# UNREVISED HANSARD

# NATIONAL ASSEMBLY

# THURSDAY, 23 FEBRUARY 2023

***PEOCEEDINGS OF THE NATIONAL ASSEMBLY***

The House met at 14:00

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

The DEPUTY CHIEF WHIP: Hon House Chairperson, the Deputy Chief Whip ...

The HOUSE CHAIRPERSON (Mr C T Frolick): You do it on behalf of the Chief Whip.

# REVIVAL OF LAPSED ITEMS FOR CONSIDERATION BY THE NATIONAL ASSEMBLY

(Draft Resolution)

The Deputy Chief Whip of the Majority Party, on behalf of the Chief Whip of the Majority Party, moved:

That the House—

1. considers for revival the following items that were on the Order Paper and which, in terms of Rules 333 and 351, lapsed at the end of the last sitting day of the 2022 annual session:
	1. Consideration of Second Request for Permission in terms of Rule 286(4)(b) to inquire into extending the subject of Cannabis for Private Purposes Bill [B 19 - 2020] (National Assembly – sec 75) (Interim Report of Portfolio Committee on Justice and Correctional Services on Cannabis for Private Purposes Bill [B 19 - 2020] (National Assembly – sec 75), see Announcements, Tablings and Committee Reports, 1 December 2022, p 46);
	2. Consideration of Report of Portfolio Committee on Justice and Correctional Services on Oversight visits to Western Cape, KwaZulu-Natal, Mpumalanga and Gauteng Provinces (Announcements, Tablings and Committee Reports, 11 October 2022, p 24);
	3. Consideration of Report of Portfolio Committee on Justice and Correctional Services on Oversight visits to Eastern Cape, Limpopo and Free State

Provinces (Announcements, Tablings and Committee Reports, 11 October 2022, p 3);

* 1. Consideration of Report of Portfolio Committee on Human Settlements on Oversight visit to Gauteng (Announcements, Tablings and Committee Reports,

3 March 2022, p 119);

* 1. Consideration of Report of Portfolio Committee on Human Settlements on Housing Consumer Protection Bill [B 10 – 2021] (Announcements, Tablings and Committee Reports, 1 December 2022, p 49); and
	2. Second Reading debate – Housing Consumer Protection Bill [B 10B – 2021] (National Assembly

–sec 76) – (Minister of Human Settlements).

Motion agreed to.

# STATEMENT BY THE MINISTER ON THE POSTSCHOOL EDUCATION AND TRAINING SECTOR STATE OF READINESS FOR THE ACADEMIC YEAR 2023 AND RELATED MATTERS

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION: Hon

House Chairperson, Ministers and Deputy Ministers and hon members of this House, let me start by thanking the hon President Cyril Ramaphosa for a comprehensive state of the

nation address which also place the post school education and training sector as a catalyst towards building a better life for all. As contained in the speech, government remains resolute in expanding the post school education and training system, supported by careful and systematic enrolment planning whose objective is to increase the participation rates of our youth, especially black youth and women and ensuring optimal alignment with broader skills needs of our economy.

The challenge for my department in this coming financial year, is to develop a concrete plan to significantly change the size and shape of our post school education and training system and address the crying need to substantially expand the college sector in line with our National Development Plan targets.

This will go a long way in expanding access to youth, whilst at the same time relieving pressure on our universities.

Therefore, the beginning of each academic year, must be seen as a further milestone in our journey of opening access to quality post school education and training.

Technological advances as well as our own contribution to innovation, require an increasingly more educated population able to effectively participate in modern society.

The next issue that I would now like now to address is registration and commencing of the 2023 academic year. Hon members, in this current academic year, we have implemented new monitoring tools and strategies to lay the foundation for a successful academic year and overcome the traditional bottlenecks that normally affect our post school education and training system at this time.

We have deployed our departmental officials across all our institutions, to ascertain whether the registration processes at institutions are proceeding as planned and assist institutions, where required, with advice and guidance.

To further enable access to all our institutions, we have opened our Central Applications Clearing House, as early as the 27th January and it will close on the 31st March 2023, to assist students to access the courses and programmes of their choice in our system.

These interventions have greatly helped to reduce traditional bottlenecks in different parts of the systems that are normally associated with admissions, registration, student financial aid and accommodation.

Hon House Chairperson and hon members, we are also well aware of all specific hotspots and are working closely on the ground with our institutions to resolve these underlying issues.

As of this week, 25 of our 26 universities have commenced with teaching and learning. A few are extending their registration period, to ensure that we achieve as full enrolment as possible in the system. This includes making the necessary arrangements to support those students who registered late.

Our Technical and Vocational Education and Training, TVET, colleges started their academic and training programme on the 23rd January 2023. Our Community colleges began their academic year in line with the Department of Basic Education calendar in January.

With regard to load shedding, we have also established a joint working group between my two Departments of Higher Education and Training and Science and Innovation to develop inclusive plans and a common approach in response to challenges brought about by load shedding.

We are currently conducting a survey of the impact of load shedding in our universities. Amongst the 18 of

our institutions which responded, 10 have developed plans, eight are still developing plans to deal with load shedding. However, a majority of our institutions are also implementing the hybrid model of teaching and learning.

With regard to student funding, in relation to this matter, we now are working towards the finalisation of a new Comprehensive Student Funding Model, which we aim to submit to Cabinet within the next two to three months. We aim through this to also introduce measures to support all the categories of students including those who are not supported by the current National Student Financial Aid Scheme, NSFAS, funding policy.

For this current financial year, NSFAS has approved the provisional funding of a record and a milestone of 1,083,055 students, a huge achievement in government’s commitment to fund students from the working class and the poor. Our NSFAS budget for this year is projected to be around R47,6 billion.

As committed, all NSFAS students are registering without making any upfront payments. Unlike last year, NSFAS has this year made upfront payments to universities and colleges to

ensure that they register all NSFAS students and for student allowances to be paid.

In the next week my department will be meeting with all university registrars to attend to all matters relating to concerns raised by students and parents on the delays in the provision of information, in order to facilitate registration by NSFAS beneficiaries. We will attend to all matters so as to ensure that NSFAS beneficiaries are not disadvantaged or excluded.

In order to improve student access to their allowances, NSFAS has also introduced a NSFAS bank account to ensure that beneficiaries are paid directly and on time without any intermediaries.

The NSFAS has also enabled a direct payment platform and student accommodation platform to address challenges previously experienced that had a huge impact on student well- being.

In order to manage the unregulated increasing costs for student accommodation, NSFAS has introduced a R45 000 per anum cap on student accommodation. The NSFAS introduced this cap to

manage profiteering and price collusion by private providers’ of accommodation.

Currently there is a challenge that we are aware of, of private and institutional accommodation that are above the R45 000 cap. The NSFAS is working with the affected institutions and is fast-tracking the accreditation in the affected areas.

Hon House Chairperson and hon members, we must recognise that our Post School Education and Training, system or sector is a microcosm of our greater society. This is clearly demonstrated in the manifestation and in many instances of reproduction of social pathologies on our campuses such as rape, violence against women and the challenges of mental illness.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, our apologies for that interruption. It is once again on the platform. John, can we just ensure that we disconnect those members that inadvertently switch on their microphones and disrupt and disturb the proceedings. I ask the Whips of the parties also to keep an eye and stay in touch with those members. Thank you.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION: Hon

House Chairperson, thank you very much. I was saying, the reason that we are amongst the leading department

to introduce a policy framework on fighting gender-based violence, including guidelines, protocols and infrastructure on how to respond to this pandemic.

This year, I will be convening a national summit and dialogue with our men leaders in our system to address the issues

of gender inequality, women’s emancipation, toxic masculinity and patriarchy. Through this initiative we will find ways to build our next generation of young men and boys to actively champion gender equality and women’s emancipation.

The battle for gender equality and women’s emancipation, including the fight against Gender-based Violence and Femicide, GBVF, will not be won unless boys and men are mobilised behind these efforts.

Hon House Chairperson and hon members, in keeping with the President’s 2022 state of the nation address, and in support of the Economic Recovery and Reconstruction Programme, our skills development system have increased learners placed in work-based learning programmes from 78 317, in 2020-21 to

107 000, in 2022-23.

The President has announced that we are going to be placing

10 000 TVET college students who are unemployed, over the current financial year. We have already place 10 616.

We are also expanding access in our system by expanding infrastructure.

With regard to TVET colleges, we have spent over R2,8 billion in the development and refurbishment of 16 new TVET campuses that will enable expansion of the TVET system over the medium- term.

I am glad to say that in this regard, we have completed 10 campuses. Thabazimbi, Umzimkhulu, Graaff-Reinet, Nongoma, Aliwal North, Kwagqikazi, Ngqungqushe, and Bhambanani. We have three new campuses that will specifically also be opening this year, in Greytown, Sterkspruit and Balfour in Mpumalanga.

With regard to university infrastructure, for the Medium-Term Expenditure Framework, MTEF, period of 2022 to 2023, we have invested R7 584 billion in infrastructure projects across the

26 universities.

Also, I am pleased to say that working together with the

Tshwane University of Technology as project manager, we have now begun the process to establish a university campus in Giyani in Limpopo.

We have also made progress in our plans to expand and relocate the University of Zululand teacher training faculty to the former KwaZulu, bantustan legislature precinct, Ondini, Ulundi.

We have also completed the construction of the Sekhukhune Skills Development Centre, to the value of R146,9 million, through our Wholesale and Retail Sector Education and Training Authority, Seta, in collaboration with the Sekhukhune TVET colleges.

We are also pleased to say that when we created this Department of Higher Education, Science and Innovation in 2009, there was only one trade centre for artisans in Olifantsfontein. I am very pleased to say now, we have 35 trade test centres that are located in or TVET colleges.

We have also now established entrepreneurship hubs at TVET colleges in order to support students to move into self-

employment after completion of their programmes. This will help us to be able to attract students to our TVET colleges.

With regard to community colleges, we have also made available R200 million to our community colleges, through the National Skills Fund for the implementation of skills, occupational and nonformal programmes which started in 2023. In other words, we have changed our adult centres into community colleges. Unlike your old adult education centres, we are no longer just focusing on improving one’s level of education, which we will still do. So, we are no longer focusing on *a, e, i, o, u*, but, we are also providing practical skills that our communities need.

This includes and we are going to be introducing the provision of Civic Education Programme in our community colleges which will teach the importance of protecting and supporting South Africa’s democracy, confronting racism and patriarchy, and fostering better understanding of citizen’s roles and responsibilities.

We therefore call upon hon House Chairperson and hon members, all our students to grab these opportunities with both hands

and focus on their studies and make 2023 a successful academic year for themselves and for our country.

In conclusion, we urge our institutions to engage with students and trade unions in order to minimise chances of violent protests. Whilst protests are legitimate there must be no destruction of property and or threat to life and limb. We also urge all our students to work towards finishing their degrees, diplomas or their certificates in record time, as government make sure that your economic situation must not determine whether you succeed in education or not. Thank you very much. [Applause.]

Ms N I TARABELLA MARCHESI: Hon House Chair, South Africans have been inundated by pictures and media feeds showing students at the University of Pretoria staging sleeping outside the residences over the National Student Financial Aid Scheme, NSFAS, capper accommodation allowance of R4 500. As a Democratic Alliance, we don’t support this capping because it will essentially exclude NSFAS funded students at the missing middle because the universities in metros and private accommodation service providers within these metros would not support the R4 500 cap and, therefore, the shortfall, unfortunately, will have to be paid by the students. At the

same time, we don’t support criminal acts of collusion. However, we have to agree that the cost per square in metros differs substantially than in smaller provinces.

In fact, the R4 500 include the cost of electricity, water, services, furniture, the up-keeper property, uncapped internet, safety and security, and so which are all necessary and should be included within all the residents. Therefore, if a student decides to go and look for an apartment, those services will not be available and not at that cost.

Therefore, that is where we fundamentally disagree with the ANC. What NSFAS needs to do is to ensure that private accommodation service providers comply with their set regulations and the services which have just been listed including the eight square metre the students listed within the provision of the regulation of NSFAS, and, therefore, make sure that those properties are being accredited.

These regulations, Minister, also have to be abided to by all residences within the institution in order to avoid what we saw during our oversight at Thekwini Technical Vocational Education and Training, TVET, College where the residents are living in inhumane appalling residents which should not be utilised until proper maintenance is conducted. Therefore,

I’ll urge you, Minister, to close that residence. And also the other issue that I would like to highlight is the brewing situation at the University of Free State, hon House Chair.

You see when the government decided to apply free education it resulted into a substantial increase in number of students registering for higher education. However, municipalities like Mangaung Metropolitan Municipality do not follow through to provide neither bulk services to cater for these increases, and subsequently to ensure that the bylaws are enforced. In fact, this has resulted into illegal buildings built by service providers without following the bylaws and there’s less to unsanitary environment within the area resulting into a very acrimonious relationship between the residents and the service providers. Therefore, I will urge you, the Minister, to have engagement with the role-players within that university including the Mangaung Metropolitan Municipality to mend those relationships. It is an issue, Minister. I see you think that I shouldn’t bring it up.

Hon House Chair, we’ve also seen how the Vice Chancellor, VC, of the University of Cape Town, UCT, was given a golden handshake of R12 million. Was the institution has the missing middle whom are not funded? As a committee we are under the impression that an investigation is underway which will

emanate into a report. However, a quick decision was made leading to a pay-out. As the Democratic Alliance we believe that we need to be brought into confidence and also as a committee on the reason of the outcome and how will the institutions of learning going forward will be assisted to deal with such situation.

House Chairperson, the preparation of institution of higher learning for the academic year is of essence. It sets the tone of the institution for the particular year and also the start of a new phase for young students who for the first time leaves their home and their parents to embark on a new journey which is known to be a daunting process. The fact that NSFAS has not gotten to its act together to allow the process to run smoothly is concerning, and this was evident during our oversight. The period of disjuncture between the students’ registration and approval of NSFAS funding is a matter that was raised by all institutions throughout our oversight. This process must be aligned. NSFAS late submission of approved students list delays the process of registration leading to students arriving and ending up stranded. And that is why when we went to the Durban University of Technology, I had a quick chat with one of the students by the name of Thando, who said that she has been there a couple of times to check if the list

has arrived from NSFAS and that included long-distance travel together with her mother.

The University of Zululand was also the only university with an exception dealing with the students list and delays of the process of registration leading to students arriving and ending up stranded. The University of Zululand was only exception when dealing with this. The VC takes a proactive approach which allows provision for final students, they don’t wait to receive the list of funds from NSFAS, they use their university funds especially on financial needs of the students so that they can register and access accommodation and meals. I find this to be remarkably innovative and should be implemented by all institutions of learning.

Hon House Chair, the other issue that was brought to our attention was the issue of load shedding during our visit and oversight. Load shedding has placed financial pressure on the operational budget of all institutions of learning in this country, and this was evident in every learning facility we visited. What was also shocking is when the Minister Nzimande quoted saying that cost of running a generator in our campuses and residences is approximately R1,5 million a day on stage 3

load shedding and R2 million a day on stage 4. So, what ... Thank you, House Chair. [Time expired.]

Ms N N CHIRWA: House Chairperson, the young people of this country are under siege from the government of the ANC. The Minister of Higher Education, Blade Nzimande, remains an enemy of young people in South Africa. On the 13th of January 2010, when we were still in high school, Minister Blade Nzimande made promises about increasing capacity in tertiary institutions, particularly and I quote: “for the poor and the working class” so that the matriculation rate is easily absorbed into the higher education sector. 13 years post that commitment the young people of this country, the poor and the working class, still find themselves advertising their poverty for access to education. Hundreds of thousands of talented and passionate 18-year-olds move from one university to the next pleading for a space to study. Parents must know that there’s a price to pay of getting your children to tertiary under the ANC government.

Therefore, in the University of Limpopo it costs R3 500 to get a table in a classroom. In the University of Johannesburg it costs R4 000. In Capricorn TVET, it costs R1 500. In January 2012, Minister Blade Nzimande told the class of 2012 that they

shouldn’t panic about the prospects of their future because, and I quote: “there are various opportunities available for you as you leave the schooling system”. More than half of the 2012 cohort spent that year sitting at home and subsequently surrendered their lives to cocaine, nyaope and the life of crime. On the 13th of May 2015, Minister Blade Nzimande committed to prioritise in transformation. His commitments once again amounted to nothing as a black boy’s books and laptop were urinated on the Stellenbosch University in 2022, and black woman in academia felt bullied into resigning as lecturers and vice-chancellors because the real supervisors of our country are unhappy with the how we dress and our blackness.

Minister Blade Nzimande, when will you realise that your commitments have delivered nothing to the poorest and most dejected? How many more young people should wither away to ecstasy and meth for you to realise the cost of your leadership? How many more students would you like to see sleeping outside at the University of Pretoria and University of KwaZulu-Natal, UKZN, for you to recognise their plight? How many more years will you need to keep coming in this House to promise us possibilities that don’t exist? How many more fly- by-night colleges? How many more financial exclusion? How many

more drop-outs? How many more matriculates sitting at home will it take for you to admit that free decolonised education is the only way out with immediate effect?

Minister Blade Nzimande, incentivise innovation and agriculture and animal husbandry, health care and pharmaceutical, energy, transport, aerospace and geodesy, biotechnology, industrialisation, manufacturing, robotics artificial intelligence and big data. Invest in qualitative and quantitative expansion of a higher education institutions, TVETs, small, medium and micro enterprises, SMME, mentorship and other vocational training programmes. Provide free accommodation for students and quadruple the number of accommodation rooms available by the end of 2023. Synchronise the goals and need of the economy with the number of places available at each institution of higher learning. Align skills to industrial sectors, introduce a new scholarship system that will provide educational and training opportunities to South African youth studying outside of the country, establish satellite campuses at various universities, one being the University of Limpopo School of Physical, Mineral and Sciences in Phalaborwa which will focus primarily on mining and mineral beneficiation.

The EFF consistently delivers to your table workable solutions to resolve the crises of higher education that we have in this country. This precisely because it is a crime against humanity that young people in this country sit at home and succumb to drugs and depression. Whilst the best you can bring to this House to this Table is mere dialogues that you should have ... [Inaudible.] ... in the year 2009, when you first became the Minister of Higher Education. Thank you, House Chairperson.

Mr S S ZONDO: House Chairperson, the new year is meant to bring with it hope, a clean slate and the opportunity to start fresh. This hope and these opportunities are dashed when basic needs become a barrier to students’ potential to begin or continue their chosen academic careers.

Various student representative councils have commented that although the SRC changes year in and year out, the problems they face remain the same. The perpetuating problem of fee blocks, unhoused students, financial exclusion and National Student Financial Aid Scheme allowances continue to be the source of difficulties and disruption for students.

As a last resort students are encouraged by their student representative councils to shut down campuses, block entrances

and suspend academic activity in protest against the issues above.

We’ve seen reports relating to students in Umfolozi College at the eSkhawini campus in KwaZulu-Natal protesting due to similar issues. However, when we had a state of readiness oversight visit at the same institution, management portrayed and made us believe that they were well equipped and ready for the academic year but as soon as we left, the school vehicle was burnt down, as the protest begin.

In University of KwaZulu-Natal, UKZN Edgewood 1 Campus and the University of Pretoria, students are sleeping outside, under trees and in corridors as they are unable to afford either

on-campus or off-campus private accommodation.

Student accommodation is reported to be on averages of around R6,000 now. Students are calling for National Student Financial Aid Scheme, NSFAS to increase their allowance funding of R45 000 per annum to match high rental costs of

60 000 per annum.

Protests relating to financial aid and academic exclusions have spread across the Western Cape and Eastern Cape, and have

troubled many other tertiary education institutions across the country. Students are unable to secure payment for travelling and accommodation from the National Funding Scheme.

This reality is that student are accommodation of an average of R6,000 a month and vulnerable, poor and working class are unable to top up their NSFAS funding and simply cannot afford this.

I am glad that the Minister has acknowledged this challenge of residential price hike and also want know how long can we expect the solutions on these matters, in terms of topping up funding of accommodation.

Student protests are a last resort. They bring to the forefront a persistent struggle, a need for help and a need for solution focused, pragmatic intervention. Overall, how ready we are for the academic year remains irrelevant for those students who have not yet been able to enter their classrooms weeks into the start of the academic year.

Actually, we are not ready for all of these. Please intervene Minister. Thank you.

Dr W J BOSHOFF: House Chairperson, I request the privilege of being invisible due to connection, then I will proceed. The state of readiness of the South African post school education and training sector is a perpetual mixed basket.

In the first place, universities tend to run smoother than Technical Vocational Education and Training, TVET colleges. Then, some TVET colleges and universities run smoother than others.

Despite all the negative consequences of the COVID related lockdown, it brought the advantage of a wider adoption of online actions. Therefore, no universities and only a small number of TVET colleges found the need to entertain walk in registrations.

The stability value of not having hundreds or even thousands of students gathering in long ques, which can later on not be recognized as such should be appreciated. Especially when a number of those frustrated students only reach the front to learn that they do not qualify for whatever they want to study.

Another aspect which does not facilitate readiness, is the short time between receiving final matric results and the beginning of the academic year. What needs to happen between those dates, is finalization of National Student Financial Aid Scheme, NSFAS eligibility and reaching of minimum requirements for the selected qualification for a hundred thousand students.

This is an urgent matter to be discussed between the departments of higher education and basic education. If it is not realistic to expect matric results to be available sooner, maybe it should be considered to let the post school academic year run from July to June.

The portfolio committee for higher education, science and

innovation visited Community Education and Training, CET colleges, TVET colleges and universities in KwaZulu-Natal, KZN, Limpopo and Mpumalanga, to observe the state of readiness in at least a sample of the institutions for ourselves.

It turned out that we investigated many more things about each institution than just its readiness, but even with that we found interesting results. On some campuses work still had to be done, while others were evidently more than ready.

In this regard, without presenting a travel journal, I would like to mention the Vhembe TVET college, where we visited the Makwarele campus just outside Thohoyandou. Not only were they very ready for classes to start, but they exhibited a groundedness in the local community, which extends far beyond collecting fees, presenting classes and dishing out qualifications. Their impact in the community is that of an economical generator.

Furthermore, the measures taken to accommodate students with different disabilities exceeded expectations.

It is easy to gloss over differences in this wide ranging sector. It could either be that by and large things look well or everything is a mess, but none will give justice to the variety within the sector.

Every university and college need to have a council consisting of honest, capable and experienced individuals. This is no place to gain those attributes, it is a place to contribute with what one already has. The policy of transformation and black economic empowerment opens the door for individuals without these essentials to be appointed and to remain in positions for which they are at best not qualified, and at

worst which they abuse for their own benefit. That should end. I thank you.

Mr W M THRING: House Chairperson, the ACDP once again wishes to congratulate our 2022 matriculation class on the 80,1% national matric pass rate. To the 19,9% who were not successful, remember that failure is often a key component to success, as it provides valuable life lessons, often not found in the textbook. Learn from those mistakes and grow. It is the beginning of a new chapter, not the end.

The ACDP notes the improved 2023 enrolments in universities to

1 112 000 and a total Technical Vocational Education and Training, TVET enrolment to 556 415. However, with more than 700 000 learners having obtained their matric qualification, hence qualifying to further their studies, our tertiary institutions do not have the capacity to accommodate all of the applicants.

The ACDP agrees with the South African Union of Students, who argue that the lack of capacity will add more than 500 000 youth to the 3,5 million young people not in employment, education and training. This Minister, is a dereliction of

duty and responsibility and is a failure to the cause of our students, particularly the indigent amongst us.

House Chairperson gender-based violence and femicide in our higher education institutions must be condemned and fought against with everything that we have. We must never forget the

brutal murders of Nosicelo Mtebeni, Uyinene, Precious Ramabulana and Jesse Hess, and the many others who succumbed

to gender-based violence and femicide, GBVF. Women are not objects or commodities.

Yet sadly, we allow the objectification and commodification of

women through pornography and the now proposed

decriminalisation of prostitution. Our failure to admit the causation and correlation factors of pornography and

prostitution, only serves to compound, exacerbate and add fuel to the fire of gender-based violence and femicide in South

Africa.

House Chair, the ACDP notes the 69 069 first time university enrolments within the scarce skill areas. And while welcomed,

they are hopelessly inadequate to address the skills shortage

and demand in the maths, science, finance, agricultural, manufacturing and mining Sectors. It is scandalous and

shameful that European and Asian primary and high school

students, whose countries do not have the minerals we do, are taught about mining and robotics, for example, while many of

our students are labelling locusts.

Quantitative and qualitative change must come to the entire

education system. South Africa does not have a financial problem, it has a poor leadership and governance problem. Come

2024 ... [Time expired.]

Mr N L S KWANKWA: House Chair, the Department of Higher Education, Science and Innovation has in our view been dragging its feet to address the critical challenge of the missing middle students. The Ministerial Task Team, which was appointed the couple of two years ago to can captualised a new Comprehensive Student Financial Aid Model has in our view taken too long to actually come up with the document.

We know that in your statement, Minister, you said the report has been submitted. This matter needs to be prioritised in due of the fact that even now recently you saw that there were students at UCT and the University of the Western Cape were engaged in protests demanding the institutions to allow students to register despite outstanding fees owed to these

institutions. The SRC at Fort Hare University even resorted to asking for donations for students who fall under the missing middle and those who are not funded and who cannot pay their debts.

*IsiXhosa*:

Baya kucela kusibali ...

*English*:

... of the nation. All of these strides by the Students body are due to in our view the failure of government to actually prioritise this issue as it is very important. We cannot understand, for example, how it is easy for us to actually make sure that we provide funding to quite a number of SOEs even the post office, which last make the profit in 2004, even South African Airways, SAA, recently, for example, you ask yourself a question if we are going to give SAA R1 billion what is the private equity partner going to do when we need money funding for students.

The other issue for us, which is very important is that when it comes to gender-based violence it’s important that institutions of higher learning are compel to establish this GBV policies and to implement awareness campaigns and

programmes that, Minister, you spoke about especially when you were citing that a huge number, which is 10% rape cases reported nationally stem from Higher Education institutions despite the existence of the policy framework to address GBV, which was established I think in July 2020. This is the challenge we need to address.

The second issue has to do with around the civic education. We don’t think ...

*IsiXhosa*:

... ukuba le nto mayibe kwiikholeji zoluntu kuphela. Kufaneleke ukuba ibe kuMzantsi Afrika wonke ...

*English*:

... in the entire education system. As long as ...

*IsiXhosa*:

... ningabaqhathi abantu, nibajike iingqondo nithi ...

*English*:

... the ANC is the best thing that has ever happened to this country since life’s bread. The other issue, which is important which we must talk about is ...

*IsiXhosa:*

... abafundi aba mabayeke ukunxila ezi mali bazinikwayo ukuze batye. Sidikiwe yinto yokuba xa sisiya kooFort Beaufort nakwezinye iindawo, simana ukutsalelwa ezikoneni kuba befuna ukubhatala ...

*English*:

... using their vouchers ...

*IsiXhosa*:

... baze bathathe loo mali baye kuyisela. Abazali nabo banoxanduva ...

*English*:

... to make sure that it doesn’t happen ...

*IsiXhosa*:

... kuba ngabo ababavumelayo aba bafundi ukuba benze le nto.

*English*:

We need to be very strict in so far as this matter is concern. On load shedding ...

*IsiXhosa*:

... hayi ke Mphathiswa kwaba basezilalini kunzima mpela, kuba bayakwazi ukungabinawo umbane ...

*English*:

... for three days or network for a week ... [Inaudible.] ...

Mr S M JAFTA: Hon Chairperson, as the Department of Higher Education and Training prepares itself for this year’s academic year, we must be mindful of the persistent challenges of academic exclusion at our universities. We note the efforts of the National Students Financial Aid Scheme in opening its doors to as many children as possible. We also commend the role of the Minister in putting great emphasis on vocational training. It is our task ... [Interjections.} ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Jafta? ... [Interjections.] ... Hon Mashego on the platform? Can you disconnect that member, please? And the ICT just disconnect the member. Hon Jafta, you may now continue.

Mr S M JAFTA: Chair, it is our task as emerging society to open the frontiers of learning to all students, black and white. United in our collective vision to achieve a nonracial, nonsexist democratic South Africa. Our considered view is that

more students should take up opportunities in the Tvet space and acquire vocational skills. Our economy is in dire need of artisans, boilermakers and engineers. The emphasis on vocational training by Minister Nzimande is welcome. The work that is being performed by the Deputy Minister, hon Manamela, is also exceptional.

Indeed, the communist brilliance has not come down ... [Inaudible.] ... in South Africa. Of equal importance, hon Chair, is the role university councils continue to play in restoring Higher Education quality output.

We commend the work of different vice chancellors such as Prof Buhlungu from the University of Fort Hare for outstanding leadership. I thank you, hon Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. I have asked for the ITC to disconnect the hon Mashego. We have also asked the duty whips to liaise with that member so that she can pay attention or get off the system, please.

Mr M G E HENDRICKS: Hon House Chair, I am sure that you will remember that in 2017 the ANC declared that Higher Education will be free and since that government adopted that there is a

policy and it is six years’ now and we have all the problems that hon House Chair you heard about.

In the Western Cape four institutions are struggling. Students who have qualified for National Student Financial Aid Scheme, NSFAS, are still on the lounge and can’t even get into the universities. So, there are crisis all over the country with regard to the readiness of colleges and universities. This is a crisis because education is very important. When there are problems with car accidents, murders, roads floods, you find that the Minister are on the ground trying to see how they can assist. The Minister of Higher Education is nowhere to be found on any of these colleges. I would also want to ask the Minister if he can tell the nation that all universities and colleges are ready to give all students who qualify space.

That’s exactly not the case.

Also Al Jama-ah disappointed that the syllabus hasn’t been sorted out at the institutions of higher learning.

Decolonisation of the curriculum has still not taken place and is still eurocentric.

Lastly hon Chair, we know transformation is important at the universities and Al Jama-ah is very disappointed at the

released of vice chancellor at the University of Cape Town, the first black woman to be vice chancellor because she is not towing the line of the white management. I remember this happened when Dr Archie Mafeje in the 60s was appointed as a senior lecture in sociology and white management got him removed as well. Again, the Minister is not at UCT. He should be at the University of UCT because it is his leadership and the Minister for start using stiff. He can’t be too stiff, hon Chair. We as Al Jama-ah we are very disappointed as the universities and colleges are not ready to give decent lessons. Thank you very much.

Mr A M SHAIK EMAM: Hon Minister, the problem we have is that we have created an expectation and together with expectation comes demands. Unfortunately, first of all I think we need to relook at the entire processes. By the time learners get the matriculation examination results remember they make applications, there is deadline, the department like in the case of Siviwe Moeba who was applied at the UK and then has accepted borrowed money to register has not had a response to date from NSFAS does not know what to do. He is lost. He has got no transport. He has got no food. He has got no accommodation. What that ... [Inaudible.] ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Shaik Emam, your connection is very poor. We cannot hear what you are saying.

Mr A M SHAIK EMAM: ... between the time I have been done and of course when the President ask. I think Minister ... Sorry. Can you hear me, sir?

The HOUSE CHAIRPERSON (Mr C T Frolick): Please, proceed. Please, proceed, hon member. I think you must switch off your video so that we can hear you. We know it’s you.

Mr A M SHAIK EMAM: Okay. Thank you very much, Chairperson. Like I am saying Minister what ... [Inaudible.] ... look at the processes from the time the results signed out, matriculation results. Secondly applications, the deadlines and more importantly when the first term starts at the universities. Like I have said Siviwe Moeba who has already borrowed money to register has no money for transport, no money for accommodation, nothing. The other problem we need to deal with is the high number of applications ...

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon Shaik Emam?

Mr A M SHAIK EMAM: ... to the number of spaces ... [Inaudible.] ... Chair, can you hear me.

The HOUSE CHAIRPERSON (Mr C T Frolick): Your connection is very poor.

Mr A M SHAIK EMAM: Yes, is loadshedding here, Chair. ...

[Inaudible.] ...

The HOUSE CHAIRPERSON (Mr C T Frolick): I would like to see you back in the National Assembly soon, Shaik Emam so that we can hear your brilliant input.

Mr A M SHAIK EMAM: Thank you, sir. I was on the interview ...

[Inaudible.] ... that’s why I didn’t come. But thank you. I don’t know, you want me to finish off. Can you hear me.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, you can finish.

Mr A M SHAIK EMAM: But thank you very much, Chair. Minister, I you can just tell us what happened to those that have applied and had no responses at the moment. What happens to those numbers that had applied and there are no enough spaces? How are they going to be accommodated? And very important there is

a high dropout rate of 60% in the first year and lot of money has been allocated to them. And lastly, the skills are not talking to the skill needs of the country. Tvet colleges are introducing this particular curriculum and we need to relook into that so that many of them that are qualified at Tvet colleges have jobs otherwise it will be for no purpose. I stop there. Thank you, Chair.

Ms J S MANANISO: Thank you, Chairperson, let me start by quoting Mr Panyaza Lesufi the Premier of Gauteng, when he said:

Education is the solution for poverty and unemployment no one can disagree with this statement.

Indeed, education is an equaliser to address inequality, poverty and unemployment. There is a need to expand access to education and training by ensuring adequate funding for TVET, Technical and Vocational Education and Training colleges, Community Education and Training colleges and Universities. To enable digital transformation, we must expand infrastructure, including all well-oiled information, communication information infrastructure. COVID-19 has shown us that we cannot do without digital platforms to enhance access to

education. As the Portfolio Committee on Higher Education Science and Innovation, we have been engaging the post education training sector from 2022 on their preparation for their 2023 Academic Year. This will be good for those who are actually attending the oversight.

All sectors, stakeholders presented their challenges and plan to address them. We were assured that the department has consulted all stakeholders on the National Student Financial Aid Scheme, NSFAS, guidelines for the 2023 Academic Year. To develop consensus as part of co-operative governance as they prepare for the New Academic Year. Let state that we also had a two-day working session with NSFAS to assess its state of readiness, focussing on its governing system, application system and funding process. As the portfolio committee, this we call touch, taste and see. We were able to see the new application system for the 2023 life. We appreciate that funding challenges experienced in the previous year, which led to NSFA inability to confirm student funding were addressed.

The scheme has secured sufficient funding for the current financial year. It has already provisionally funded over 1 million students, so it is important for members when they say that provisionally funded it means you are funded. Yes, I am very sure, very sure. The dreams of many students from poor

and working class families will be realised. NSFAS is critical to ensure the country has adequate skills to support the economy and the plans announced by the President in his state of the nation address, Sona. We concluded a two weeks’ oversight to KwaZulu–Natal, Limpopo and Mpumalanga provinces to assess the state of readiness of our institutions - TVET colleges, CET colleges and universities. All institutions, we interacted with were ready to commence with the 2023 Academic Year. All the stakeholders from the councils, executive management, institutions forums, student representative councils and organised labour confirmed that they have worked together to ensure a smooth start to the 2023 Academic Year.

Despite the challenges reported, some of which were beyond the institutions like the delays in the release of the Matric results which impacted the registration processes of institutions. I think most of the members from even the opposition have alluded to that. The ability of NSFAS to confirm funded students all systems were ready to go. We note the protest experienced in some of the institutions concerning the capping of fees to R45 000.

Hon members some vultures intend to milk the state because they have seen NSFAS as a cash cow. They inflate accommodation

prices beyond the rental costs within those areas, this is unacceptable. We support the intention of NSFAS to approach the Competition Commission to investigate the collusion in this sector. This will be critical to ensure that the increased funding for higher education is used optimally to support as many students as possible. However, NSFAS must get its house in order to ensure that all technical glitches are addressed timeously. I hope they are listening where they are. We also plead with our communities to address water shortages that cause protests in some institutions. Councillors close to those institutions must play their part in ensuring that basic services by the municipalities are accessed.

Hon Chairperson, load shedding has interrupted academic activities, and it continues to do so. Registration processes were affected by load shedding as students cannot access the institutional website to continue their registration.

Purchasing generators and diesel is an added financial burden to institutions. We hope that a solution would be done soon as an intervention Minister be found to address the issue of electricity crisis in the short term. Issues of safety and security, threats of our College Principals, Vice Chancellors, and Senior Management of Universities is a major concern for the African National Congress. Institutions are held hostage

because of criminals who camouflages themselves as business and community representative to delay the construction of infrastructure development projects.

We pay our condolences to the family and friends of the Walter Sisulu Institution community due to the killing of the Vice Chancellor of the University of Fort Hare. We call upon law enforcement agencies to focus on this criminal syndicate in our higher education institutions and ensure the safety of the University leadership where threats exist. As a society, we should not tolerate such as they delay the development agenda of our country.

Lastly, let me say that those tasked with the responsibility to lead must lead and ensure that everyone performs their duties within the limit of the law. We hope they will normalise an institutional culture principle of zero backlog on services. Minister Blade, this is for your collective as we normally say that it is important that on other services we need not to compromise. So, we are selling to them a vision of zero backlog. We call upon the private sector close to any institution of higher learning to play its part. Together, we shall build a better future for all for education.

I would like to attend the ground forces. There so-called ground forces. Hon Chair, issues of ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members! Order! Hon members, allow the member to complete her speech. She has a right to be heard. Please continue.

Ms J S MANANISO: Thank you, Chair, to ground forces I would want to tell the country ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members!

Ms J S MANANISO: That’s my speech. Hon members, just to indicate to you when we do this particular oversight the so- called ground forces are not there and that is an opportunity for us to actually engage with technocrats in terms of what is it that we want to see. So, they are missing this opportunity when we go for oversight and wait for podium to come and say something else. Hon Kwankwa, we thank you for being honest in terms of what has been done as the progress today in terms of ensuring that we deal with this issue as the apex agenda.

Hon Shring, I’m very disappointed ... and, as a man of God, it’s unfortunate that, whatever you said here is not even

close to the truth, and it’s important that, one day ... [Interjections.] [Inaudible.]

Mr W M THRING: It’s “Thring”, Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members.

Mr S N SWART: Point of order, Chair!

The HOUSE CHAIRPERSON (Mr C T Frolick): Please, just quieten down. Yes, hon Thring?

Mr W M THRING: Just a correction, Chair. I think the hon member had a problem with pronunciation. It’s “Thring”.

The HOUSE CHAIRPERSON (Mr C T Frolick): Noted, hon member. [Interjections.] Order, hon members!

Ms J S MANANISO: Okay. Thank you. It doesn’t matter. But what I am saying is, you are a man of God ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, there is another point of order. Yes, hon Swart?

Mr S N SWART: Chair, I would like to raise a point of order on Rule 85. I believe the speaker cast aspersions on Pastor Wayne Thring about him being a man of God. I would ask you to look at the record and rule in ... [Interjections.]

Chair, may I be protected?

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members! Order! [Interjections.] Hon members! Hon members! Just calm down.

Mr S N SWART: I would ask you, hon Chair, to look at the record and determine whether aspersions were cast on hon Thring.

The HOUSE CHAIRPERSON (Mr C T Frolick): I will check the Hansard and revert if necessary with a considered ruling. Hon Tshabalala, you also have a point of order?

Ms J TSHABALALA: Yes, Chair, but I was saying that this is not a point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, you are not a presiding officer, hon member. Please!

Ms J TSHABALALA: He just said if he is a man of God.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, you are not a presiding officer. I have made a ruling and you are now challenging the ruling. You are out of order. Please continue, hon Mananiso.

Ms J S MANANISO: Thank you, Chairperson. The hon member ... what I am saying is that whatever you said here is not even close to the truth. One day I wish that you would deploy yourself to be with us when we do our oversight. Let me just say he was misleading the country about what he said there.

Then I want to ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members!

Ms J S MANANISO: Let me say that, as the ANC, we believe in constructive criticism. However, you must give us alternatives. I heard you lamenting, indicating issues.

However, you didn’t give us solutions**.**

To hon Marchesi, she was there at all these oversights. Hon Marchesi has experienced that, actually in this particular

sector, people are just busy colluding to milk the state. It’s unfortunate that you come here and want to show off that you are a capitalist. You disagree with whatever that we can give as a funding, knowing that economically we are not on par in terms of ... you know, giving money as and when we want to.

However, one would want to say to you guys ... working together we can do more, as Members of Parliament. I thank you.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much,

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members! Order!

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much, hon House Chair, I hope you will save my few seconds, I want to start by saying to hon Mananiso to assure you that we would be convening a safety and security Summit for our sector. In order to address this, I have also received a report of a study I commissioned two years ago on matters of safety and security in our institutions – universities and colleges.

I want to say that hon Chirwa ...

*IsiZulu:*

... hhayi, yehlisa umoya ntombi. Yebo, njengoba usungumama wekhaya nje sikubongele funeka nomoya uthi ukwehla.

*English:*

I know that in the EFF you hope to rise by being so angry such that we even lose what you are saying. That there is no free higher education for the working class and the poor – is not true. When NSFAS started as Tertiary Education for Fund South Africa, Tefsa, in 1991 there were 7 000 students. This year, we are lucky to hit 1 million NSFAS beneficiaries. Also, we want to say we are expanding. We may not be expanding, access at the rate we want, but we are. Post 1994, we have built two new universities. I also want to tell this House that we have also finished the feasibility study for a University of Science in Ekurhuleni for the University of Detective Services in Hammanskraal and I would be presenting this to Cabinet.

We have also do want to say that all our institutions are going through extensive curriculum transformation guided by the 4IR Commission that the President had actually set up so that we are in line. Many of the things that - by the way -

you are mentioning robotics and all those things we are doing them in many of our institutions. Surely, we can’t allow that some NSFAS students are paying 16000 for accommodation per year. Others are paying R78 000 here in Cape Town. There is collusion. Hon Mananiso, is correct. NSFAS has approached a Competition Commission to look into this collusion.

Hon Thring as I have said part of addressing access is to rapidly expand college education which is going to be my focus on. What is the plan? We are supposed to be 2 million TVET college students by 2030. We are just over 500 for the next seven years, something that is actually very important.

*IsiZulu:*

Lungu elihloniphekile kwankwa, hhayi uthethe kamnandi namhlanje bhuti. Uthe ungathi uyaphuma ecaleni.

*English:*

You are right, we need civic education in all of our institutions. Some of them are doing that in some universities.

*IsiZulu:*

Nanokuthi abantwana bethu la abanye esibasundisa ngoNSFAS abangayiphuzi le mali. Yimali yokufunda le. Ngiyavumelana nawe kakhulu. Awuve ungcono kunomholi wakho ngiyafisa ukukusho loko. Ukube umholi wakho ube la ngabe asizizwanga le zinto ezinhle kangaka ... [Ubuwelewele.]

ILUNGU ELINGAZIWA: Sakunceda wena.

*English:*

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members! Hon members, no! Hon Minister, may I request members because they are new. They know they can’t just switch on the microphone and start talking. It doesn’t work like that, hon Kwankwa. Please, observe the rules! Please proceed and conclude, hon Minister.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much, hon Chair. Thanks to AIC and hon Hendricks for recognising the positive work that we are doing. This government is committed to free higher education, to the working class and the poor. We want also to say to hon Shaik Emam NSFAS has already processed more than a million applications. Some of the applications that are stuck is as a result of certain documents have not been provided. That is my

visit to NSFAS ... that showed me. Not that there are no challenges with NSFAS. I agree hon Mananiso those challenges must be addressed by NSFAS. I actually agree with you. This was then to say we are ready

*IsiZulu:*

Abafunde abantwana bethu. Kuqaliwe manje, kusetshenzwe. Senze isiqiniseko sokuthi nalabo okungakaze babe nejazi emlandweni wondeni balithole leli jazi labantwana bakithi. Siyabonga kakhulu.

# CONSIDERATION OF ELECTORAL AMENDMENT BILL AND OF REPORT OF PORTFOLIO COMMITTEE ON HOME AFFAIRS ON AMENDMENTS PROPOSED BY NATIONAL COUNCIL OF PROVINCES

Mr M S CHABANE: Thank you, House Chair and hon members. We rise again to introduce this crucial Bill, mindful of the obligation we have to the Constitution of the Republic — the obligation that we shall always strive to build an inclusive, nonracial, nonsexist, democratic and prosperous South Africa.

The Electoral Amendment Bill was passed by this National Assembly in the year 2022 and sent to the National Council of

Provinces for concurrence. This is a section 75 Bill which required processing by the NCOP.

Following its extensive process to consider the Electoral Amendment Bill, the NCOP proposed very critical amendments to the Bill that was passed by this House. Some of the proposals that the NCOP made included an amendment to clause 3 of the Bill to address the disparities between the new political

parties and independent candidates. The NCOP reaffirmed the 20% threshold adopted by the House as required for political

parties not represented in the National Assembly and provincial legislatures, similar to independent candidates

intending to contest elections. However, after public

submissions and deliberations, the committee conceded to lower the threshold for requirement of signatures to 15%.

The NCOP also proposed an inclusion on the entire new clause

23 that will establish the electoral reform consultation panel to investigate, consult and make recommendations with regard to the broader electoral reforms. It is important to note that the panel be guided by the provisions in the Bill and execute the task without undue influence.

In this regard, the panel will be established by the Minister of Home Affairs in consultation with the Independent Electoral Commission, IEC, for approval by this august House. The electoral reform consultation panel shall resume its work in earnest post the 2024 general elections that will provide citizens, various stakeholders and political parties an opportunity to participate in the reform of our electoral system.

True to its commitment to the extensive public consultation that the portfolio committee made since the commencement of this process, the committee resolved that the nature of the NCOP’s proposals were substantial and required further public scrutiny and comments. The committee readvertised the proposed NCOP amendments on 5 December 2022 to 27 January 2023 after the Constitutional Court granted us an extension. We have since received 81 submissions ... being substantive and

69 were short submissions.

We confidently table the report on this Bill despite the necessary delays. This Bill represents the best version of our collective efforts. The Bill also sets out the framework of what needs to be done in the transitional period as due consideration is given to the broader electoral reforms.

Once the Bill is passed today, the committee will look into a consequential amendment, including the provisions entailed on the Political Party Funding Act to align it with the Electoral Amendment Bill.

We must thank the members of the committee, acknowledging that we had different views and ... consensus in the discourse of our deliberations. We further thank all stakeholders for their contributions, the Parliamentary Legal Services, the chief state law advisor and the IEC. Having considered the proposed

amendments passed by the NCOP, the public comments from various stakeholders and citizens, the portfolio committee

presents this Bill and the report for consideration by this House.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. As there is no list of speakers, I will now recognise the Chief Whip of the Majority Party.

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

House Chairperson. I move that the Bill as amended be passed.

*Declarations of vote*:

Mr A C ROOS: House Chair, the Electoral Amendment Bill was meant to implement the judgement of the New Nation Movement case. The DA supports the amendments of the NCOP to reduce the signature requirement for independent candidates and that the same requirement is met by unrepresented parties, in the interest of fairness. Furthermore, the DA supports the public participation process to bring about long-awaited electoral reform in our country.

However, as we consider this Bill, we must consider its glaring flaws. The Bill was meant to facilitate the participation of independent candidates in national and provincial elections. Instead, it has become a completely irrational piece of legislation that is a cynical attempt to meet the requirements of the Constitutional Court and insults the electorate. These are not my words. These are the words of the head of the Ministerial Advisory Committee that was tasked to come up with the proposals to meet the requirements of the Bill.

So, as members of the portfolio committee were coming to an agreement on the Bill that we keep the current seat allocation system and have independents gaining up to the maximum of one seat**,** the Bill suddenly turned into a hot mess, with the

purpose to help the ANC get more seats than they deserved. According to an ANC internal poll, the DA has closed to within 10% of the ANC and closing faster than a bullet train. The sudden change in approach came as it became clear that the DA was not imploding as predicted but was in fact growing under the leadership of future President, John Steenhuisen, with ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members. Order! Please proceed.

Mr A C ROOS: ... a clear vision and driving the issues that matter to people. When the matter was discussed at the national executive committee, NEC, not long ago, you had members of the NEC of the ANC saying, we must write the electoral law so that the ANC wins. Comrades cited examples to reinforce this point. How can the ANC design electoral policy so that it wins? Those are not my words but the words of Thabo Mbeki.

So, how is this goal of trying to ensure that the ANC wins being achieved in this Bill? According to this Bill, independents should not be able to stand on the national ballot but instead should be able to stand on all the provincial ballots. However, the total of those votes gained

across all the different provinces cannot be added together. So, why do it this way? Basically, in each province where an independent stands and does not get a seat, these wasted votes go into a trough, and because overall proportionality has now been removed, the ANC now scoops out the majority of the vote in that trough through a recalculation system. In this ingenious system, the ANC gets the wasted votes of persons who didn’t vote for them. Under this Bill, wasted votes will be more costly than ever ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members. Order! Hon Abraham? Hon Abraham, the member has a right to be heard. Proceed, hon member.

Mr A C ROOS: So, under this Bill, wasted votes will be more costly than ever before, as the ANC will get the lion’s share of them. In 2024, every single vote will count. This legislation fails on both grounds of fair participation by independent candidates as well as general proportionality.

Now, some say that independents or a constituency system is the answer but the real cry for the longest of times has been for accountability. This legislation establishes yet another electoral reform consultation panel, but one thing you can

count on is that the ANC, to quote Kgalema Motlanthe, has no appetite for a system that creates accountability ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, will you just take your seat? Hon member, why do you want to be recognised?

Ms J TSHABALALA: Chair, I am rising on a point ... I want to

... [Inaudible.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No, I can’t hear the hon member.

Ms J TSHABALALA: I want to ask if the member will take a question because he is irrelevant right now. Will he take a question?

The HOUSE CHAIRPERSON (Mr C T Frolick): No. Hon member, are you prepared to take a question?

Mr A C ROOS: No, Chairperson.

The HOUSE CHAIRPERSON (Mr C T Frolick): He’s not prepared to take a question. Please proceed.

Mr A C ROOS: Our electoral system is based on a transitional provision of the Constitution, whereby a new system was to be put in place in 1999. The 2002 Van Zyl Slabbert report recommended a mixed system from multimember constituencies and a compensatory system to achieve overall proportionality and ensure face-to-face accountability. A 2009 Independent Panel Assessment of Parliament, a 2017 high level stakeholders forum and a 2013 Bill by the DA’s James Selfe all called for such a system to strengthen accountability and improve Parliament’s ability to exercise its oversight mandate. The Bill was rejected by the ANC.

So, the only way to hold this government accountable is through the ballot box. You need to look at who has a record of accountability, where public representatives are held accountable and sanctioned when they fall short. That party is

... [Inaudible.] [Time expired.]

Mr T MOGALE: Hon House Chair, the EFF supports the Electoral Amendment Bill, as tabled again today in Parliament. We also affirm that the procedures followed in passing the Bill were

transparent, fair and straightforward. We do not think that it was a mistake to have a multiparty form of democracy in this country. Collectives have better solutions than individuals.

Organisations must still be at the centre of social transformation and economic emancipation. Since the courts have pronounced that independent candidates must be allowed to contest, then so be it.

The Bill also does not address the question of gender representations in Parliament. This system will make things worse for women representation, in general. Men have the money to contest for the seats and now this will further disenfranchise women and prevent their participation in the legislations.

We believe that the Bill could have set an even higher threshold, putting more stringent measure to make it not easy for individuals to crowd the ballet paper. Therefore, the 15% threshold for names in support of an independent candidate is not sufficient in our view and should have been kept at

20 000.

The Independent Electoral Commission, IEC, has failed to convince us that they will indeed be able to pick up

fraudulent submissions of people’s names. The verification process that will be followed by the IEC is only aimed at picking up people who are not registered to vote from the lists that are submitted by these independent candidates, but it will not be able to pick up people whose names have been fraudulently submitted without their permission.

The Bill should have made it unequivocally clear that an independent candidate who has submitted the name of a person fraudulently to the lists of the names in support of their candidacy, should be disqualified for life from contesting elections.

While we have an obligation as lawmakers in this House to protect the constitutional rights of all citizens, we also have an obligation to ensure that our electoral systems are not abused by chance takers, who have no meaningful support in their communities, but want to run for public office.

The political zigzagging by the ruling party under the pressure from received funds and NGOs has now further reduced this threshold from 20% to 15%. We will not be surprised if they come again and reduce it further down to a mere 1 000 signatures.

We are also in support of the fact that an individual, who gets more votes than those required to secure a seat in Parliament, must forfeit those other votes and simply take the single seat that they contested, as an individual.

The deposit amount that an independent candidate must pay, must be the same deposit paid by political parties and it must not be refundable, as the inclusion of independent candidates will come with costs and those who wish to stand as independents, must not be chance takers.

While we support the establishment of an electoral inform panel, we do however want to caution against the following issues that may arise and thus impact negatively on the panel’s report: A lack of diversity in terms of the people appointed to serve on the panel will mean that the panel may not represent a diverse range of political views, social backgrounds and demographic groups, leading to a limited perspective on electoral reform. [Time expired.]

Ms M D HLENGWA: Hon House Chair, I deliver these remarks on behalf of my colleague, the hon L L van der Merwe. It is not my statement. South Africa is in a deep crisis. Because of this painful reality, South Africa approached the

Constitutional Court to be allowed to contest the position in the NA. the Bill before us is the result of the court action.

It must be pointed out, as we did before, that neither Parliament, nor the Minister needed to start the electoral reform process from scratch. The electoral reform already began in 2003 when the Prince Mangosuthu Buthelezi, the then Minister of Home Affairs, appointed the electoral task team, also known as the Frederik van Zyl Slabbert Commission. The Commission proposed a mixed-member proportional system, in which half of the parliamentary representation would be through a constituency and the other through the party list.

It is why, when the current Bill left the NA for the NCOP, the IFP pleaded for the need to include a small constituency component. However, this was ignored, leaving us with a flawed and unworkable Bill.

Have we, for example, considered what a debate will look like in this House with 100 different speakers? Have we considered how independence will benefit from free airtime like political parties and considered that the Bill before us? When they realised tht the Bill is not workable, the Department of Home Affairs quickly suggested a remedy - an electoral reform

consultation panel that must now do further work on electoral reform.

The IFP rejects this decision to grant the Minister sole prerogative to appoint such a panel ... [Time expired.] The IFP does not support the Bill. Thank you.

Mr F J MULDER: Hon House Chair, the latest extensions following two failures by Parliament to meet the original date of 10 June 2022 could have been avoided, had Parliament prioritised its duties to ensure broad electoral reform by June 2022, as per Constitutional Court original instruction.

As it often happens in South Africa, a golden opportunity for real reform has been lost through political interference. We now find ourselves at an impasse that is casting a shadow over the 2024 national elections for the following reasons.

Firstly, the FF Plus recognises the fact that the June 2022 Constitutional Court Judgment in the New Nation Movement matter confronted Parliament with a real challenge, but to invent a system that does not exist anywhere in the world and the Act as it stands to be amended does not protect the vote of equal value.

*Afrikaans*:

Verder, ironies genoeg, word die meeste swak dienslewering in plaaslike regering ervaar, waar daar juis ’n gemengde stelsel tussen ’n kiesafdeling en proportionaliteit is. Wat eintlik moet gebeur is dat politieke partye verantwoordbaar gehou moet word, dat hulle lede, wat nie hul werk doen nie, moet verwyder en dat die kieserspubliek nie vir ’n politieke party wat hulle vaal moet stem nie.

*English*:

Although the FF Plus is in favour of a proportional voting system for South Africa, the Act, as it stands, will most probably be challenged once again in the Constitutional Court. The FF Plus therefore rejects the Bill. Thank you.

Mr S N SWART: House Chair, following the New Nation Movement judgement, the Ministry’s Advisory Committee on Electoral Reform explored a variety of options and consulted various stakeholders, including the ACDP. With regard to the Constitutional Court, we would like to acknowledge Doctors Michal Louis and Pearl Kupe in the House today who played a significant role in the court case and the electoral reform in the country. The advisory committee suggested two models: a single member constituency option proportionally secured

through party lists, and in that case, independent would stand as individuals in constituencies and compete together with associates to the party list system; and the second model, which was a minimalistic approach proposed a slightly modified closed party list with multimember constituency system to accommodate the independents in an existing electoral system. This has never been done anywhere in the world, and therefore it is not surprising that even ANC veterans themselves said this system has not been implemented anywhere in the world and has been met with scepticism.

So, hon Minister, I fully appreciate the establishment of the panel to relook at the whole issue. We appreciate the fact that there were Constitutional Court deadlines. However, it is very important for us to note that had we started earlier in the process, had we looked at the Van Zyl Slabbert Commission, and the various options suggested by the Ministry’s advisory committee, we would have made further progress because clearly, even when you consider the amendments we are considering today, when you look at the signature proposals, and when you look at the panel suggestions, there are still avenues for constitutional challenges, and I think that’s why the panel was introduced.

Now, the concern with the panel is that the work has already been done. Our concern from the ACDP’ side, it will be a rehash of work that has already been done for many years and could result in wasted expenditure for the state. So, Chair, from our perspective, we really believe that of greatest concern to all of us must be the decline in voting. When you look at the youth, it is a matter of great concern. Less than half of all eligible South Africans cast their vote in the 2019 elections. Of the total of just over 40 million eligible voters in 2021 elections, more than 13 million did not even register. Surely, more meaningful electoral reform would have gone - the ACDP believes – a long way to address this worrying decline. More meaningful electoral reform - as former Minister Valli Moosa said:

Continued parliamentary neglect of meaningful electoral reform is like a person driving a truck that has fallen asleep behind the wheel.

Sadly, the ACDP was commending the progress ... [Time expired.] ... We would not support this report.

Mr N L S KWANKWA: From our side, we see this as work in progress, and that all that has been achieved so far is not

cast in stone. We should allow that an attempt to level the playing field has somewhat been made, and to reduce barriers to entry to independent candidates and other people who are going to be contesting. In view of that fact, notwithstanding the fact that obviously more work needs to be done in so far as ensuring that the verification process of ...

*IsiXhosa*:

... yaba bantu aza kuthi umntu ngamalungu abo ...

*English*:

... has to begin. Work around that has to be tightened up to ensure that there is some verification process. Other than that those issues, we are saying we support the Bill. Thank you.

Mr S M JAFTA: As we said in October, last year, the AIC has no intention to support this Bill in its current form. In our response to the Electoral Amendment Bill before this Assembly in October, last year, we expressed our reservations to this Bill. We said the Bill does not reflect the spirit of the judgement of the Constitutional Court in so far as promoting the constitutional requirement of proportionality. Our stance has not changed, given the fact that the National Council of

Provinces merely tinkered with the Bill. The NCOP merely performed a cosmetic exercise. The following makes this clear: independent candidate votes will still be discouraged if they reach or cannot reach a particular threshold.

As we said in October, it is imperative for this Parliament to strive for a reading that does not truncate the full effects of any of the rights afforded by section 19. The NCOP introduced a new section which requires both independent candidates and political parties to produce signatures totalling 20% of the quota for a seat, but we know that introducing new political parties alongside independent candidates does not address the abuse of having a high watermark threshold of 20% in order to contest elections.

We note the inclusion of section 23 to the Bill, which establishes an Electoral Reform Consultation Panel to investigate, consult on, and make recommendations in respect of potential reforms of the electoral system. This cosmetic change was never canvassed before this House nor did the courts order this Parliament to change the current electoral system.

As we said before, we agree with the Minister of Home Affairs that the judgement was never about electoral reform. The established Electoral Reform Consultation Panel therefore contradicts both our understanding of the judgement and what the Minister said.

As we said, and in closing, the real debate is whether the Bill in its current form will pass constitutional master. The jury is still out there, that’s why we will abstain on this particular vote. I thank you.

Mr M G E HENDRICKS: Hon House Chair, you heard that hon Steenhuisen will be the new president of South Africa in 2024, and further that the wasted votes in the ... [Inaudible.] ... will go to the winner. [Interjections] The votes of the independent candidates will go to the DA – from people who did not vote for them. I can’t understand why the DA has reservations now because they are going to get a lot of free votes seeing that hon Steenhuisen will be the new president of South Africa.

House Chair, Al Jama-ah believes that the Independent Electoral Commission, IEC, will not be able to organise free and fair elections in 2024 because there is just not enough

time to do so. The Budget has not given any hope. It should be double to make room for more resources. The Minister of Finance must relook at this for the sake of our democracy.

Al Jama-ah acknowledges the best endeavours of the IEC and the Portfolio Committee on Home Affairs. There is now compliance with the order of the Constitutional Court. The electoral reform needs more time as suggested by the Minister of Home Affairs, and the portfolio committee has given leadership in this regard. Al Jama-ah will support this Bill because we cannot further harm free and fair elections in 2024 without any further delays. We would like to call upon the citizens of South Africa not to harm our democracy by going to the Constitutional Court to challenge this particular Act. Thank you very much, hon House Chair.

Ms M MODISE: Thank you, House Chair. The DA was at pains when we were processing this Bill, simply because they have chucked many of their capable black leaders out of their party. Now, they are worried that the same individuals will come and contest their votes in their base.

The HOUSE CHAIRPERSON (Ms M G Boroto): Order!

Ms M MODISE: Our democratic system provides for checks and balances in the context that the Houses of Parliament work together on oversight or the drafting of legislation in a manner that the interest of the nation and that of the provinces are taken into consideration.

It is against this background that we are here today to support the amendments made by the NCOP on the Electoral Amendment Bill. The two substantive amendments relate to the lowering of the threshold for registration by both political parties and independent candidates to participate in the elections. The other amendment is the introduction of the electoral panel that will start a process to reform our electoral system.

I pity the EFF. They had failed to make substantive or meaningful contributions in the committee during the processing of the Bill. They come here and want to grandstand by making comments outside of the processing of the Bill. I pity you.

As the ANC, we are guided by our principle and policy positions outlined in our Constitution and also codified in the Freedom Charter. Amongst other things, the Freedom Charter

provides that: The people shall govern and that no government can claim legitimacy unless it is based on the will of the people. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Don’t mind, proceed. Hon members, stop! Hon members, please. Don’t concentrate on them. Please, proceed.

Ms M MODISE: We have listened to the submissions made during the public hearings and made considerations, as we decided on the Bill and the comments that were made by the people. The Bill, therefore, reflects what the people would have said in the public hearings, as well as our role as legislators to develop a Bill that will best cater for the interest of our people. As we traverse the path of strengthening our constitutional democracy, the courts will assist the nation in clarifying better, certain provisions in the Constitution, so that our people continue to give meaning to our constitutional democracy.

It is important to make a point that the Constitutional Court judgement on this matter of independent candidates did not prescribe an electoral system that Parliament should consider. However, the Constitutional Court ordered that the independent

candidates should be allowed to register and participate in the elections. It is important to highlight this point, as there has been some confusion or misunderstandings in the society about what the court judgment ordered Parliament to do.

Perhaps, let me reiterate what the court said on this matter. The court declared section 57(a) of Schedule 1A of the Electoral Act unconstitutional and invalid. It further declared that the Electoral Act is unconstitutional because it omits to regulate the position of an individual standing for election at the national or provincial level. It ordered Parliament to act on these orders. The Constitutional Court, as we said, did not prescribe the kind of electoral system that should be established going forward.

It is in this regard that we took an immediate feasible option in ensuring that the registration and participation of independent candidates is introduced in the Electoral Act. We affirm the amendments by the NCOP on the establishment of the electoral panel to look into the matter of the electoral system that South Africa can adopt, going forward. This panel will be composed of experts in the field and it will allow all interested parties to make inputs on the kind of electoral

system we would prefer as a country. Given the little time we had as Parliament to undertake the reform of the electoral system, we agree with the rationale behind the establishment of the panel.

As we all know, for many years, it has been a requirement for any party that wishes to participate in the elections in all the three spheres of government to register. The registration includes a sufficient support for the party to participate in elections. This requirement will also apply to independent candidates to register for the coming elections. We agree with the approach of using the thresholds as a base to measure the required percentage for registration for both political parties and independent candidates.

We, therefore, support the proposal for 15% threshold for registration, given that a single seat in the National Assembly requires at least 40 000 votes. It is reasonable to believe that an independent candidate who wants to register and participate in the elections has to prove a sizable number of support, like political parties. It is, therefore, not unreasonable to require 15% as a threshold for registration.

As we said at the beginning, as the ANC, we support the amendments made by the NCOP. We are confident that the introduction of the electoral panel will assist our country to define our desired electoral system of the future and thus advance the principle that, the people shall govern. Thank you.

There was no debate.

Question put: That the motion, moved by the Deputy Chief Whip of the Majority Party that, the Bill, as amended, be passed.

Division demanded.

The House divided.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, the Speaker had determined that, in accordance with the Rules, a manual voting procedure would be used and that the whips would conduct a headcount of members on the virtual platform for the purpose of ascertaining quorum and voting.

A quorum being present in terms of Rule 98(1), voting commenced.

AYES – 218: [TAKE IN FROM MINUTES]

NOES – 81: [TAKE IN FROM MINUTES]

Motion agreed to.

Bill, as amended, accordingly passed.

# CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON HEALTH ON OVERSIGHT VISIT TO THE EASTERN CAPE PROVINCE FROM 4 TO 6 NOVEMBER 2022.

Dr K L JACOBS: Hon House Chairperson, the Constitution of South Africa enjoins Parliament to conduct oversight to all organs of state including those at provincial and local level. The committees of Parliament are obligated to ensure that the Executive fulfils its mandate and is held accountable at all times. Accordingly, the Portfolio Committee on Health embarked on an oversight visit to health facilities in Nelson Mandela Bay Metropolitan Municipality in the Eastern Cape from 4 to 6 November 2022. The committee’s oversight visit was informed by various reports which showed coherence on the challenges confronting health facilities in the Eastern Cape including the Public Protector of South Africa’s report on allegations

of worsening conditions at healthcare facilities in our hospitals in the Eastern Cape.

An investigation by the Health Ombudsman identified various challenges with the recommendations of the portfolio committee visits to the Eastern Cape and investigation made by the Special Investigating Unit, SIU into allegations of corruption and maladministration with the Eastern Cape Department of Health.

The committee visited the following healthcare facilities: Uitenhage Provincial Hospital, Dora Nginza Regional Hospital, Livingstone Tertiary Hospital and Port Elizabeth Provincial Hospital. The committee made the following key observations on financial issues: The budget cuts, accruals and medical-legal claims result in health facilities being unable to deliver to optimal services due to financial constraints. The accruals and medical-legal claims deplete the department’s budget early in the financial year.

On governance with respect to the Livingstone Tertiary Hospital and Port Elizabeth Provincial Hospital, the key challenge is the complexing of the two facilities which makes it impossible to ensure proper governance of the two

facilities. On Human Resources, staff shortage is the major challenge across all visited facilities, both clinical and nonclinical staff. Appointment of nonclinical posts was last done in 2018, resulting in discontentment by stakeholders.

The infrastructure of all visited facilities is in a poor state. Maintenance is not done at these visited facilities. The infrastructure is dilapidated with cracked floors, leaking roofs and peeling paint. There is a general lack of space, overcrowding and lack of privacy which infringes on patient’s rights.

On cleaning, the equipment of all visited health facilities are unhygienic causing a health hazard to health users except for some units at Port Elizabeth Provincial Hospital. Equally, there is a shortage of medical equipment and supplies, and an abundance of broken equipment. For safety and security, Uitenhage Hospital, Dora Nginza Regional Hospital Provincial and Livingstone Tertiary Hospital reported safety concerns in the facilities. People fight outside the hospitals and take their fight inside the mentioned facilities. This poses a concern for staff working at these facilities and patients.

The committee observed the neonatal poor facilities and that they strive to provide a full package of health services, thus ensuring no user is left behind. The committee was impressed with the level of commitment from the management and officials in these health facilities. The conditions in which they were extremely depressing, yet, they exhibit compassion for the health user depended on them for services.

The committee made the following recommendations to the Eastern Cape Department of Health: To decomplex the Livingstone Tertiary Hospital Port Elizabeth Provincial Hospital to ensure dedicated management at each hospital. Fixing of infrastructure and the maintenance plan for health facilities. Ensure timeous procurement of essential medical equipment and maintenance plans for the equipment. Lifting of the moratorium on the employment of nonclinical staff.

Appointment and capacitation of governance systems, specifically at hospital boards at all health facilities. An urgent strategy to address medical-legal claims and their causes thereof. Ensure that hospitals have in-house laundry services and have adequate quality and quantity of linen.

The committee requests the Eastern Cape Department of Health to respond to the committee within three months of adoption of

the report by the NA. Now, I want to take this opportunity to thank all the members of the Portfolio Committee on Health for the attendance at the oversight. Thank you, hon House Chairperson.

*Declarations of Vote*:

Ms M O CLARKE: Hon House Chairperson, firstly, the DA would like to take this opportunity to thank the Health Ombudsman and the Public Protector’s offices for acting on the DA’s request to investigate healthcare services hospitals within the Eastern Cape. The outcomes of these investigations prompted the health committee’s oversight visit. The DA visited these hospitals in the Eastern Cape. The findings were so horrific that I sent the letter to the Health Ombudsman and the Public Protector’s offices to request immediate investigations.

The findings were similar to those of the DA. New-born babies had died in overcrowded and unstaffed wards. Waste material in the corridors of the hospitals. Sluice rooms in terrible space. Bathrooms and toilets that were not fit to be used by the patients. Massive shortages of nurses and doctors equating to one nurse to 50 patients. Nurses working in neonatal to

intensive care unit, ICU but not trained to give the necessary care and shortage of water supply, just to mention a few.

The health committee embarked on the oversight to Uitenhage Provincial Hospital, Dora Nginza Regional Hospital, Livingstone Tertiary Hospital and Port Elizabeth Provincial Hospital after receiving reports from the Health Ombudsman and the Public Protector where we observed the following issues: Acting CEO of the Livingstone Tertiary Hospital did not reside in the Eastern Cape costing the department extra for accommodation. Hopefully it is not another case of cadre deployment. Nurses’ residences are in an appalling conditions. Severe shortages of medical staff. Many theatres were dysfunctional and autoclaves are not in working order. In the ear nose throat, ENT unit in Port Elizabeth Provincial Hospital, they had no access to light and surgeons are forced to operate under the lights of their cellphones.

Patients have to bring their own blankets and linen due to severe shortages. There is no electronic filing system in any of these hospitals. In fact, patient’s files were shelved in room lying all over the place. Maybe the President should have visited our health facilities before making the appalling

statement on the state of the nation address, Sona. In his address he said:

Improving quality of care in our clinics proving our ideal clinic programme.

In fact, only 55% of the public health facilities have ideal clinic status. An oversight has revealed how dire the situation is on the ground. A professor in the neonatal ... [Inaudible.] 10:37 told us that when they are full to capacity and babies are transferred to a general ward where they will not receive specialised care. Parents are told to prepare themselves for the worst. This is too shocking to even comprehend. No wonder the Eastern Cape has the medical-legal claim amounting to more than R920 million.

In August last year, senior and junior surgeons at Livingstone Tertiary Hospital were unable to perform life-saving surgeries as there was no clean linen in theatres. Apparently, common occurrences. No wonder surgeons refuse to stay in such conditions and are unable to do their jobs and provide the kind of help that the citizens of Eastern Cape so deserve.

Some patients have been maimed while others have amputations as a result of the late surgeries because the department

failed to pay major suppliers. Some payments have been outstanding for almost three years. This compromises emergency, medical care and also brings small businesses to its knees.

In the Sona reply, the President said:

We will, therefore, progressively implement the National Health Insurance as soon as the necessary legislation is approved by Parliament.

Yet, his own Ministers of Finance and Health have stated that there is no money to implement the NHI. Something the Minister of Health, Phaahla would surely deny later but semantics would not change the country’s fiscal reality. In fact, not one mention of the financing of the NHI and its implementation in the budget speech yesterday.

State health care is on life support. We do not have the infrastructure to support the NHI requirements. The ANC-led government has proven themselves untrustworthy when it comes to maintaining, developing public services and infrastructure. They have failed in the simplest things like paying service

providers, filling in critical posts and putting systems in place to ensure uninterrupted quality health care system.

The DA recommends that the eastern Cape health state facilities are placed under strict administration to resolve the myriad issues identified in our oversight visits. We support the report as true findings. I thank you.

Ms N N CHIRWA: House Chairperson, the oversight conducted on 4 to 6 November 2022 at selected health facilities in Gqeberha in the Eastern Cape province was necessitated by the challenges revealed by the Health Ombud and the Office of Health Standards Compliance, including the findings from the investigation by the Public Protector of South Africa on allegations of worsening conditions within health facilities and hospitals in the Eastern Cape province.

Dora Nginza Regional Hospital, Uitenhage Provincial Hospital, Livingstone Tertiary Hospital and Port Elizabeth Provincial Hospital were visited and the following were amongst the challenges that they face: The neonatal facility at Dora Nginza accommodates about 40 beds only. This is far below the demand, and the repercussion of this crisis includes neonates transmitting diseases to each other because they share beds.

On arrival on this earth it is apparent that their lives do not matter.

The demand for services far outweighs the capacity to deliver them to health users. This results in unwarranted backlogs, patients being turned back from facilities and their constitutional right to accessing health care being ignored.

The hospitals are not fully compliant with the Mental Health Act. When our people succumb to the brutality of depression through suicide, Minister Joe Paahla must know that he is an active contributor as a Minister because he fails to see the realisation of prioritising mental health.

Infrastructure is aged with roofs leaking and falling into the hospital. However, the money meant to deal with infrastructural challenges is used and yet has never reached the affected hospitals and clinics. Shortage of ambulances, inadequate equipment, accommodation shortage for nursing and clinical staff, hospitals that are unable to procure portable x-ray machines due to lack of capital budget, non-functional conditional systems, acute staff shortages including unfilled nursing positions, shortage of ambulances and new-born infants dying daily in overcrowded and understaffed wards. The visit

confirmed the report of the Health Ombud and the Office of Health Standards Compliance and the Public Protector of South Africa on allegations of the worsening conditions within the health facilities in the Eastern Cape province.

It was noted with disgust during the walkabout the overcrowding in the hospitals where the ventilation was extremely poor. It was evident that our people come to hospitals with one illness and leave with two more illnesses because of poor ventilation and overcrowding. In all the facilities visited, dirty and bloodied linen was lying all over the buildings including unused or broken beds scattered outside or in passages. There were no store managers to respond to these issues despite that there are appointed store managers who receive a salary from the department. They only report to work in the instance that there is an oversight visit by officials. One of the acting CEOs had his posh accommodation paid for by the provincial department. That kind of money should have been used to hire extra staff as there are acute staff shortages as well.

The infrastructure crisis is one that requires urgent attention as it was visible in all facilities visited. It is a real danger to those using it, including ailing persons. It

was unacceptable that places of health, [emitholampilo], dirt, stench and fluids oozing everywhere in every corner is normalised.

In addition, these acute shortages of ambulances in general remain an issue. Not forgetting that in 2021 the Eastern Cape health department had awarded a failed R10,1 million to scooter tenders that was declared invalid and unlawful by the Special Investigating Unit, SIU. We therefore welcome the three months period given to the province to make considerable changes. The EFF supports the report on oversight visit to the Eastern Cape hospitals. Thank you.

Ms M D HLENGWA: The right to have access to health care services is a basic human right guaranteed by the Constitution. Section 27 of the Constitution provides that everyone has the right to have access to health care services, including reproductive health care services and no one may be refused emergency medical treatment.

The state of health care services in the Eastern Cape is undeniably bad, so bad that they stand in the way of South Africans and their constitutional rights. The Public

Protector, the Health Ombud and now the committee have confirmed this. Conditions in the Eastern Cape are critical.

The demand for care far outweighs the resources available. This is especially obvious for maternity and neonatal services. New-borns are dying in overcrowded and understaffed wards. Pregnant mothers are forced to sleep in chairs and wait days for care. Nurses who attend them are underqualified and hospitals are not equipped to handle the need. There are staff shortages at every turn. Nurses who are not theatre trained are in theatre while other nurses double as cleaners.

Officials are working as porters, administrators and cleaners.

*IsiZulu*:

Nibone ukuthi bahlupheka kangakanani abantu bakithi. Akukho nje okungcono laphayana. Izikhala zemisebenzi azigcwalisiwe. Konke akwenzeki ngendlela ephilayo. Sicela leNdu ukuba isisize iwulekelele umnyango ngokuthi kwenziwenjani laphaya ngoba ayikho impilo, abantu bakithi bayahlupheka ngoba ayikho impilo. Impilo uyithola esibhedlela ungena nje, ubona kuhlanzekile kunuka kahle, uyaphila noma ugula kodwa laphaya uuguliswa yikho khona lokho. Kuze kusize ne-NGO ekhona ingenelele nayo iwusizo. I-IFP iyaweseka lo mbiko.

*Afrikaans*:

Mnr P A VAN STADEN: Agb Huisvoorsitter, met ons komitee se besoek aan die Oos-Kaapse hospitale was die toestand wat ons as komitee daar aangetref het, om die minste te sê, uiters haglik en waglik.

Die verslag wat vandag ter tafel gelê word skep ’n akkurate prentjie van die haglike toestande van hierdie instellings. Die toestande was so sleg, dat van my kollegas aan my regterkant, van die ANC, by die Dora Nginza Hospitaal in trane uitgebars het. Nou kan u besef hoe erg dit was.

Die voorsitter van die komitee is ook op 9 Desember 2022, as volg, in die media aangehaal, en hy het gesê: “Die hospitaal is teleurstellend vervalle en dringende ingryping is nodig.” Die Livingston Hospitaal is in ’n droewige toestand en verdien nie om ’n hospitaal genoem te word nie.

Die VF Plus het tydens die komitee se besoek aan die Dora Nginza Hospitaal dit baie duidelik gestel dat hierdie hospitaal gesluit moet word, aangsien dit nie geskik is vir menslike gebruik nie. Die betrokke hospitaal is nie eers in besit van eenvoudige items soos besems en moppe nie.

Dit was duidelik dat die betrokke instelling jare laas deur enige inspekteurs van die kantoor van die Nakoming van Gesondheidstandaarde besoek was, en dat die Wet op Beroepsgesondheid en Veiligheid nie nagekom word nie.

Daar moet kennis geneem word van die feit dat die waarnemende hoofuitvoerende beampte van die Livingston Hospitaal ten duurste in ’n hotel tuis gaan, terwyl die provinsiale departement vir sy gemaklike verblyf moet betaal. Dit gebeur terwyl daar nie behoorlike befondsing is om mediese toerusting, medisyne en ander noodsaaklikhede aan te koop of om dit te herstel nie. Dit gebeur terwyl daar ook 2 941 vakante poste in die provinsie is. Nie-kliniese poste was laas in 2018 gevul.

Dokters van die instellings het ons ook ingelig van die swak toestande waaronder hulle moet werk, om pasiënte se lewens te probeer red, met dit wat hulle tot hulle beskikking het.

Wat ’n absolute skande! Volgens die LUR in die Oos-Kaap het die provinsiale gesondheidsdepartement in die 2021-22 boekjaar, R920 miljoen aan regseise uitbetaal. Volgens die LUR gaan die volgende bedrae aan die opknapping van infrastruktuur spandeer moet word: R36 miljoen aan Dora Nginza; R14 miljoen

aan Livingston; R14 miljoen aan Port Elizabeth se provinsiale hospitaal; en R6 miljoen aan die Uitenhage Hospitaal.

Daar is verskeie afdelings wat in die Port Elizabeth Hospitaal baie mooi ingerig is, maar dit is gedoen in samewerking met die privaatsektor. Die res van die hospitaal is vervalle.

Die VF Plus sal nie sy geveg teen die regering wat die toestand van ons land se staats- en provinsiale hospitale betref, staak nie. Ons sal ons veldtog in alle erns verskerp, om hierdie walglike toestande waaronder patiënte en gesondheidswerkers daagliks gebuk moet gaan in die ... [Onhoorbaar.] Die V F Plus ondersteun die verslag. Baie dankie.

Ms M E SUKERS: Thank you Chairperson. The ACDP notes with deep concern the report by the Portfolio Committee on Health on the state of health care services in the Eastern Cape. The report by the Portfolio Committee on Health reflects the state of political leadership in our country under the ANC government.

The term governance in Webster’s dictionary refers to the authority and direction of an institution under the control of a guardian or public officer. In ancient time the guardian’s

role was to protect and keep under guard. For the sake of time, I will reflect on a few issues.

The acting chief executive officer, CEO, of Livingstone Hospital states per the report that there was a governance collapse at the hospital. The statement certainly can be applied broadly on the health care system of the Eastern Cape.

It is devastating to read that in a democratic South Africa, pregnant women are sleeping on chairs, a waiting list of up to

30 patients daily for caesarean section births resulting in adverse outcomes and increased mortality rates during birth. In other words, a mother is going home without her baby in her arms purely because of poor health care. This, after she has been subjected to physical discomfort, poor care during labour, and no after care support.

The death of a child is devastating on women. We cannot make grand statements on gender-based violence, GBV, without considering the impact of poor health care services as portrait in this report on women in the same way.

When you read that, at Livingston Hospital, there are severe staff shortages at the intensive care unit, ICU, with patients

skipping doses of medication and that there is one nurse per

15 patients, and no heads of department, HOD. Read it within the context of a government who committed itself to improve health outcomes for women, who committed to advance the economic empowerment of women and who prides itself as pro- poor and pro-women.

When you read that oncology machines are not working and that R100 million is needed to repair them, consider the fact that every cancer patient is a bread winner and a contributor to our economy. Consider that every child growing up without a parent faces a higher risk to become vulnerable to social ills.

When you read that the committee noted the presence of young girls in the maternity ward, consider that this government undermines the rights of parents through proposed legislation like the BELA Bill, and the legalising of prostitution. This government weakens the family structure through lack of intervention, and fails in its constitutional duty when it comes to service delivery.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Deputy Minister Mashego, please mute. I am checking your time; I think it has to be six seconds.

Ms M E SUKERS: In six seconds, I would like to state that this government, as guardians is responsible for the state of health institutions like Livingston Hospital, Uitenhage Provincial Hospital, Port Elizabeth Hospital and Dora Nginza Hospital.

A guardian is a protector, and we cannot decry the state of GBV for women and children while as a government you are asleep at the wheel. Thank you.

Mr M G E HENDRICKS: Thank you very much hon House Chair. Hon House Chair, we would like to thank the Portfolio Committee on Health for a report that has opened the eyes of hon members in this Parliament. It is clear that the state of many of our hospitals and clinics is much to be desired.

So hon Speaker, when the House committee visits again that you will give them brooms and mops to take with so that they can also assist the hospitals instead of just coming up with the report.

Al Jama-ah is disappointed that the Minister of Finance has not implemented the ANC policy and later the government policy to launch the National Health Insurance, NHI, and has now put it on hold forever and forever amen.

Do the policies of the ruling part not count anymore? We, in the opposition benches were looking forward to universal health care and I do not know why the Minister of Finance is holding back, maybe he has some other plans for the money that was budgeted for NHI and there could also be other hidden agendas with regard to that.

I think it is very disappointing that after listening to this report, that part of South Africa is most probably a better serve than many other parts of the country. Women are suffering quite a lot, we heard that they are in pain.

We are going to celebrate International Women’s Day very soon and because of this report and the ... [Inaudible.] ... of this government with regard to rolling out the NHI, there will be nothing to celebrate on International Women’s Day but we will have to use that day to force government to implement the policies that the people voted for the political party to

introduce NHI and the nation is being led down. That is very shameful.

I hope that when the budget comes up for adoption the ANC members will vote against the budget. That is the only right thing to do otherwise they will show that they do not respect their own organisation’s policies. What kind of an organisation is that? Thank you very much.

Ms A GELA: Thank you Chairperson, hon members, the hardworking Portfolio Committee Chairperson Dr Jacob. The ANC remains dedicated to the various oversight processes that are in place in order to ensure that government is held accountable through parliamentary portfolio committee. [Interjections.]

*IsiZulu*:

ILUNGU ELIHLONIPHEKILE: Buka nje usuzishune kanjani!

USIHLALO WENDLU (Nk M G Boroto): Ima kancane Mama u-Gela.

*English:*

Hon Masondo, please.

Ms T S MASONDO: I am muted Chair but it is just appearing.

*IsiZulu*:

USIHLALO WENDLU (Nk M G Boroto): Besingeke sikuzwe uma umsindo wakho ubuthulisiwe. Qhubeka, Ma.

*English:*

Just do not talk, do not do anything. Proceed.

Ms A GELA: This including visits to provinces and interacting with communities and public servants at the core phase, ensuring that service delivery occurs in accordance with the law. The Portfolio Committee on Health conducted an oversight visit to Gqeberha in the Eastern Cape in November 2022.

This committee visit being justified by the report on the difficulties facing the province’s health care facilities including the Public Protector’s investigation into the deteriorating conditions in the Eastern Cape health care facilities.

Indeed, the condition that the oversight report being tabled today shows demeaning reflection of the state of the hospitals in that province. But most importantly, provide the perspective on the nature of challenges that plague the public health sector in South Africa.

The facilities that we visited show that there are structural issues that have permitted to nerve the health care in the province. A lot of the issues highlighted in the report across four hospitals visited are linked to infrastructure, Medico Legal Services and how patients experience services in public facilities among other things.

As the ANC, we are committed to the principle of access to quality health services for all. We also acknowledge that because of the two tier structure of our health system, there is enormous backlog in public health care due to unequal allocation of health expenditure which is heavily weighted towards the private sector.

We also note the issue related to budgetary constraints that confront the provinces as articulated in the report. This of course in line with the other government irregularities that may exist in the public service in general. We realise the impact of state health services has had on the working class in the province, especially women, youth and children and we believe that this issue should be addressed as a matter of urgency.

The report highlights that the workers in the facilities visited are highly committed and selfless individuals who strive to ensure that health care users receive care needed within experienced constraints. However, the systematic government’s challenges that exist continue to place a heavy burden on health workers as consequences affect service delivery of health services.

In our recognition of the virus processes that we have unfolded since the Public Protector’s report, we want to use this opportunity to emphasize that we need more stringent financial management in the Eastern Cape Department of Health.

We note the budget that has been committed towards infrastructure improvement in both hospitals and community health centres and expect that the implementation of highlighted programmes will be successfully implemented within this administration.

ANC notes the engagement between senior managers in the province including Members of the Executive Council, MECs and HODs. We welcome the turnaround strategy that was tabled and we expect that it will be implemented speedily. As a result,

moving the quality the health care services provided in the hospitals visited in the across other facilities.

We believe that this turnaround strategy alongside the President’s declaration to root out corruption will assist in strengthening the public health sector in the Eastern Cape. We also note the Minister of Finance’s allocation of R23 billion towards health and we are convinced that it will contribute to further improvement of quality health services in the province to its residents.

Chairperson, I will not leave the podium before I correct something. It is not true that the DA requested the Public Protector and the Ombudsman to go to the Eastern Cape. That is not true, you are misleading the society and the country.

The Public Protector came to the portfolio and reported that as portfolio committee members, we must go and see Eastern Cape’s condition hence we went to the Eastern Cape.

Another issue that I would like to clarify is that hon Chirwa, I know that you were not part of the committee visit but some of the information that you presented to us was misleading and untrue.

Also ...

*IsiZulu*:

... Mam’ uHlengwa, abantu bayaphila eMpumalanga Koloni, ayikho lento oyishoyo. Kunabantu khona futhi bafuna ukuqinisekisa ukuthi ... [Ubuwelewele.] ...

USIHLALO WENDLU (Nk M G Boroto): Ha-a! Ha-a! Mam’ u-Komani!

*English*:

What is it? It’s the interpretation ... oh okay ... no, I thought ... proceed.

Ms A GELA: Of course we understand Chairperson ...

*IsiZulu*:

... ukuthi abeqembu eliphikisayo bavele bame la bezokhuluma ngezinto ezingekho. [Kwaphela isikhathi.]

The CHIEF WHIP OF THE MAJORITY: House Chair, I move that this report be adopted. Thank you very much,

Question put.

Motion agreed to.

Report accordingly adopted.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, before we adjourn, it is not a good thing that members always have to be reminded to observe the decorum of the House. Let us get used to it that as soon as the House adjourns, all members must stand and the Mace is taken out followed by the presiding office whilst you are standing, once that is done, only then you may leave the Chambers. Can we get used to doing that for the decorum of the House? Thank you.

That concludes the business of the day and the House is adjourned.

The House adjourned at 16:40.