled to a massive R608 million. Perhaps in this case he should have kept his eyes off of the football and kept it on the job he is paid a ransom to do.

Astonishingly, during COVID-19, SABC radio and television had literally a captive audience, yet people switched off on mass. Despite wreathing the SABC of nearly 700 staff payment to employees increased to R2,2 million, the SABC axed them and then promptly started advertising for 400 new staff. However, nothing they did was egregious as a payback for news editor refusing a political directive. She would not give in to the order to film the President at a meeting instead of real news and was suddenly up on charges despite finding that she should nearly been given a warning, she was booted out and promptly replaced by a more accommodating employee. Well, one of the greatest achievement of the DA has been the putting of that self-same person Phathiswa Magopeni with her encyclopaedic knowledge of all that is broadcasting on the SABC board. Today a great wrong has been righted.

Negotiating one’s ways through the mine fields that is the parliamentary portfolio committee has always had an interesting business. And one has to accept that while expertise should have been at the top of the must-haves register, the ANC will predictably resort to being accounting in terms of gender, race and age. So much experience was lost.

We agree that the former board member, Dr Renee Horne should return, which provides continuity. There is enormous talent being introduced such as Advocate Adv Tseliso Thipanyane, an expert on the Constitution and former journalist Prof Franz Krüger. Also high on my list were Khathutshelo Ramukumba, an internal audit specialist and then there was Mpho Tsedu, formerly a journalist with the SABC. Sadly, it wasn’t in her CV that this year she became the current Minister’s advisor. Only found out that last night. So potential for a huge conflict of interest there.

Other board members will continue a specific and much needed skills such as arts experts Aifheli Makhwanya and Rearabetsoe Motaung, former competition commissioner analyst. Compromised candidates were ANC favourite and former board member David Maimela and Magdalene Moonsamy, formerly ANC then EFF MP, and now seemingly back with the ANC. It’s interesting that there

were a number of former board members and other candidates who didn’t make the cut, but of concern is a former board member Dinkwanyane Mohuba, voted both by the ANC and the EFF despite enormous issues in terms of a doctorate degree that wasn’t, and seemingly forced departure from Limpopo University. While he was found guilty and the matter is on appeal, my question is what would be the process should his appeal fails, fell on deaf ears.

On the ... [Inaudible.] ... board has what it takes and a sterling determination to fix what is plaintively broken, hopefully they will pull the CEO back from Qatar. Sadly, someone has to be pinned down at the very least for the SABC’s R2,8 billion in irregular, fruitless and wasteful expenditure. The Auditor-General says there is no sign of any accountability at all. This board has no option but to turn things around in reality and not just in vague heart air claim before our committee. The DA supports the appointment of this SABC board. I thank you.

Mr V PAMBO: House Chairperson, one of the most unfortunate failures of the governing party is the collapse of the South African Broadcasting Corporation, SABC. The SABC, by its design and mandate, is one of the pillars of our democracy. It

is not democracy if it does not have freedom of expression, content and information in a dependable and transparent manner.

We are told our Constitution is one of the greatest in the world because ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Order! Order, hon members! Sorry, you can continue, hon member.

Mr V PAMBO: Are you the one who is disrupting me?

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

Mr V PAMBO: We are told that our Constitution is one of the greatest in the world because it guarantees everyone the right to access information, education, language and culture, but most important, the Bill of Rights guarantees everyone the right to freedom of expression which includes freedom of the press and other media. It is here that the SABC is supposed to be a cornerstone of our democracy, however, we know the political interference caused the SABC to fail.

The failure to fund the SABC was deliberately intended to supress the only true and independent voice. The collapse of the SABC undermines a huge potential to industrial opportunity in the telecommunications space and will benefit the establishments and their companies. We have seen boards come and go with very little change because they get appointed with misguided political agendas. We hope that this board will be different and it will breathe new life into the SABC and that we will never have an SABC that is begging to survive.

We should never find the SABC failing to spend R800 million worth of content and lastly, we hope that this board has the willingness to collect what is due to the SABC for broadcasting SABC content on MultiChoice. The EFF supports this report. Thank you very much, House Chairperson.

Ms Z MAJOZI: Hon House Chairperson, a central tenet of the South African Broadcasting Corporation’s Charter is that ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Order! Order, hon members! Order, hon members! Please continue, IFP.

Ms Z MAJOZI: A central tenet of the SABC charter is that it enjoys the freedom of expression and journalistic, creative

and programming independence. The SABC board controls the affairs of the entity and is mandated explicitly to protect the above freedom and independence. Therefore, the SABC board carries a heavily and critically important load of responsibility. Thus, for the entity to function as a high performing, financially sustainable, digitised national public broadcaster that provides compelling, informative, educational, and entertaining content via all platforms, it needs to be managed by a board that consists of individuals that have the necessary skills demanded to do so because we are tired of bailouts.

Following a rigorous process of screening and interviewing candidates, the IFP is in full agreement with the 12 names that were submitted by the committee. I also want to take this opportunity to commend the committee for following a transparent screening and interviewing process, which included the consideration of factors such as gender equality, youth representation and the skills demand. A further noteworthy point is our pledge that the current board that will be appointed should not be faced with any political interference, as the board will be left to do what they deem fit for the SABC.

One of the successful 12 candidates that the IFP highly recommended was the former Chief Executive Officer of the National Youth Development Agency, Mr Khathutshelo Ramukumba, who currently works as Chief Financial Officer for the University of South Africa. However, the 12 chosen candidates all had excellent interviews which are evidenced by the fact that their recommendations were agreed to by all political parties present. The IFP accepts the report. Thank you.

Mr W W WESSELS: House Chairperson, the public broadcaster has been destroyed by the ANC-led government.

*Afrikaans:*

Veral die beleid van kaderontplooiing het die Openbare Uitsaaier tot op sy knie gedryf. Die SABC se finansieële posisie is deur swak bestuur vernietig en die joernalistieke integriteit van die Openbare Uitsaaier is oor die afgelope paar jare geweldig aangetas.

Die nuwe raad sal ’n geweldige groot taak hê om die finansieële posisie en die geloofwaardigheid deur effektiewe oorsig te herstel.

Die VF Plus ondersteun die aanstelling van hierdie kandidate en ondersteun die verslag. Ek dank u.

Mr S N SWART: House Chair, the ACDP has taken note of this report recommending candidates to fill the 12 vacancies on the SABC board. The SABC, as we know, is public broadcaster that plays a key role in strengthening democracy in the country by providing information and entertainment to the public. The ACDP participated in the previous ad hoc committee on the SABC, the inquiry into the fitness to hold office of that board at that time. Many members will remember that in 2017 that report found serious mismanagement, political interference and unlawful appointments at the SABC and this was at the height of state capture. We know that a lot of information and evidence were ... [Inaudible.] ... by the Zondo report.

But let us just remember that those findings came at a great cost. One of the SABC eight journalist, Suna Venter, a 33 year old died as a result of the trauma that she experienced at that time – a 33 year old journalist. So let us bear in mind those that have gone ahead of us to prepare the way. We are grateful that the SABC has been on a relative path of recovery since those days. However, the firing of the former head of

news and veteran journalist, Phathiswa Magopeni, was a setback to this renewal process. During her time as head of news she created an environment that encouraged and supported editorial freedom. It was disgraceful that she was fired when the panel suggested merely a warning.

We are pleased that during her time she created that environment where journalists and editors could do their work professionally and debate issues openly and free from any political interference. We are very pleased that she has been nominated to this board and we support the appointments of the new SABC board. It faces many challenges, particularly regarding declining revenues, increased costs of running the broadcaster, and we wish them everything of the best in their endeavours to turn the SABC around. I thank you.

Mr W M MADISHA: Thank you, hon Chair. I confirm Cope’s support for the appointment of all the recommended candidates. Indeed, the process ought to have been finalised a very long time ago. However, knowing and of course numerous disagreements delayed the final appointment that which one is correct to refer to as the mandated management, that is, the management mandated by the owners of the South African Broadcasting Corporation,

SABC, namely; all South Africans, has not existed for some time.

As a sequel to that the bureaucracy was in control. The owners of the SABC namely; the South Africans, whom we represent here must learn from history which I cannot go into because it is very long. If there is no board the bureaucracy takes control hence theft; corruption; ill treatment of both low and junior workers, although they perform extra work; no living wages; reduction of workers; staff and yet taking other workers.

Workers are taken, for example, as presenters to work on radio and TV stations, for example, the SABC channels 404 and 405, to the SAfm radio and, etc.

That is tripling or even making sure that their salaries go beyond those of the ordinary persons. Now, that is wrong and I hope that the board here will be able to look into that.

However, even further, the board must ensure that the SABC does not only concentrate on a particular political direction. It should look at that which is supposed to be looked into by the entire South Africa. The board must look into a number of other things. It must be a strong board otherwise history will repeat itself like I have said.

I want to say, remember persons such as Hlaudi Motsoeneng, who for instance in the past as the chief operating officer, COO, would give himself more than R30 million just as bonus. The same thing happened with the others that followed him. I therefore, am saying yes, let’s agree that this board must come in and give them a hand to ensure that they work as much as it is possible but say to them, please, deliver. They must deliver otherwise we will be angry with them. Thank you very much.

Mr M NYHONTSO: Chair, the PAC support the report. Thank you.

Mr M G E HENDRICKS: Thank you, hon House Chair. Hon House Chair, the ANC has done well in turning around the SABC. The winds of change underground can be seen where it counts.

Producers are doing the country proud. The ANC has now appointed a new board to give leadership and to take broadcasting to a new level. We hope that other national broadcasters will get the same space to reach impartial heights. The SABC must not push the governing party and the official opposition.

The African Peer Review Network Mechanism has warned that a two-party state is a threat to our democracy and at that time

there was no EFF. So, now you must say that the three-party state is a threat to our democracy. The SABC must promote diversity in a multiparty country giving space to independent candidates. Al-Jama-ah congratulates the 12-board members and wish them well. The board must not promote white values but African values and get whites to embrace African values. Thank you very much, hon Chair.

Mr L E MOLALA: Thank you, hon Chairperson. Hon members and fellow South Africans, I rise on behalf of the ANC to support the report on Portfolio Committee on Communication and Digital Technologies on filling the 12-board vacancies for the SABC. The African National Congress applaud the subcommittee and the portfolio committee led by hon Maneli for successfully concluding this process despite the frustration that has been expressed by members of the public about delays in vetting and verification of candidates.

Chairperson, while it might have taken some time we believe that qualification verification, state security clearance and public participation were all essential prerequisite to ensure legitimacy of this process. It is against this background that the following names have been supported: Dr Renee Horne, Tseliso Thipanyane, Khathutshelo Ramukumba, Franz Krüger,

Nomvuyiso Batyi, Phathiswa Magopeni, Ms Aifheli Makhwanya, Magdalene Moonsamy, Rearabetsoe Motaung, David Maimela, Dinkwanyane Mohuba and Mpho Tsedu to serve in the SABC board.

We also welcome the decision of the subcommittee to further select Zolani Matthews, Palesa Kadi and Quentin Green to serve as reserve pool in the event of withdrawal of any proposed 12 candidates. Hon members, our committee has been entrusted with the mammoth task to know that the SABC is leading the process of implementing turnaround strategy. The journey to recovery for the SABC began in 2016 when the National Assembly ad hoc committee held inquiry into fitness of the SABC which revealed the following amongst others: Instability, dysfunctional political interference and ... [Inaudible.] ... the board’s ability to hold SABC executive accountable.

The Broadcasting Act was disregarded as a principal Act governing the ... [Inaudible.] ... the public broadcaster. The SABC group incurred expenditure and contravention of supply chain management. All things stand, the SABC reported their overall revenue in below budget by R1 billion. The entities underperforming advertising revenue is underpinned by declining audience and delays in the billing of telecom one channel carrier fees. Poor license fee collections also

contributed to the net loss of 238 critical positions remaining vacant.

Chair, while the picture looks gloomy it is worth mentioning that there are great strides and promising interventions that are in the pipeline for the SABC. The ANC welcomes the progressive moves to use over the top platforms. We are happy that SABC has officially joined the streaming club with giants such as Apple TV, Amazon prime, Netflix, Showmax and Disney Plus. The SABC Plus streaming platform was launched on 17 November and it is accessible via internet as a website. It currently offers free to air channels as SABC 1,2 and 3; SABC sports channel; station 24-hour channel and its 19 radio stations.

Through this platform the corporation will be able to increase some revenue. We also call for the finalisation of the analogue switch off process ... [Inaudible.] ... also help the SABC to cut some of signal distribution costs while freeing up spectrum and allowing for more channels which will foster more jobs and more compelling content to the entire viewers at home. The ANC is also pleased that Cabinet has approved the submission of Parliament of the SABC Bill 22 for processing.

The Bill was published for public comment in June 2021.

The Bill proposes amongst other changes; the streamlining of the board which will strengthen its responsibility and accountability. It also proposes the reforms in SABC funding model and TV licensing. As I conclude, House Chairperson, as the ANC we also like to convey our heartfelt condolences to the family of Pearl Shongwe who passed away last month. The SABC and the broadcasting family have lost one of its jewels. We have lost one of our most extraordinary talents. May her soul rest in peace. I thank you.

Question put: That Dr R Horne, Adv T Thipanyane, Mr K Ramukumba, Prof F Kruger, Ms N Batyi, Ms P Magopeni, Ms A Makhwanya, Ms M Moonsamy, Ms R Motaung, Mr D Maimela, Mr D Mohuba and Mr M Tsedu; Mr Z Matthews (additional name), Ms P Kadi (additional name) and Mr Q Green (additional name) be recommended for appointment to the South African Broadcasting Corporation Board.

Question agreed to.

Dr R Horne, Adv T Thipanyane, Mr K Ramukumba, Prof F Kruger, Ms N Batyi, Ms P Magopeni, Ms A Makhwanya, Ms M Moonsamy, Ms R Motaung, Mr D Maimela, Mr D Mohuba and Mr M Tsedu, Mr Z Matthews (additional name), Ms P Kadi (additional name) and Mr

Q Green (additional name) accordingly recommended for appointment to the South African Broadcasting Corporation Board.

# CONSIDERATION OF REQUEST FOR APPROVAL BY PARLIAMENT OF SOUTH AFRICA’S MEMBERSHIP OF THE ASIAN INFRASTRUCTURE INVESTMENT BANK IN TERMS OF SECTION 231(2) OF CONSTITUTION, 1996

Mr M J MASWANGANYI: Chairperson, Ministers and hon members, we hereby present the report of the Standing Committee on Finance to the National Assembly to approve South Africa to join the Asian Infrastructure Investment Bank. On 3 December 2015, the South African government through the Minister of Finance signed an agreement to establish the Asian Infrastructure Investment Bank therefore South Africa become the prospective founding member. South Africa is also a prospective member as a result that geographically it is not in the Asian continent. However, it should be noted that South Africa is not the only African country which is a member of this bank. There are 12 other countries in Africa which are members of the bank.

What is before us is that we have a deadline to meet as a country, which is 31 December 2022, whereby by that date we should have ratified the agreement. Of course there are cost

implications to ratify this agreement. The South African government will have to make a capital contribution of US$1 million which will be paid in five equal installments.

Are there benefits for joining this bank? Yes, South Africa will be able to borrow from the bank. The bank can invest in any member with a ceiling of such an investment as a share of the total bank, that is 15% to nonregionals, which translate into US$15 billion at the current value. The bank has distinguished itself as a leader in the green infrastructure investment. Through this kind of an agreement South Africa will also be able to strengthen the South-South co-operation with the Asian region, which is one of the fastest growing regions economically.

The committee recommends that Parliament approves the decision by government to join the bank as a nonregional member through the ratification of the articles of agreement of the Asian Infrastructure Investment Bank, AIIB. I move for the adoption of the report.

*Xitsonga*:

Ndza khensa. Inkomu!

There was no debate.

*Declarations of Vote:*

Dr D T GEORGE: Chairperson, the Asian Infrastructure Investment Bank was originally formed in December 2015 led by China. South Africa was a prospective founding member with an allocation of 5 906 shares at US$100 000 each and 600 bonus shares. Our total contribution was meant to be R9,3 billons. At that time Cabinet approved the take up of the so-called symbolic 10% of the allocation of R930 million. There was no money to fund this and South Africa missed four deadlines to ratify the agreement. There is one last deadline on 31 December this year to become a founding member and receive the 600 bonus shares. The current proposal is for the minimal prescription of 50 shares at R86 million in total. There’s US$1 million dollars initially, and another US$4 million callable. The problem is that we still can’t afford it and government wants to join to borrow more money.

In his major Budget Speech, the Minister mentioned tradeoffs that need to be made - essentially, choices that government must make when it spends the people’s money. The tradeoffs he chose did not benefit vulnerable and hungry South Africans.

Instead of exercising the tough love that he had promised for

the state in enterprises, he choice to bail out Denel, Transnet and the SA National Roads Agency Ltd, Sanral, with R30 billion and will transfer at lease to lure R100 billion of Eskom’s debt on to the national balance sheet. National debt will exceed R5 trillion next year and the interest payments will be the largest single expenditure item crowding out education, health care, police service and soon social grant payments. The Minister cannot guarantee that the social relief of distress grant will continue to support millions of vulnerable millions of South Africans, let alone a basic income grant because he has made the wrong choices.

Although the Minister has now joined the DA in his concern about the cost of living crisis, but he did that in a context that criticising the DA for wanting to expand the Vat zero- rated basket of food while at the same time raising up concern over the mounting interests on loans that government must pay. He presented this as mutual exclusive when they are not.

Government does not need to raise tax or even maintain it at its current levels to meet interest payments. If our economy grows, tax revenue rises and that generate the additional income that government now desperately needs.

With projections that South Africa’s economy will grow with less than 1% next year, amongst the slowest in Africa, a grey listing looming in February and the economic fallout over Phala Phala, it is clear why government want access to more loans. With the ANC in terminal decline government does not believe that it can put our economy on to the path to growth that will lift our people out of poverty. It is not possible to borrow and put the economy into growth. Even if borrowed money is spent on building infrastructure it cannot happen in isolation. We need coherent economic policy that places government where it should be as a facilitator of economic growth, and not as an incapable and corrupt impediment at the centre of our economy.

The DA will soon launch our new economic policy that sets out how we will build an enterprising economy that will halve unemployment before the end of this decade. At the time when 81% of South Africans households can’t afford to put enough food on the table, the Minister chooses to look another way and spend the money on bailouts for buddies instead of removing debts, and that’s lowering the price of bone-in chicken, beef, tin beans, wheat flour, margarine, peanut butter, tea, coffee, baby food and soup powder. He also chooses bailouts instead of lowering the fuel levy to reduce

the cost of transport that drives the price of all food. In all of our interactions with the International Monetary Fund, IMF, World Bank, foreign missions, international banking sector and foreign investors, the DA has never hesitated in our convictions that South Africa has enormous potential. We have a young population of vibrant informal economy and untapped entrepreneurial spirit just waiting for government to do its job and get out of the way of the success. South Africa is not a poor country. Our people are poor because government has mismanaged our economy for too long. Cadre deployment has brought our Public Service to the brink of collapse. The wrong model of the black economic empowerment, BEE, has distorted our economy by making business transactions more expensive to pay for the unproductive ransack that it has introduced.

It is Christmas time, Minister, and South Africans are going hungry. You can relieve the cost of living crisis if you make right choices and rather spend this R86 million wisely. The DA does not support joining the bank. Thanks, Chairperson.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members, when we were dealing with the Second Order on the Rules, one was thinking that if presiding officers were to be given powers to allow them order those members who usually shout at each other

to sit together as a way of trying to lower the noise levels in the House, I would go to an extent of naming those that must sit together. Thank you, hon members.

Ms O M C MAOTWE: Chair, the EFF support the Standing Committee on Finance report to endorse the Cabinet decision to join the Asian Infrastructure Investment Bank led by China. A decision that was taken earlier in 2015. With noted objections from some of the committee members which are informed by long-held practice that any global initiative that is not part and parcel of neo colonial administration management is viewed with hatred. We know that there are deliberate and coordinated efforts to undermine anything that is not led by the United State, Britain, France or other formal colonisers.

We know House Chair, that the reasons for affordability are just site remarks to give legitimacy to a new colonial imperialist agenda. Even the comment on Brazil, Russia, India, China, and South Africa, Bricks, is not genuine because if it were would have seen the same energy and condemnation for the reckless World Bank and International Monetary Fund, IMF, loans that will lead to South Africa to a debt trap for future generations.

The reality House Chair, is that countries that are members of the Asian Infrastructure Investment Bank except for the racist apartheid Israel for praising and killing the people of Palestine have not colonised any one. In fact, their infrastructure investment contributions in their own countries and here in Africa have led to the eradication of poverty and far reaching economic transformation and China is a significant example.

House Chair, as things stands today. ... [Inaudible.] ... have been finance and constructed by Chinese state-owned companies. And this is not part of neo colonialism. This is just one of many investments they have made in Africa. We must as African countries Egypt, Ghana, Ethiopia, Liberia, Tunisia, Rwanda and others come together and develop a clear coordinated and comprehensive agreement of how to get maximum benefits from our collective membership. But more importantly House Chair and members of Parliament, we must maximise the benefits of the bank relationship with other financial institutions capable of large scale projects through a Build Operate Transfer Model to ensure that a lack of capacity and experience is not a hindrance. The EFF support the report. I thank you.

Inks E M BUTHELEZI: Hon Chairperson, as independent nations, our sustainability depends on cooperation and mutual support with other countries through formal structures, treaties and agreements. It is through these partnerships that we sometimes not only realise our potential but also can extend a helping hand, to each other, when needed.

The Asian Infrastructure Investment Bank invites us to exist on the same platform that promotes the joint development of all countries as well as the peoples' joint enjoyment of the development fruits of their countries. Its invitation to be members calls for us to be part of a community not merely as just members, but as founding members. As the IFP, we know that this comes against the backdrop of our country being swamped with debt, lack of active job opportunities and a looming greylist status. Our future is hanging in the balance and we need to build sustainable relationships.

However, we cannot blindly accept the invitation to be a member of this bank, without acknowledging our own big infrastructure deficit and the need to finance it. Even with this need, we cannot afford any more debt, and if we are to be part of the Infrastructure Investment Bank we need to bear in mind that the premise of the Bank is to offer money through their lending

practices to address the infrastructure gaps in countries like ourselves.

The acceptance of membership will place us in close proximity and allow for greater access to the Bank’s lending opportunities. Therefore, we need to be extra cautious and intentional when it comes to taking money out of the Bank if at all.

We will need to steer away from solely accepting capital on the basis that we are being offered it, instead there must be a clear intended goal for it. Money borrowed should be used to address the exact need it was taken out for. Our country, and more so, our leaders should exercise discipline to avoid catapulting us into further financial woes through their proven bad financial management.

We need to start generating a more stable and sustainable model of growth instead of falling into a culture of debt. Our decision to be members of the Bank should be to support the region’s developmental aspirations, and not to exploit their services at the expense of our people.

The IFP support the report. Thank you, Chair.

Mr W W WESSELS: House Chairperson, the benefit of this agreement and membership of this bank are quite thin from the interactions with National Treasury. During the committee meeting it seems as though National Treasury is also quite apathetic about this agreement and country will tell us what the real benefits are.

Joining this bank will not be to the real benefit of South Africans up there and this is once again an example of wrong priorities and wrong choices where R86 million could be spent much better. The choice has been made to do this and this would not really solve our infrastructure problems. This is ill considered and would not serve the interest of South Africans out there. And that is why the FF Plus does not support this agreement nor the report. I thank you.

Mr W M THRING: Hon House Chairperson, as we consider this recommendation, the ACDP is aware that the Asian Infrastructure Investment Bank is a multilateral development bank, whose mission is financing the infrastructure for tomorrow, with sustainability at its core.

The ACDP also notes that the bank began operations in Beijing in January 2016 and has now grown to 104 approved members

worldwide. It is capitalised at 100 billion USD and has a Triple-A-rating by the major international credit rating agencies.

What is interesting is that the United States failed to convince many of its allies not to join the bank, with the exception of Japan. Germany, the United Kingdom, South Korea, Australia, France, Italy, Saudi Arabia, Spain, United Arab Emirates, Netherlands, Canada, Poland, Israel and New Zealand, are all members. It would appear that the purpose of the bank, is finding resonance with these members.

And that purpose is to: Firstly, foster sustainable economic development, create wealth and improve infrastructure connectivity by investing in infrastructure and other productive sectors; and secondly, promoting regional cooperation and partnership in addressing development challenges by working in close collaboration with other multilateral and bilateral development institutions.

Now despite being a founding member, South Africa has been a reluctant participant in the bank, having failed to ratify its articles of agreement for several years. It has also whittled down its initial proposed shareholding by more than half since

2015 and we note that an amount of $1 million about R17 million would need to be paid within 30 days after

ratification by Parliament, with the outstanding $4 million being callable.

The ACDP is aware that our debt to GDP is way too high and that the servicing of our debt is beginning to crowd out key service delivery budget items. In the light of our key economic challenges, we would prefer not to borrow, or certainly, to drastically reduce our borrowing. However, the ACDP realise that we need to be practical. And so, with some reservation, the ACDP support the recommendation. I thank you.

Mr S M JAFTA: No declaration hon Chair.

*Sepedi:*

Mna W M MADISHA: Ke a leboga. Ga e gona.

Mr M NYHONTSO: PAC supports this report Chair.

Mr M G E HENDRICKS: Hon House Chair, we support the report though we are very concerned about the illicit financial flaws and as you know that at the moment 50% of our GPD, gross

domestic product is lost through illicit financial flaws but otherwise Al Jama-ah supports the report. Thank you.

Ms M D MABILETSA: Thank you Chairperson.

*Sesotho:*

Dumelang ka ditulo tsa lona ka ho fapana.

*English:*

South Africa’s participation in the AIIB, Asian Infrastructure Investment Bank, was intended to strengthen the economic relationship in the Asian region and towards demonstrating solidarity with the region’s development aspiration under south corporation These are also part of the fruit of being a Brics member.

As a non-regional member South Africa will be able to borrow for the AIIB and the articles of agreement authorise the bank to invest in any member that is both regional and non-regional with a sealing of such investments, 15% of non-regional and

15 billion US dollar at the current level.

South Africa has a low capital subscription of 1 million US dollar. The AIIB is distinguishing itself as leader in green

infrastructure investment, 15% of its portfolio funding green project in member countries from other multilateral developments banks, NDBs, New Development Banks. South Africa will benefit through technical assistance and financing of its clean energy transition programme.

The Asian Infrastructure Investment Bank was originally formed by 21 Asian countries led by China. The bank’s articles of agreement were signed on 25 December 2015 by 57 countries including South Africa as a prospective founding member.

To date, AIIB has 93 members, 47 regional members, and 46 non- regional members. Other African countries are Algeria, Benin, Côte d'Ivoire, Egypt, Ethiopia, Ghana, Guinea, Liberia, Morocco, Rwanda, Sudan and Tunisia.

South Africa through the Minister of Finance signed the agreement to establish the AIIB on 3 December 2015 thus becoming a prospective founding member. However, South Africa has not acceded to full membership to the bank. South Africa has missed four deadlines to rectify the agreement.

The National Treasury and the Ministry of Finance were unable to finalise this matter given the challenge of the changing economy environment and ...

The HOUSE CHAIRPERSON (Mr M L D NTOMBELA): No, it is not right hon Malefane. Hon Malefane, please mute. ICT could you please assist him? Please continue hon member.

Ms M D MABILETSA: I said I am going to repeat. However, South Africa has not acceded to full membership to the bank. South Africa has missed four deadlines to rectify the agreement. The National Treasury and the Ministry of Finance were unable to finalise this matter given the challenge of the changing economic environment and reconsiderations on the shareholding that South Africa to take up the AIIB.

Cabinet endorsement was necessary in respect of the proposed revised shareholding. In September, Cabinet endorsed the decision for south Africa to join the AIIB with a paired capital of 1 million USD for 50 shares.

As a non-regional founding member, South Africa will therefore receive an additional 600 shares after rectification of membership. This is a special arrangement for founding

members. As a founding member, South Africa will receive an additional 600 shares and the total South African shareholding will be 0,19%.

The AIIB Board of Directors have taken a decision that a minimum share subscription of the country shall be 50 shares having a nominal value of 5 million US dollar. This equates to a paid in capital contribution of 1 million US dollar payable to the bank in five equal instalments.

The National Treasury recommended this option to Cabinet since it will put less financial burden to the country. To retain status of founding member, the National Treasury will have to pay the entire amount by 31 December 2022.

The National Treasury has consulted extensively with the Departments of Justice and Constitutional Development and International Relations and Cooperation on South Africa’s rectification of articles of the AIIB agreement.

The legal opinions provided by the departments is that the articles of association are not in contravention of domestic and international law. The Standing Committee on Finance approved the Cabinet’s decision of South Africa to join as a

non-regional member through rectification of the article of agreement of the Asian Infrastructure Investment bank.

The committee approved the minimum subscription of South Africa could subscribe to namely 50 shares with a nominal value of 5 million US dollar and of which the 1 million US dollar with the rand equivalent to R16,4 million will be payable within 30 days after rectification by Parliament and the committee endorsed 31 December 2022 as a final deadline set by the AIIB board for South Africa to rectify the articles of agreement.

With regard to the position of the opposition, the view and concern that the National Treasury is asking for more money from tax payers though debt in South Africa was spiralling and economic conditions are not favourable for South African citizen is misplaced.

Questioning the benefit of the membership and the importance of South Africa being a founding member demonstrates a lack of comprehension of South Africa’s strategy when it comes to finance infrastructures.

Such parties want the National Treasury to indebt themselves to South African banks at a commercial rate whereas with an Asian Investment Bank, we have concessional loans. For that, ANC supports the rectification of membership of Asian Infrastructure Investment Bank.

Question put.

Report agreed to.

# FAREWELL SPEECHES

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you very

much, hon House Chairperson, on the 2nd of January 2022 we woke up to the devastating news of our Parliament been ravaged by fire. Despite this setback, Members of Parliament were able to do and execute their constitutional mandate, which is to pass bills and also to hold the executive to account. Hon House Chairperson, I want to thank all hon members of this House for their good behaviour throughout the year and also to thank ... them for not compromising the work of Parliament.

Even though they do not have offices within the parliamentary precinct, but portfolio committee meetings continue to take place under the circumstances. Thank you very much, hon

members, for availing yourselves to do what is constitutionally mandated to you.

Hon House Chairperson, I want to thank the Chief Whip’s forum which is a consultative forum for the good working relationship that we always have. We consult each other on matters of the House. We process the work of the House and I want to thank them again for making sure that what we agreed upon in the Chief Whip’s forum, is then agreed to in the National Assembly Programming Committee.

Let me also thank the Speaker of the National Assembly and her Office for always giving support to all of us. As the Chief Whip’s forum, leaders of parties and also as members of Parliament, we really appreciate that. Let me thank the Secretary to Parliament and the Secretary to the National Assembly for always supporting us, as Members of Parliament, when doing our work. Let me not forget our caucus members, who are our backbone, who support us behind the scene and making sure that we excel as Members of Parliament. Let me not forget the parliamentary staff members and the parliamentary protection services for making sure that the business of the House is not disrupted.

So, hon members as we are now going home for the festive season, let us make sure that we spend time with our families because we are always away from home, and away from them. You know what, South Africans sometimes do not understand how we operate in Parliament. They think that by sitting on the opposite sides and belonging to ... being members of our different political parties, we are enemies. But in the actual fact, we are colleagues more than anything else and we spend more time together than we do with our members. So, farewell.

Lastly, let me thank our Chief Whip of the Majority Party for steering the ship in the right direction throughout the year. Hon members, as you enjoy your Christmas, please be safe with your families and make sure that you come back next year, January or February in one piece. Hon members, may our good Lord be with those who lost their loved ones and those who are still looking for their loved ones after the devastating floods in KZN and other parts of the country. May our good Lord be with you all during the festive season. Thank you very much, hon House Chairperson.

The SPEAKER: Thank you very much, Deputy Chief of the Majority Party. I now invite the hon the Chief Whip of the Opposition.

Order! May I just remind all of us that we have two minutes. Thank you.

The CHIEF WHIP OF THE OPPOSITION: Speaker, I could not agree more with the Deputy Chief Whip that regardless of which political parties we represent here, we are not enemies, but we are opponents and we must always remember that. We began this year with a devastating fire of our Parliament and, I think, regardless of who you are, if you are a member of this House, that was indeed a sad day for all of us.

The year has been underscored by our efforts to rebuild not only the building of Parliament, but also our institution and that work is far from being over. We have plenty of work to do when we get back from our December break. We must find an alternative venue for Parliament. We must make sure that not a single cent of the money for the rebuilding of Parliament is misspent and we must continue to make sure that we take our role of representing South Africans seriously.

Hon Hope Papo, can you just give a person a chance, please! However, for now, hon Papo, let us go spend our most needed time with our families and our loved ones. They make great sacrifices of sharing with us our work during the course of

the year. Thank you to my colleagues from across various political parties. Thank you for endeavouring to work together, even though the tough got going and the going got tough and tense words were exchanged. Thank you to the presiding officers who often presided over difficult sessions of this House and, a massive thank you to the parliamentary staff who make the work that we do here possible.

*IsiXhosa:*

Siyabulela ...

*English:*

...for your dedication to the country. Lastly, ...

*IsiXhosa:*

... ndibulela ...

*English:*

... my very own caucus, the official opposition of this House for your support and your commitment to your country. To all Members of Parliament, MPs, ...

*IsiXhosa:*

... wanga uThixo anganombathisa ngengubo yothando nemvisiswano kule ...

*English*

... festive season.

The SPEAKER: Thank you very much, hon Chief Whip of the Opposition. Hon members, the next speaker will be the hon Mkhalipi of the EFF. Hon members, ...

*IsiXhosa:*

... asincedeni.

*English:*

I know we are going on holidays, but please, let’s tone it down.

Ms H O MKHALIPI: Thank you very much, Speaker, the year 2020 will go down in history as the year that began with a clear sign that our ancestors agree that we must move Parliament to Pretoria. It is unfortunate that the ANC is insisting on spending billions on rebuilding what have been left alone, as a symbol of colonialism and apartheid. The year 2020 comes to

an end when the poor and the working class are facing difficult times.

*IsiZulu:*

Abantu basahlala emahholweni eKZN ...

*English:*

... after April floods. The ruling party continues to fail them. People are obsessed with protecting a President who chooses to keep money in his sofas and mattress, instead of paying workers in Luthuli House. This is yet another year in which our people are unable to explain why this Parliament is known as the People’s Parliament. Our people do not have land. They do not have an economy. They do not have free basic services. The municipalities have collapsed. There are no jobs and they are in the tough times.

We want to wish all South Africans, Africans and members of the diaspora, safe and peaceful festivities, as we continue to fight for total economic emancipation. To the EFF ground forces out there, we want to wish you safe and peaceful holidays. We want to plead with everyone not to drink and drive. We must all stand up against gender-based violence, as we know, it is very tough in our communities. ... We want to

plead with everyone that we must share the little we have with those who do not have. We should not allow our neighbours to go hungry when we are enjoying ourselves and we can share.

Farewell to colleagues in Parliament until next year. We must all come back energised because we must remove the constitutional delinquent, who keep dollars under the mattress. Thank you, Speaker.

Mr N SINGH: Hon Speaker, it is quite strange that we are bidding farewell to each other today for 2022, when we are going to be meeting next week, but circumstances have caused that to happen. Not notwithstanding that, on behalf of our leader in Parliament, the hon Prince Mangosuthu Buthelezi and the entire IFP parliamentary caucus, I want to thank all the presiding officers, our colleagues in Parliament, our support staff and those that ...[Interjections.]

The SPEAKER: Hon Cilliesta Motsepe, please mute. You may proceed hon Singh. Hon Singh you may proceed. Hon Singh is gone.

Mr N SINGH: No, no, I am here hon Speaker. I was muted by Parliament, sorry. Hon Speaker, I will need some injury time because I will need to start where I left off. On behalf of

our leader in Parliament, hon Prince Mangosuthu Buthelezi, and the entire IFP caucus, I want to thank everybody for the work in ensuring that we as an institution conducted our business, and delivered upon our core mandate relatively, reasonably in fulfilling the challenging and trying challenges that we have to go through.

It is a time when we remember all our colleagues who have passed on, and also remember the families and the colleagues of those who may have passed on under tragic circumstances in the floods, in mudslides, in horrific accidents that took place in the country. I think one of the highlights for the IFP this year hon Speaker was the report that was tabled and debated last week by the ad hoc committee on the floods that took place. I think that, if we as Parliament as a collective, can operate and produce those kinds of unbiased, independent factual reports, we will go a long way in serving the citizens of this country better.

During our parliamentary business in meeting targets, conducting oversight, concluding and presenting reports for declaration and debates on topics of national importance, it is always easy to lose sight of the most crucial element in

any organisation. And that is the person, the people, us, you and me as individuals with hearts, minds and feelings.

We say goodbye to 2022 but anticipate a challenging 2023 parliamentary year ahead of us. Many of us will not stop working during this period. But I urge all of us to spend some time with our loved ones that recharge for the new year. Our country has so much to be grateful for. Let us look upon 2023 with fresh eyes and hearts and build a South Africa we all wish to reside within. Our democracy must be ... [Interjections] ... from the people upwards ... [Interjections] ... and not from the top down ... [Interjections.]

The SPEAKER: No, hon Shabangu. Please!

Mr N SINGH: In conclusion Speaker with you and everybody else that we’ve been associated with during the year a very, very blessed, blessed festive season. And may we come back with God’s grace next year to continue the work that has been entrusted upon us by millions of South Africans. I thank you.

Dr C P MULDER: Hon Speaker, colleagues, it’s again that time of the year that we’ve come to the end of the term or the end

of the session, and it is time to say farewell to one another. I heard the Chief Whip of the DA refer to enemies and opponents. Now, my father was in politics and he taught us many years ago that, you must always remember, people sitting opposite you are your opponents, people sitting behind you are quite often your enemies. Every one of us may know if that's true or not true. That’s just one of the realities of politics, I guess.

This has been a very difficult year and I think that the whole COVID-19 pandemic to a very large extent has changed the way that we operate in Parliament, that’s just the reality.

Unfortunately, we’ve been hit with a double jeopardy because when Parliament burned down in the beginning of the year, it put us in a very impossible situation. Our task is to debate, is to talk to one another, look each other in the eye, interact in the corridors, to convince. That is what parliamentarians and politicians should do.

Because our building was basically destroyed, we are in a worse position than most other people, other businesses or other people after the COVID-19 reality. But we’ve got no choice we have to move on, and we have to find a way to facilitate our workings as Parliament. We must all ask

ourselves, what is the perception of the public out there about us as politicians. How do they look at us? Do they say that we are doing a sterling job all of us? Or are they saying, you know, politicians, and we all know what is being said about politicians in general. That is a challenge for all of us. How are we going to change that perception about politics? Political parties and Members of Parliament, that is our challenge.

I want to thank the presiding officers for what they’ve done during the course of the year and a difficult year. The Madam Speaker, the Chairpersons and all the Secretariat of Parliament that has accepted and done their job and abused difficult circumstances. I want to thank on behalf of all of us the security staff that looks after our security, and that makes sure that we can continue with our work on a daily basis. To all the administrators’ personnel behind all the parties, thank you for your loyalty and your support.

I want to say from the FF Plus’s point of view to other colleagues in the room, in Parliament, we are not enemies, we are opponents. We have different views. But we all should always remember that in the end, it’s not about us, it’s not

about our parties, it’s about South Africa and the people that we serve. Thank you.

Mr S N SWART: Hon Speaker, it has indeed been a very busy, tiring year with many challenges and, as other speakers have indicated, the year started with the devastating fire at Parliament. And almost a year later, we don’t seem to be much closer to the truth as to what has happened. Yet, as the Deputy Chief Whip has pointed out, despite the setback, Parliament has largely continued its law-making function and oversight function

It's been a tough year, and it is imperative that we at this time, spend more time with our families that have sacrificed so much for us to be here and our loved ones. Many of us are tired. Let us be encouraged by the words of our Lord Jesus Christ, who says:

Come to me, all of you who are weary and carry heavy burdens, and I will give you a rest.

Now, remember to take a rest, keep the Sabbath. That’s not a suggestion, but it is one of the 10 Commandments for our own wellbeing hon Sukers, a message especially for you. The ACDP

wishes to thank the Speaker, the Deputy Speaker, House Chairs, all the Chief Whips, the Chief Whips Forum, Whips, our own leadership in the ACDP, our members here hon Wayne Thring, Rev Kenneth Meshoe, Marie Sukers, parliamentary staff, administrative, catering, interpreting, Hansard, legal, security and police, we appreciate you all. Without you and without your hard work and sacrifices, we could not perform our constitutional duties. We also thank the media representatives.

Let us remember how fragile life is, drive carefully on the roads, keep safe. Lastly, I would like to pray a blessing over all of us as we leave or that we know we’re going to meet again next week. It is from the Aaronic Blessing:

May the Lord, May the Lord bless and keep you. May his grace and his face shine upon you. May the Lord lift up his countenance upon you. And give you peace, and give you peace.

*IsiXhosa*:

Malibongwe igama leNkosi. Amen.

Mr B N HERRON: Speaker, I’m not in curios that I can say farewell. Speaker, thank you. 2022 once again came with enormous challenges for South Africa, especially at the time when we, as a country, were working to rebuild after the unprecedented global pandemic and its devastating impacts.

Now, as the year comes to a close would have been the time to take a moment to stop, reflect and refocus on a hard work that still lies ahead, but also to acknowledge the progress that we have made together. However, after two years of coronavirus disease, Covid, uncertainty, South Africa finds itself ending another year with institutional uncertainty, and where several questions surrounding our future. It is this uncertainty that could have many South Africans feeling concerned, confused and looking for reassurance. It is our duty to reassure South Africans that we have a strong constitutional foundation on which our country and our democracy are built.

The ground may feel shaky, but it is our duty to reassure South Africans that our foundation is solid and our democracy can withstand the vibrations in quicksand. Our Constitution and the privilege we have to serve the people of this country will continue to guide us. Despite our differences on certain issues we can assure South Africans that we all do work to ensure that we put the interests of the people of this country

first. We wish every South African a peaceful and safe festive season and we commit to return in the New Year to serve them even better. We wish all members of this National Assembly a well-deserved break, the time to enjoy friends and family and a safe return in the New Year. Lastly, in keeping with the question of uncertainty we want to wish the ANC good luck with its upcoming elective conference. Thank you.

Mr S M JAFTA: Hon Speaker, 2022, was a progressive year for this Parliament. Despite initial challenges in the first quarter, we were able to hit the ground running as the Assembly of the people. Inspections in-loco and oversight visits in various mining towns drew our attention to mining syndicates and their operations. We passed the Bills consulted widely with the public and made significant progress such as the approval of money laundering and base erosion. While some of the questions to the Cabinet were answered, there were still outstanding questions to be filled.

We are equally pleased with the office of the Speaker and commend her sterling leadership. We also appointed the new Secretary to Parliament and wish him well in the long run. We, unfortunately, lost a number of our colleagues in this Chamber. We again wish to pass our condolences to their loved

ones. We are indebted to our colleagues and staff support. We hope that the upcoming year will be robust and the Parliament will continue to hold the executive to account without fear, favour or prejudice. We wish everyone a Merry Christmas. I thank you, hon Speaker.

Mr W M MADISHA: Hon Speaker, I wish all the 400 members the best of luck as we take a break next week though it ought to have been last week. Yes, I too thank you first, Mom. I know you tolerate us, some of us at times. I thank all the Chief Whips, our Chairpersons, the Programming Committee, and etcetera. You are all tired I know. Some amongst us write speeches, and some amongst us get speeches written for them, hence when they come they have a problem in reading or pronouncing some of the words. Some are tired because they must agree. Hence even if you speak the truth but then you are not from their party they will say “haa-muu-haa-haa”. If I say, for example, no, the Parliament is in Cape Town. They will say “hahaha-hehehe”. If their member comes and say that the Parliament is in Soweto they will say “yoo-hoo-hoo” and then say go down. As they go down, the Chief Whip will hug them and say “mncwu-mncwu mncwu-mncwu” and kiss them and so on, although that is not correct.

Now, these are some of the things which are there. Therefore, I am saying that you are tired, I have been in politics for 42 years, but then I can agree that Parliament is more tiresome than what we went through. Therefore, I hope that we shall be able to move forward. I have been in this House for 13 years and I am extremely tired, truly, extremely tired. If you come

...

*IsiXhosa*:

... apha mfondini ...

*English:*

... as you go down they will say “he-he-he-he” even if you can say that Parliament is at Mannah Lodge or wherever. Thank you very much.

The SPEAKER: Thank you, hon Madisha. Hon Madisha, I don’t know if you know what it means exactly when you are saying “mncwu- mncwu mncwu-mncwu” because basically you are saying that we are puppies. I hope not, or is kissing. I’m told that is kissing.

Mr W M MADISHA: No, no, I mean that as they go down or as some of us go down, even after not having said anything proper,

others will be saying “mncwu-mncwu mncwu-mncwu” kissing, kissing, them and so on. [Laughter.]

The SPEAKER: Thank you, hon Madisha, for that clarity.

Mr L E MOLALA: Hon Speaker, I officially request this House to nominate hon Madisha as our lead person on a TikTok.

The SPEAKER: Hon member, thank you very much for the nomination.

Dr C P MULDER: Hon Speaker, just on a point of information, I’m a bit concerned, and I’m not sure how Hansard is going to capture it.

The SPEAKER: Thank you very much, hon Mulder. What it means is that, indeed, the TikTok will be a true reflection of the discussions. Hon Mkhaliphi!

Ms H O MKHALIPHI: Speaker, I think the best way for Madisha is to say “hong-hong-hong”.

The SPEAKER: Thank you very much, hon Mkhaliphi. Hon members, we proceed and I now invite the hon M G E Hendricks.

Mr M G E HENDRICKS: Thank you very much, hon Speaker. Hon Speaker, Al Jama-ah would like to thank you for your leadership, especially for your support and guidance that enabled us in the last two, three months to have the first reading of three of our Private Members Bills, to restore the dignity of Muslim wives and to give them access to the divorce court, and also to give all women in South Africa cash to enable them to reach the maintenance courts. Hon Speaker, I was very impressed with some of the speeches. I remember the speech by the DA on amendments to the Children’s Act, classic, that is in the Assembly. I remember the speech of the EFF in our portfolio committee on Water and Sanitation, a very classic and the list go on. I think that the 400 members of Parliament this year have worked very hard and I hope that the nation appreciates it.

I wish them everything of the best for the festive season. I was a bit worried, hon Speaker, and I wanted to rule on hon Swart out of order when he said that we must go and rest. When a man of the classic church must rest, it can mean that you’ve got to rest for ever. Therefore, I think he has clarified by saying no, we must have a nice holiday. I would like to thank the parliamentary legislative drafting team for their professionalism in assisting political parties to draft

Private Members Bills. It is not only the responsibility of the governing party to draft Bills, even if the instruction comes from the Constitutional Court or High Court, it’s a responsibility of every Member of Parliament who has the interest to implement Constitutional Court rulings. You must not wait for the governing party or for the executive to do so. It is all our responsibilities.

Lastly, hon Speaker, I think that the Minister of Social Development has set an example that other Ministers must follow. She has opened the door for other political parties to take government programmes to their constituencies. Therefore, I think that going forward that is my wish for the New Year. I thank you again now, hon Speaker, for your leadership and for impartiality. Sometimes I don’t know whether you are a member of the ANC or the DA or the EFF. That is impartiality that you have. And even sometimes I think that you are a member of Al Jama-ah. Thank you very much, hon Speaker.

The SPEAKER: Hon members, allow me to also say a few words to bid you farewell. This year began with the horrifying news of the fire which, as we know, destroyed much of the National Assembly building. We will take a long time to fully recover, and I'm aware that quite a number of hon members still do not

have working spaces but despite the setbacks, we have persevered.

I think we can sometimes lose sight of what we have achieved as a Parliament and as a nation in terms of lawmaking. This House has passed a number of Bills which will have a significant impact on the people of South Africa and our government. We also continue to move forward with other reforms to give meaning to the Constitution and expand service delivery.

This Parliament has also undertaken significant measures to advance accountability and ensure redress. Among these has been the commitment to respond to the recommendations made by the Judicial Commission into State Capture. Another achievement was the recent adoption of the report, the culmination of many months of work which dealt with the devastating floods in KwaZulu-Natal and the Eastern Cape.

This year we have also renewed efforts to build capacity and sharpen the tools available to members. Despite the prevailing limitations, I've been encouraged by the extent of public engagement in our legislative processes with our communities. Public participation must nevertheless remain a priority, and

we have embarked on a process to relook into our constituency outreach system.

I was also pleased to participate in the training programme for members earlier in the year. Hon members, the new year will be a difficult one. We know we must do more to respond to the needs of our people. We know that poverty and unemployment and gender-based violence continue to plague us. We know we must rebuild. I'm, however, convinced that, as a collective, we can prevail as we can overcome.

As I conclude, I wish to again send our condolences to the families of those colleagues who have passed away. We must also send our well wishes to those suffering from ill health. I wish to thank the Secretary to Parliament who assumed office this year, as well as the officials for their contributions. I particularly want to single out, for me as a new person in this seat, the National Assembly Table staff, led by Mr Xaso for your patience, I'm not the easiest sometimes, and for your sterling efforts to constantly guide us as we steer the ship.

I must also extend my appreciation to the Presiding Officers, all of them. Thank you very much colleagues for providing leadership and for always guiding me. I know it's not easy. I

want to thank the Whippery for your leadership. I don't see the Chief Whip, I think she's gone already, but the Chief Whip, Deputy Chief Whip, your entire team, Chief of the Opposition party, all Chief Whips ...

*IsiZulu*:

... nabangihluphayo ...

*English*:

... even those who are not easy to deal with in the Programming Committee ...

*IsiZulu*:

... nabahluphayo kodwa ...

*English*:

... thank you very much. I think you've enriched my patience. I've had to learn to be very patient and, yeah, move with everybody. Hon members, my experience in Parliament has been

... I've learned what it means ... the meaning of ... when people say, you are damned if you do, you are damned if you don't. I've learned the real meaning of that, and thank God that one has had the opportunity to be here in Parliament and

serve as a Presiding Officer. I think it has empowered me and it has strengthened my zeal to continue to serve.

I wish to thank the hon members, all of you. Hon Papo ... [Interjections.] ... Thank you, you've taught me a thing or two. I mean, as I sit here, remember all of you, I'm able to read body language. I'm able to read all of the things you do and say, and I can assure you that that has assisted me. I think I understand the personalities better than I have ever done before. Thank you. ... [Interjections.] ... I beg your pardon?

*IsiZulu*:

Ubani? [Ubuwelewele.]

*English*:

Okay. Thank you very much, hon members, for your service to the nation. Hon members, I would like to say, we are South Africans and we should remain South Africans. Thank you very much. I request the members to stand and wait for the Chair and the Mace to leave the Chamber.

The House adjourned at 12:44.