**UNREVISED HANSARD**

**NATIONAL ASSEMBLY**

**THURSDAY, 9 MARCH 2023**

***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

The House met at 14:00.

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

The SPEAKER: Thank you very much, hon members. I can assure you there won’t be a repetition of what happened yesterday. And that’s to my right. Okay. Thank you very much.

Hon members, the only item on today’s order paper is questions addressed to the President. There are four supplementary questions on each question. Parties have given an indication of which questions their members wish to pose a supplementary question on. Adequate notice was given to parties for this purpose. This was done to facilitate participation of members who are connecting to the sitting through the virtual platform.

The members who will pose supplementary questions will be recognized by the Presiding Officer. In allocating opportunities for supplementary questions, the principle of fairness amongst others has been applied. If a member who is supposed to ask a supplementary question through the virtual platform is unable to do so due to technological difficulties, the party Whip who on duty will be allowed to ask the question on behalf of their member.

When all the supplementary questions have been answered by the President we will proceed to the next question on the Question Paper. The first question has been asked by the hon T N MMUTLE. Hon President.

Question 1:

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. Hon members, South Africa, as most of us have come to know, will be the Chair of the BRICS group of countries in 2023, having taken over from China. We will chair this year’s Summit under the theme “BRICS and Africa: Partnership for Mutually Accelerated Growth Sustainable development and inclusive multilateralism.”

South Africa will host the leaders of Brazil, Russia, India, and China at this 15th BRICS Summit from the 22nd to the 24th of August 2023. It will also be preceded by a state visit that we will get from one of the BRICS leaders. The BRICS Group brings together some 3,2 billion people after the United Nations and the Non-Aligned Movement, BRICS is among the largest block of countries by population.

As part of our strategic intent to further advance the African development agenda within the BRICS Group. We are inviting several other African leaders to the Summit to together with other regional blocks around the world. Those that are leading and co-ordinating those blocks. One of the priorities during our chairship is to build a partnership between BRICS and Africa to unlock mutually beneficial opportunities for increased trade investment and infrastructure development amongst the BRICS countries. We are focusing in particular on opportunities that will generate economic growth on the continent, particularly through the African Continental Free Trade Area, and also focusing on infrastructure. There are great opportunities for BRICS countries to participate in infrastructure development on our continent and also take up opportunities that will be given rise to by the African

Continental Free Trade Area, by locating production and services activities on our continent and partnering with local companies and entrepreneurs in various sectors of the continent’s economies.

Another strategic priority is strengthening multilateralism, including working together towards real reform of global governance institutions and strengthening meaningful participation of women in the economy and in peace processes as well. Our priorities respond to challenges and opportunities that are shared by South Africa and BRICS members. There are also responsive to the needs and concerns of the broader Global South.

One of the founding values of BRICS is, the need to restructure the global, political, economic, and financial architecture to be more equitable, balanced, and representative as well. The BRICS countries agree that the United Nations must remain at the centre of multilateralism and be reformed to make it more effective, more inclusive, and much more representative of the global community. This includes the reform of the United Nations Security Council to ensure that African countries and other countries of the

Global South are properly represented and that their interests are effectively advanced and cared for.

A practical example of the contribution of BRICS to the advancement of the South-South Agenda is the New Development Bank, which was established by BRICS countries in 2015, to provide financial support to emerging markets and developing countries for infrastructure and sustainable development. The bank has to date approved 11 projects in South Africa, valued at around R100 billion in areas like road improvement, ports, water provision, and energy.

In 2021, the bank welcomed Bangladesh, Egypt, the United Arab Emirates and Uruguay, as new members. Firmly positioning the bank as an important global financing mechanism for emerging markets and developing economies.

The BRICS relationship extends beyond just governments of the member countries. Bodies such as the BRICS Business Council Working Groups, the BRICS Women’s Business Alliance, the BRICS Think Tanks Council, and the BRICS Civil Forum, ensure that the opportunities of this association are explored and expanded across society.

The relationship seeks to promote people to people contact, including youth formations among other things. This person to person contact enhances travel and tourism between BRICS countries. In all, there are some 190 meetings and events that will be taking place during the course of this year in preparation for the Summit that will take place in August.

Through its chairship, South Africa will continue to work with its BRICS partners to pursue the African agenda for growth, for development and also integration and to advocate for the needs and the concerns of our own continent as well as for the Global South. I thank you.

Mr T N MMUTLE: Thank you very much, hon Speaker and thank you very much for your response, Mr President. It must be noted that currently there are some around the globe, including the United States of America who are raising a concern about our relationship with the BRICS nations, in particular Russia and China. To an extent that they are pressurizing or urging South Africa to take a side on the Ukraine-Russia conflict.

Imperialists are propagating negative narrative about our relations with Russia and China in particular. We must remind

them of their own inconsistencies in military exercises conducted between South Africa and other BRICS nations. When the USA was in our shores for a military exercise last year in July, they were quiet, but now they are making noise with the current Russian ship and the Chinese Navy that are in our shores.

We appreciate one of the five priority areas to be advanced by South Africa during its tenure as the Chair of BRICS which includes, strengthening of multilateralism. Mr President, how will South Africa ensure that other African countries benefit from the BRICS establishment within the context of African Continental Free Trade Area?

The PRESIDENT OF THE REPUBLIC: Thank you, Madam Speaker. As I indicated, South Africa, and it has done this each time it has hosted or chaired BRICS, has always seen its own membership and participation in BRICS as being a participation and membership that should benefit the continent of Africa. To this end, we encourage those other African countries to have good relations with various other BRICS countries, but also to participate in the outreach programme that we have always put

in place where we invite them so that they can be part of the discussions that will take place at the BRICS Summit.

We have found that their participation leads to a whole number of other benefits on a bilateral basis with the other four BRICS countries, including ourselves. So, the BRICS Summit becomes a forum which brings together various countries on our continent to engage, and some of those engagements move from contact to contract. We are very pleased when those countries do deepen and broaden their own relationship with the other BRICS countries.

And this, we have found most beneficial and we did find this to be beneficial indeed, when during the pandemic, we as South Africa working together with our continent advocated for debt forgiveness, debt reduction, and for debt standstill. One of the BRICS members responded very positively to the intervention that we made as South Africa and was able to forgive debt and to reduce debt for some of the African countries.

So, we find BRICS as a very powerful platform or forum that is able to be beneficial in more ways than one from trade to

investment and to support in a variety of ways. And we have found that when it comes to investment, there is a great deal of support, not only from the New Development Bank, but on a bilateral basis as well.

One of the BRICS countries was most beneficial to us right at the beginning of the pandemic when we had a challenge with vaccines. India demonstrated that the relationship that we have within BRICS can indeed be beneficial to us as well.

Because we were one of those countries that benefited greatly at the hour of need. Government of India provided us with much needed vaccines. Thank you very much.

The LEADER OF THE OPPOSITION: Thank you very much, Madam Speaker. Mr President, the ANC hasn’t been asked to take a aside, they have chosen a side. I think that is typified by the fact of the Independent Electoral Commission, IEC,’s most recent declaration of party political funding where your party was the recipient of the R15 million donation from a sanctioned Russian oligarch. And one can only assume that is why BRICS has not been ... [Inaudible.] ... at the forum to be able to condemn Russia for their action.

Mr President, given the fact that you have announced that a BRICS head of state will be joining us here in South Africa, could you tell the House today, who is it going to be? Is Mr Narendra Modi, Mr Putin or Mr Xi Jinping?

The PRESIDENT OF THE REPUBLIC: Speaker, I didn’t specifically confirm who it would be. Because at the diplomatic level matters are still being finalized. The last time we had a BRICS Summit, we had two state visits, more or less at the same time, and it kept us very busy. And this time round we will have one state visit, so that we are then able to pay close attention to the summit, which is in many ways going to be much bigger in terms of the attendance of other countries than the last one.

So, at the appropriate time, we will be able to tell South Africans which of the four heads of states will be coming for a state visit. We are still finalizing those discussions and at a diplomatic level, and we will tell you way in advance.

Actually, I’ll come and whisper to you, Mr Steenhuisen. Maybe way even before we disclose it. Have you polished up your Russian? Thank you, hon Speaker.

The SPEAKER: I thank you, hon President. The third supplementary question will be asked by the Hon M G E Hendriks. Hon Hendriks, are you on the Virtual Platform? Will you please unmute yourself? Okay. Hon Hendricks, I will come back to you. May I now recognise the hon Hlengwa.

Mr M HLENGWA: Thank you very much, Madam Speaker. Mr President, to build on the last one, it’s quite telling that you won’t tell us. It’s probably caused you in a diplomatic quandary because of what is going on. I bet my last dollar ... [Inaudible.] ...

But Mr President, the fundamental issue confronting South Africa now is that we’ve been grey listed. And all the BRICS countries, of course are members of the Financial Action Task Force, FATF. But at the same time, you are making a clarion call for African countries to join BRICS. Amongst those great listed is South Sudan, Uganda, Tanzania, Nigeria, Senegal, Democratic Republic of Congo, DRC, Mozambique to name by the few.

What interventions are there in place or you proposing to have in place as part and parcel of the BRICS Agenda 2023, to

assist one South Africa, but also African countries who are on the grey list considering that all the BRICS members are actually part of the FATF?

The PRESIDENT OF THE REPUBLIC: The issue of grey listing obviously is a great concern to all of us as South Africans. Our Treasury team works very hard to ensure that we reduce the number of concerns that had been raised and we were able to almost eliminate all of them by I think five, six or seven.

Those are being addressed and we are hoping that we would be able to address them to a point where we will be removed from the grey listing or what they call “enhanced monitory section.”

As part of that, as South Africa, in terms of our own relationship with various other countries on the continent, we obviously continue to raise some of these issues of a governance nature, and of a good legislative nature. So, this has clearly given us an opportunity to look at ourselves, but also to play an advocacy role in relation to the various other sister countries on the continent. And we are therefore, as part of the 15 countries on our continent that sits on the UN Financial Ministers Committee, we are opening up discussions

on this matter because as we improve governance on our continent, this is one area which will need all of us needs to pay attention to.

So, our advocacy role is therefore going to also delve into this so that we should have a number of countries being taken out of the grey listing. And we are determined to do this. Our Minister of Finance, sits on that AU Committee and their discussions have started gravitating in that area. So, we are going to be focusing on the issues that have been raised by FATF, so that all of us can get out of that group of countries that are grey listed. But thank you very much for raising that issue. Thank you.

Mr M G E HENDRICKS: Thank you very, hon Speaker. I would like to ask the President whether there are any plans to invite Indonesia to join BRICS? As you know my constituency, we all

... [Inaudible.] ...

The SPEAKER: Will you please help? Hon Hendricks, you seem to have muted yourself again? Unmute please! Okay. We will now proceed to Question 2.

Question 2:

The PRESIDENT OF THE REPUBLIC: Hon Speaker, hon members, it is correct that, in order for policing to be more effective, it needs to occur closer to the people and together with the people. However, it is incorrect to suggest that this can only be achieved through the devolution of policing powers to provinces or municipalities.

A central pillar of our fight against crime is to ensure that communities are able to contribute to improving local safety and security through effective community policing forums, CPFs.

In line with the recommendations of the Expert Panel into the July 2021 Civil Unrest, we have taken steps to ensure that there are CPFs at all police stations throughout the country. To date, a total of 1 156 police stations in the country have active CPFs.

The South African Police Service Act is being amended to strengthen the functioning of CPFs, including through the provision of adequate resources.

Government does not have a policy on devolving policing powers to provinces, as policing is a national competency. The Constitution is clear very clear in this regard. Section 199(1) of the Constitution says: “The security services of the Republic of South Africa consist of a single defence force, a single police service and any intelligence services established in terms of the Constitution.”

Furthermore, section 205(1) of the Constitution says: “The national police service must be structured to function in the national, provincial and, where appropriate, local spheres of government.”

The National Commissioner is, in terms of section 207 of the Constitution, responsible to control and manage the police service, in accordance with the national policing policy and directions of the Minister of Police.

In terms of Chapter 11 of the Constitution, the responsibility of the National Commissioner to control and manage the single national police service cannot be transferred to a member of the provincial executive council or to a municipal council.

In keeping with the requirements of the Constitution, we are working to build an integrated police service to ensure effective governance and accountability and optimal co- ordination and alignment across the three spheres of our government.

The fight against crime will not be advanced through the devolution of policing powers, but by mobilising all available resources and capabilities, working alongside and within communities, to improve policing throughout the country. That, we believe is the best way in which we can continue to bring the levels of criminality down. I thank you.

The LEADER OF THE OPPOSITION: Madam Speaker, Mr President, on

29 January this year, the body of 16-year-old Jamie Lee Julius was lying face down in a pool of muddy water. She was brutally raped and brutally murdered. Her older sister found her body there, picked her up and carried her to a nearby house, to try and get assistance. She has succumbed to the rape and her wounds.

I am sure my condolences and that of the House are with the family of Jamie Lee Julius. Mr President, you and I can only

imagine the pain of that family. Mr President, Jamie Lee’s story is not unique. It happens 82 times a day, every single day under your government and under Minister Cele, who you continue to keep on as the Minister of Police.

Despite your promise to tackle gender-based violence and violent crime, under your watch, since becoming President, crime has gone up and murder by 40% - 56 to 82 murders per day.

Section 99 of the Constitution – and you have been very selective with your quotations today – allows you to assign any function that is to be exercised or performed in terms of an Act of Parliament to local government, including the South African Police Service Act. How many Jamie Lees have to be raped and murdered every day, until you replace your useless Police Minister and devolve policing power to the local level, where there it is proven, through the pilot project of the Western Cape, which you yourself has lauded, on occasion, to be effective in combating violent crime? Thank you.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Speaker, on a

point of order: Hon Steenhuisen referred to the Minister as a

useless Minister. Can he withdraw that, because the rules do not allow for anyone to cast aspersions on any member?

The SPEAKER: Hon member, I will check it, but ... Order, hon members. Order, please. I will check this and come back to you. I do want to make a plea that we should not continue to cast aspersions on one another. Thank you very much.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, I guess it is easy for the Leader of the Opposition to politicise the issue of crime in our country. In a way, it sounds like this is an electioneering type of speech. Now, we take the issue of crime very seriously and to this end, we have for both criminality, generally, and also gender-based violence, been demonstrably taking action to make sure that we address this.

One of the things that we .... [Interjections.] ... in our country ...

The SPEAKER: No. Order.

The PRESIDENT OF THE REPUBLIC: ... is to make sure that we increase visible policing, as we should strengthen our

community policing forums. In the two state of the nation addresses, we did promise that we are going employ more police, because the number of police had gone down in relation to the growth of the population and the ratio between police and population had really gone out of sync.

With the increased number of officers that we are employing and training, we believe that these are important steps that need to be taken to bring down the levels of crime. Already, with the 10 000 that have been trained and have now joined the ranks of the police, we believe that visible policing throughout our country will improve.

The other area that we are focussing on is to have the teams that are going to focus on criminality that happens in areas like, for instance, illegal mining, bank robbery and all that. So, all that is being focussed on and the training of our police is increasing. Even the detective training is being focussed on. This year, we are going to employ more police, as I have said in the state of nation address.

All these steps are aimed at ensuring that we do address criminality and the officers in the police are redoubling

their efforts through the various actions that they take. Arrests are increasing. Much as they are increasing, we still see a rise in murders, rape and robbery. All these are being addressed in a fairly focussed manner. I have confidence that with the Minister working together with the generals and with the officers in the police service, we will be able to make great success in this area. Thank you.

Ms N P PEACOCK: Hon Speaker, hon President, thank you for the informative and empowering response. Community-orientated policing is the cornerstone of our democracy and it remains the operating paradigm of the South African Police Service. In your opinion, is there sufficient co-ordination between the national and provincial spheres of government to execute effective control over the police, as per section 207 of the Constitution? Similarly, to that, to what degree does national legislation and delegated legislation constrain effective control on a provincial and local level? I thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, I do believe that there is good co-ordination. The co-ordination between national and provincial levels is actually well-led. Oversight is firstly given by the Minister as well as by the National

Commissioner, as he works through the various provincial commissioners. Every one of the provinces has well-trained, well-experienced provincial commissioners, who work together with the National Commissioner.

The Minister himself, as we know, is able to give oversight and support to the commissioners, as a whole, and travels throughout the country from time to time, to give that level of support. I believe that, with his intense focus on the levels of criminality and working together with the Commissioner and the provincial commissioners, we have been able to enhance co-ordination.

So, co-ordination, in the end, is not a problem. In terms of ensuring that it is line with the legislation, I firmly believe that that is the case. Further, with a single national police force, we are able to say that we comply with the Constitution and the work continues. We find that the work is best co-ordinated with a single police service, as we have in South Africa right now. Thank you.

Mr M HLENGWA: Madam Speaker, I am advised that this is a change to the sequence that we were doing. We were not on this

question. May I request that you carry on with those on the sequence. We will come as number four on this question in a few minutes. Thank you.

The SPEAKER: Okay. Thank you very much, hon Hlengwa. The third supplementary question will be asked by hon Mente. I thought that we are replacing hon Mente with hon Majozi. Hon Hlegwa, there is a request that hon Majozi would like to raise a question and because hon Mente is not here, we are now providing you with that opportunity. Okay. If hon Majozi is not here, I proceed to the last supplementary question, which will be asked by the hon Shaik Emam.

Mr A M SHAIK EMAM: Hon Speaker, Mr President, we must admit that there is success, but limited success with CPFs and things. Would you perhaps consider intervening? If you look at police officers in this country, in order to be more collated, they get R13 a day, as a daily allowance. Which one of us will send our children into that frontline risking their lives every day? Secondly, they travel by public transport to live in informal settlements and townships with firearms and they become vulnerable to criminals. Thirdly, the rate of pay needs to be reconsidered. Would you consider intervening in this

matter, so that we can motivate these police officers and also redirect our approach to preventing crime rather than acting after the crime is committed?

I agree with you that no province is immune to crime. Every province has crime, but we believe that we should redirect our approach to prevent crime and create a better, safer and secure environment. Will you consider intervening in that?

Thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, thank you, hon Shaik Emam for a progressive suggestion. Yes, the issue of danger pay has come up in the various negotiations and even now, the matter is being negotiated. It falls in that category of discussions that are taking place between particularly, the public service and, in this particular case, the policing unions. So, it is a cogent issue and I thank you for raising it, because they have raised it quite sharply and it is a matter that is now subject to negotiations.

The issue of transport is another big challenge that they have also raised. You are absolutely right. A police officer carrying a gun, getting into a public transportation facility

going to work exposes that officer to dangers and we have seen in the past that some of them are accosted and robbed of their firearms. They need to be travelling in a facility that will ensure that the property that they are carrying, which is the state’s property is well-secured.

Transport is however provided for many of our police officers. There are areas where it is not that easy, particularly where the vehicles are either being used or the vehicles break down. So, it is a matter that does need closer attention.

With regard to pay, it is one of those issues that are also being negotiated. So, in the end, it is the whole of government that needs to look very closely at the type of settlement that can be arrived at. In the end, it is also the responsibility of this Parliament, when the budget is presented, because the Minister of Finance has to balance a whole number of needs and the needs keep growing. One of those needs was, of course, to increase the number of police, so that we are able to positively temper with the ratio between population and police.

So, we are increasing the number and at the same time, it brings about other challenges, which is increased salaries, better conditions of employment. Let me assure you and also those serving in our police force and the defence force that the government is well aware of the challenges that they face. The government is willing and prepared to make sure that their conditions of employment are well-catered for and they are conducive for them to continue working for the benefit of the people of South Africa.

We are well aware that they make huge sacrifices. Some of them die in-service and they do this, so that the people of South African can be protected. So, we will take what you have said into account. Thank you very much for raising it.

Mr N SINGH: Hon Speaker, I am sorry to intervene like this. I wonder if the question for hon Majozi can be asked by somebody else from the IFP, as she is having connectivity problems.

Thank you.

The SPEAKER: Hon Majozi, are you ready?

Mr N SINGH: No, she is having difficulties.

The SPEAKER: She is having difficulties, so you will take the question.

Mr N SINGH: Hon Speaker, hon President, members, I am very encouraged by the fact that you indicate that we will have to ensure that we have a satisfied police force, both in terms of the salaries they earn and in terms of the infrastructure support they are given. However, currently, that is not always the case.

I think you and all of us are aware of the current strikes that are taking place around the country, which have turned violent, with even deaths of people taking place and even ambulances being prevented from taking their patients to hospitals. Now, I wonder what wisdom you will have for the police in this regard, because certainly, the police have to come to the party to ensure that the rights of the majority of the people in the country are protected. That is my question to you. Thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, hon Singh, like you, we are all concerned about the violent nature of the strike that is underway. Workers in our country have the right

to freedom of association. They also have right to strike. However, that right is not absolute, because there are certain workers who are in essential services, particularly workers, for instance, who are in the police service. That is an essential service as well as workers who perform very, very intricate services in the health sector such as doctors, nurses whose absence, and participation in the strike puts the lives of our people in danger.

Therefore, those workers who perform essential services, in our view, should not be on strike. They have the right to protest in whatever shape or form.

We should say that we will not allow any form of violence that will lead to people getting injured, people being prevented from performing their tasks where lives can be lost as a result of people being on strike.

We call on those who are on strike to continue to put the interest and the lives of our people ahead of everything else. The protest that are underway are well-understood. They can express their dissatisfaction, but even as they do so, staying away from work, they must also know that it is on the basis of

no work, no pay. So, if you don’t go to work, you will not be paid. If you protest, you must protest very, very peacefully and we will not allow the lives of our people to be put in danger. As you correctly say, it is the lives of our people that we have to safeguard.

During this strike process, we have seen many acts that are really concerning, where people who are sick and where workers who are in ICU units are being pulled out. And that is not acceptable. We should never accept behaviour like that. We expect our health workers to protest, but at the same time, to put the lives of our people ahead of anything else.

So, we expect that, as we move forward, these messages will be heeded, particularly the message that we have the right to strike, but you just need to know that, if you go on strike, there will be no pay. We also need work to be done and if you withdraw your labour, you should know that there will not be any pay and that you will not be compensated. Thank you very much for raising it, hon Singh.

Question 3:

The SPEAKER: Hon members, Question No 3 stands in the name of the hon J S Malema. As the member is not present to take charge of this question, and no other member has been authorised to take charge of his question, Rule 137(10)(b) provides that the relevant member of the executive must still reply to the question after which, notwithstanding Rule 142(5), the presiding officer permits four supplementary questions, each of one minute duration.

On the request ...

The PRESIDENT OF THE REPUBLIC: Hon Speaker ...

The SPEAKER: Mr President, sorry.

*IsiXhosa:*

Hlalani niyicimile imiboko yokuthetha apho.

*English:*

Thank you, Mr President.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, the escalation of crime and violence is one of the greatest challenges facing

our country, as I said earlier. To a large extent, crime and violence is rooted in the social and economic conditions that prevail in our country, which have worsened significantly as a result of COVID-19. These conditions are characterised by extreme inequality and poverty, spatial segregation and high levels of unemployment. Many of these factors that contribute to crime go far beyond the scope of the mandate also of the police.

A background note prepared for the World Bank in 2019, for example, notes that:

South Africa’s current challenges of crime and violence are rooted in a legacy of exclusion and uneven development. Crime and violence are consistently concentrated amongst excluded geographic and racial groups, where opportunities for socioeconomic advancement continue to fall short of real need, resulting in frustrated expectations.

Therefore, central to the programme of government and our ongoing engagement with social partners, are measures to address the social and economic conditions that fuel crime. At

the same time, effective policing is critical though in curbing crime and violence.

I am confident that the Minister and National Commissioner of Police are competent and able to lead the government’s collaborative approach to building a South Africa where all people are and feel safe. The Department of Police, under the leadership of the Minister, developed the Integrated Crime and Violence Prevention Strategy. This strategy complements other interventions that respond to crime and violence, such as victim support, access to justice, improvements to policing and strengthening of the criminal justice system.

The SA Police Service, SAPS, has also developed a national policing strategy, which was approved in September 2022 and is currently being implemented by the national commissioner. The national policing strategy include an initiative to increase the number of the SA Police Service members I spoke about earlier, which is underway – and which in many ways will improve visibility as well as the capacity of the police. It also involves skilling more specialised units, such as the family violence, child protection and sexual offences units,

organised crime units, public order police units, tactical response teams and a number of other units.

The police continue to undertake targeted operations in crime hotspots. These include operations to tackle cross-border crime between areas such as Mozambique and northern KwaZulu- Natal and the deployment of multi-disciplinary teams to counter the recent gang-related shootings in Westbury and surrounding areas in Johannesburg. The turnaround of the DNA backlog has almost been concluded and capacity at the forensic science laboratories has been enhanced. Many of you will recall that this was one of the big outcries, particularly by the women of our country. We had a huge backlog that ran into almost 50 DNA samples – those the Minister informs me has now been completely eliminated. I will be going to Gqeberha to go and open the laboratory which I am informed is a world-class laboratory.

We have seen also the value of co-operation between the police and other law enforcement entities through the Fusion Centre that we set up. By the end of 2022, 193 people had been charged in COVID-related corruption cases, 42 court cases had

been finalised with 40 convictions. This represents a 95% conviction rate.

Ultimately, crime is not just a policing issue, and as I said earlier, it is a societal issue. That is why the strengthening, I repeat - of community police forums and other community-based initiatives is an essential part of an effective response to crime. The Community in Blue initiative, for example, complements the work of the community police forums. It encourages more citizens to be involved in community safety in a structured manner. It promotes reporting of criminal activities and suspicious behaviour. It increases visibility in order to deter criminal activities and it also promotes community participation in crime prevention initiatives.

The fight against crime and violence requires great effort and focus. It needs an integrated strategy that harnesses all the capabilities of the police and the criminal justice system, alongside the efforts of the broader community. It is set that way and I have seen this myself where the community police forums work effectively. We are able to reduce the incidents of criminality. Because quite often the criminals are known in

the community. And where the community participates effectively and works well with the police, we find that the levels of criminality can go down indeed. This is one of the ways in which the police themselves can embark on initiatives that can ensure that we bring the levels of criminality down.

I have confidence that as we increase the number of police and we have visible policing and they work with community police forums, we will be able to see lower levels of crime. And of course, the training of police themselves has to be upgraded so that they are able to be more alert and to be more on the go and ensure that the people of South Africa are safe. Thank you, hon Speaker.

The SPEAKER: Thank you the hon the President. The first supplementary question will be asked by the hon Shaik-Emam.

Mr A M SHAIK EMAM: Thank you, hon Speaker. Mr President, your response tells us that you know exactly what the problem is as far as crime is concerned in South Africa. And you will agree with me that every crime is permitted in some local authority or some local municipality. The question is: Is enough being done at the local authority? Would you consider Mr President

having an imbizo or a bosberaad like some of ... [Inaudible.]

... bringing in SA Police Service, Basic Education, Social Development, local mayors and those from municipalities, and all the stakeholders together with civil society. Did you hear Mr President that in this House, many of us seem to have the solution. So, let them all come together – let them contribute effectively and let’s identify what are the root causes as you correctly identified socioeconomic conditions, dysfunctional family. Ninety-one thousand children giving birth children ... [Inaudible.] ... so that collectively we can contribute effectively by fighting and ridding the society of crime.

Would you consider that point of holding a bosberaad or imbizo with all ... [Time expired.] Thank you.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker and once again, hon Shaik-Emam, I thank you for a wonderful suggestion. [Interjections.]

The SPEAKER: Order! You may proceed, hon President.

The PRESIDENT OF THE REPUBLIC: I see hon Shaik-Emam that you are so popular in this House, on all sides. I particularly like the last portion of what you added that we should also

include members of this House. You call it a bosberaad, I would say it’s imbizos. I will be continuing with the imbizos and the Ministers will also continue with imbizos as we go throughout the country to engage with our people. We will make sure that the issue of crime occupies prime spot so that we can actually get the wisdom and the suggestions and the views of our people. We have the plans and the strategy. But we also want to make sure that our people understands precisely the efforts that government is putting in place to address the issue of criminality. The participation of even members of this House will actually be something that would be appreciated by ordinary people on the ground. Yes, I will take your suggestion up, and thank you very much once again for that suggestion.

The SPEAKER: Thank you, hon the President. The second supplementary question will be asked by the hon A M Seabi.

Mr A M SEABI: Thank you very much, Madam Speaker.

*Sepedi:*

Thobela, Mna Presidente.

MOPRESIDENTE WA REPABLIKI: Thobela! Tama!

*English:*

Mr A M SEABI: The fight against crime requires collaborative efforts between law enforcement agencies and the community at large. To apportion blame on the high level of crime to individuals would be more of a narrowed view on how to deal with crime. Maybe I should follow up on Shaik-Emam’s question and put it in another way. Hon President, how do we build a social compact on the issue of dealing with crime – meaning the bringing in together of communities, civil society movements and the law enforcement agencies in a compact to collectively deal with crime? Thank you very much.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker and hon Seabi. This is another good suggestion indeed. If we look back into our history, and indeed, recent history, we will find that we went through periods where violence was quite rife in certain parts of our country as we were marching towards our democracy. And we were at that stage where we called on various role-players, business, civil society and the police - even though they were the police under apartheid at the time.

We were able to mobilise many people, including the religious community. In that mobilisation, we were able to bring down the levels of violence in many parts of our country. This was a collaborative effort that involved the key role-players and our people on the ground. And our people on the ground participated very actively and the levels of violence were brought down. So, our history, our precedence and our experience does testify to the fact that when we work at a societal community level we are able to tackle even difficult problems such as the problem of criminality. We have done it before and I do believe that it can be done once again.

We have formal structures like community police forums. These are the structures that enhance collaboration, co-operation and working together. It is true that where there is close working together between community members, civil society organisations, religious organisations, even sports organisations, business, together with the police and including political parties that have their branches in those areas, we are able to get the levels of criminality down. If we look at the number of policing forums that function well, where community leaders work together with police and where they are able to co-operate with the police in the police

stations and all that, we do find out that that leads to really wonderful outcomes. And it is this that we are saying we should embark upon.

I have seen how even when we are fighting against drug peddlers and where community police forum exists, we find that even drug peddling in those areas does actually go down quite extensively – because even drug peddlers are known, even those who commit a whole number of acts of criminality are known.

When the community works together with the police then those things are eliminated. Hon Seabi, I agree with you and it is the way in which we can eliminate criminality. Thank you very much.

The SPEAKER: Thank you the hon the President. The third supplementary question will be asked by the hon the leader of the opposition.

The LEADER OF THE OPPOSITION: Madam Speaker, I think it will be a little uncomfortable to the family of young Jenny Julius that her murder and brutal rape ... [Interjections.] ... simply electioneering. We can’t raise our people pay in their Parliament, Mr President, where else can we raise it? Mr

President, forgive me but your responses that we must look to your Sona to take ... [Inaudible.] ... what we have done.

Thank you, Mr President, and forgive my ... [Inaudible.] ... the promise of social compact, performance agreement for Ministers, reduction of the size of the Cabinet, bullet trains, smart cities and all these things, and none of them materialised. And the same is your promise of crime, which is why crime and murder has gone up to 40% since you took your oath of office. Mr President, you have a Police Minister who can’t even catch criminals who are caught on CCTV committing murder. And I ask you that Mr President – my question again which you didn’t answer the last time is: How many Jenny leaf need to be brutally murdered and raped before you dismiss Police Minister and give us somebody who is serious about tackling crime? Thank you.

The SPEAKER: Thank you, hon member. The hon the President? Stop this running commentary. Please, wait! Please. The hon the President?

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. Hon Steenhuisen, I am just as pained as you are about the death of everyone, including young Jenny I am pained as well. And the

pain that you articulate is the pain that I also feel and I believe many of us feel here. And of course, we do not want to see the killings of young children in the way that Jenny was killed. We do not want to see that. It is to this end that we are taking all the steps that we are talking about. One of the things that this Minister that you want dismissed right now

... [Interjections.] No, no, no, no, but listen first. One of the things that this Minister whom you want dismissed - is this the Minister who raised the issue of the imbalance – should I call it imbalance - of the skewed ratio between police officers and the rise in our population. He kept coming for ... listen first – just listen first.

The SPEAKER: Order! [Interjections.] Order, hon members, please.

The PRESIDENT OF THE REPUBLIC: Even if you raised it, he didn’t raise it in a sharp way that he did. [Interjections.] No, you didn’t. Okay, let me put it you. He raised it in Cabinet, and you are not in Cabinet. So ... [Laughter.] So, he raised it so sharply and I know what your objective is. He raised it so sharply overtime and said this ratio is skewed and he then showed us - and this is very good as well –

comparing ourselves with other countries. And as he raised it, and I shouldn’t use this term – the penny nearly dropped because the levels of criminality have been going up and one of the things that we realise is that indeed, we have got to increase the number of police.

I think one of those who raised it, also sharply, is the hon Groenewald and if I’m giving the hon Groenewald credit wrongly, he will whisper to me one day. But he is one of those who raised it because when we look at the ratio, we realised that indeed our population has been going up and the number of police has stayed stagnant. In fact, it had even been going down. And it is for this reason that at the last Sona I said that we are going to increase the number of police, not by

2 000, but by 10 000. I have been to the graduation of those police officers and I have seen how rigorously they have been trained over the whole year and they have been going for further education and training as well.

This year we are also increasing and we have said over the Medium-Term Expenditure Framework, MTEF, that we are going to be increasing the number of police because we need to have visible policing. That is one of the remedies that we have,

including community police forum and of course, one of the things that this Minister has also insisted on is to have specialised units. In the past we used to have specialised units. Yes, they have been disbanded but now they are being brought back so that the police can be more focused and can be much more effective and be specialised. The police are benefiting from that because some specialise in violence or crimes committed against women and children. Some specialise in murder and robbery and some specialise in other areas.

As we reform our police service and as we focus more on criminality, these are some of the efforts that we bringing back, and more reliance on technology as well. Yes, you said the murder was committed with video cameras on. Yes, those who have committed that are now being pursued and they are going to be arrested. And that is the dedication that I really admire and I applaud the police force for they are doing the best. Some of them, a great sacrifice to themselves. I often go on National Police Day and meet the widows and the children of police who have died in service. It is a sad and sorry sight to see how many police we are losing in service. But at the same time, I applaud our police because they keep getting focus on the work that needs to be done. They are brave, they

are focused and they are committed. And we need to applaud them for the work that they do for the people of South Africa. Thank you, hon Speaker.

The SPEAKER: I thank you the hon the President. The last supplementary question will be asked by the hon W M Thring.

Mr W M THRING: Thank you. Mr President, gun and gang violence has claimed thousands of lives with 100 of children murdered because they are caught in the crossfire. A former police Christiaan Prinsloo was arrested for supplying over 2 000 to gang bosses and these guns have been directly linked to at least 1 000 murders and 1 400 attempted murders. The officers who arrested Prinsloo have paid with their careers by being demoted and one Charl Kinnear paid with his life. Mr President, in your first term of office, you promised a new dawn instead we have a new disaster. You also promised to deal with crime and corruption, instead we have some of the highest crime rates in the world. Mr President, what words do you have for the parents or children who have lost their loved ones as a result of the dereliction of duty by some – and I repeat – some, not all - in the police service. Will you apply new interventions and consequence management by holding the

Minister of Police and others under him accountable? Thank you.

The PRESIDENT OF THE REPUBLIC: Thank you very much. As I said earlier, I once a year do take time to meet the families, being either the widows or children of those who died in service. I do spend time talking to them and not only offering condolences but also assuring them that their husbands did not die in vain. And we thank them for the service that their husbands and their sons – it has often been men who have mostly been killed. I think there was one or two women. But we offer our condolences and thank yous to them.

When it comes to various types of criminality – and you just mentioned corruption – we have increased the arrests in relation to corruption and this has also happened in the police service as well. There are quite a number of high ranking police officers who have been arrested for corruption. This did not use to happen in the past. It is happening now.

We are demonstrating our total commitment to dealing with all forms of criminality, including criminality within the ranks of the police themselves. The very police officials we were talking about have been dealt with and we will continue to

ensure that there is accountability – not only at the Minister’s level, but also at various other levels as well to make sure that there is good work that will be done and that there will be accountability and responsibility.

So, that is the approach that we have been taking. As I said earlier, if you look at the number of arrests and convictions that we have had, even with another moment when we had criminality for instance, just during the COVID-19 period, the police and our investigating unit, the Special Investigating Unit, SIU, have really demonstrated that with greater focus.

Their focus is also inspired by what we say and do at the top level. They often say this is what inspires us – this is what makes us focus on what needs to be done because we can see, as they say, that at the top level of the leadership of the country, there is focus on ensuring that we rid our country of criminality and of corruption. The problem is so huge that rather than give up, we have got to make every effort to ensure that we address the problem at hand. And this is precisely what we are doing.

If you look at the various initiatives that we are taking, there are people in our country who track all that – who see

that progress has been made. The right people are being appointed to a number of positions – positions that used to be held by people who compromised – people who were doing things that were completely deviant from what we want to see as values that are embraced by those who are in key positions.

So, there is a turning of the tide. But because it is such a huge problem – yes, I will concede – it is taking much longer than what our people expected, but it is moving. The needle will continue to move and this I can assure our people that we will rid our country of high levels of criminality and we will also be paying close attention to corruption on an ongoing basis. Thank you, hon Speaker.

Question 4:

The PRESIDENT OF THE REPUBLIC: Hon Speaker and hon members, in October 2020, in response to the severe health, social and economic effects of the pandemic, government announced the Economic Reconstruction and Recovery Plan. The plan was founded on engagements among social partners including government, labour, business and community-based organisations. For the plan to succeed, government identified several key enablers. These include regulatory changes, a supportive policy environment and enabling conditions for ease

of doing business. They also include a capable state and effective social compacts.

In this year’s state of the nation address, I spoke of the centrality of a capable and effective state in addressing the country’s key challenges of poverty, inequality and unemployment, including load shedding, crime and corruption. We are therefore working to build a Public Service staffed by men and women who are professional, skilled, selfless and honest. This includes the implementation of the professionalisation of the Public Service framework. The framework itself proposes fundamental reforms including a stronger emphasis on merit-based recruitment and appointments, integrity testing before recruitment, revising the tenure of heads of departments and curriculum development on an ongoing learning basis.

In the Sona I announced that the National School of Government will work with other organs of state to conduct skills audits in infrastructure and frontline service departments. The skills audits will help to accelerate the professionalisation of our civil service. It will help us determine whether

critical skills do exist to effectively deliver economic infrastructure and essential services.

The key infrastructure and frontline service departments that will participate in the first phase of the skills audit will be Transport, Human Settlements, Water and Sanitation, Co- operative Governance, Public Works and Infrastructure, Home Affairs, Social Development and Employment and Labour. To enable departments to deliver services more effectively and to establish a single public administration, amendments have been drafted to the Public Service Act and the Public Administration Management Act. The Department of Public Service and Administration is leading the building state capacity programme. This is intended to develop appropriate interventions and initiatives to enable the state to deliver more efficiently, effectively and in a responsible manner.

This includes collaboration and partnerships.

There are multiple plans and interventions to ensure the successful implementation of the Economic Reconstruction and Recovery Plan. While we face significant challenges that we all know about, these challenges are not insurmountable. With

our social partners and through best practice we will be able to address these challenges as we move forward. I thank you.

Mr S H MBUYANE: Thank you very much, Mr President for your elaborative response. Hon President, pursuant to the capable, ethical and developmental state that we intend to build, what practical measures are in place particularly at a local level to ensure that government build its capacity and capability through insourcing services and also trying to limit consultancy in the process? Thank you very much, Speaker.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker and hon Mbuyane. We have found that at local level where the majority of services are outsourced, that has intended to weaken local governments because quite often those employed to perform those services before the outsourcing process are kept and they idle when the service is outsourced to others from the outside. And we have also found that the outsourcing process is rot with a whole number of other challenges. Some of them includes the level of overcharging. And overcharging is given because you still found those who were employed before outsourcing are still getting paid and those who now have the outsourced contract are doing exactly the same work that was

being done by those who used to do the work. So, that in itself brings about a whole number of challenges.

Where local government insources services you find that there is a reservoir of experience; a reservoir of knowledge and the people who do the work have been doing it for years. For instance, I once stopped on the roadside and saw people digging the road. I asked them and said, who do you work for? They said we work for the local council. How long have you been working for the local council? One said 25 years, one said 22 years and so forth. I further ask, do you know the water network of this town? They said, yes, we know it like the back of our hand because we have been working this for years. And I said, if this was to be outsourced, do you think that the service that is outsourced to a company would be able to do that? They said, no, because they do not have the knowledge that we have. This is what I have found to weaken our local governments. The work is badly performed by those who are parachuted in.

So in order to strengthen our local governments it is best that we insource the people who work, and should stay within the work.

The other problem of course with sourcing is double whammy as they say. I’m sorry to be colloquial. We often find that those who have the contract actually underpay their workers. They even exploit those workers. And it gives the notion, no, we are promoting entrepreneurs and all that, but if you look very closely the workers are actually underpaid. But there is a place for entrepreneurs that may be clear. There is a place for entrepreneurs and that is exactly what we need to support. As government we want to support entrepreneurs, but there have to be specialised areas where they can play a key role. And this is where our black economic empowerment process must be sharper and it must be more capable so that we are able to support them to perform tasks that are not necessarily easily performed by local governments. So that balance needs to be struck so that everybody benefits and local government is not weakened and at the same time we strengthen entrepreneurs who are able to perform tasks that will also strengthens local government. That is my view and that is how I believe we should do it.

The LEADER OF THE OPPOSITION: Thank you, Madam Speaker. Mr President, you cannot have a capable state with cadre deployment which is exclusive. You chair the committee within

your party that implement this policy. Many good people were replaced by the politically connected cadres in the Public Service and that is precisely why we are challenging this policy in court. During the Sona debate this year, Mr Lamola opened his speech, and I quote:

The ANC has done cadre deployment before, and we will continue doing it.

Despite the glaring evidence that the Zondo commission produced about how devastating and damaging this policy is on building a capable state and how it endangers corruption, Mr President do you agree with them? And will you continue with the policy of cadre deployment?

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. As a governing party like any party that governs we will appoint and place people who are capable, people who know what work needs to be done. Now you may want to say that that is cadre deployment, you may want to call it whatever.

I testified at the Zondo commission – I testified there and I gave examples. I set out examples from the Organisation for

Economic Co-operation and Development, OECD. The OECD did a paper on what the governing party is doing. And I brought it down finally to what the DA itself has been doing because the DA [Interjections.] No, no, listen first. The DA itself where it governs it appoints people who are aligned with its own philosophy, people who are often ... but I must give you credit though because there was one time where one person, I think they are in the Western Cape, who was clearly branded to be an ANC but the DA government kept that person. Why did they keep that person? It is because they said that person is really good at what they do. But for the most part ... [Interjections.]

*Afrikaans*:

... luister mooi, luister mooi.

*English*:

But for the most part the DA has been the real expert, the real expert at making sure that the people that they appoint are people who are aligned to their own thinking and philosophy. You look at their records. They have been unashamed about it; they have been quite clear that this is

precisely how they operate. Now, they hide it. They hide behind the notion of accusing the ANC of cadre deployment.

Listen first. We have cadres amongst ourselves. We call ourselves cadres like as we call ourselves comrades. And I guess the Comrades Marathon got that term from us. That’s what we call ourselves. However, I want you to listen to this carefully. When we get people appointed we look at capability [Interjection.] [Laughter.] Let me say ... It does not mean like in your case, it does not mean that there have not been people who should not have been appointed. That we will admit. It does not mean that there are people who should not have been appointed, but when we do appoint people we appoint people who have deep knowledge and we check their capability and their experience, and that is how we appoint people. We will not depart from that type of approach. That will continue being our approach.

In doing so we are not difference from other parties around the world. That is exactly how governing parties operate.

That’s what the DA does and that’s why the ANC will continue doing. Thank you very much, hon Speaker.

Dr W J BOSHOFF: Thank you, hon Speaker and hon President. Based on your evidence we do believe that good things may still happen. Noting your commitment to the implementation of the Economic Reconstruction and Recovery Plan, ERRP, and the importance of initiatives to stimulate domestic economic investment, economic growth and the eradication of unemployment, will you as the hon President personally and as the head of government commit to a rapid revision of the procurement policies of the national government, provincial governments and local authorities to allow for the purchase of vehicles exclusively manufactured within South Africa for use by the President, Deputy President, Cabinet Ministers, national government departments, provincial departments and municipalities thus stimulating the domestic industry? Thank you, Madam Speaker.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Dr Boshof for that clear and direct question. When I was elected secretary- general of the ANC in 1991, and we got into government, one of the things that I said then as the secretary-general was that it would be good if all of us in government travel in locally manufactured vehicles. That’s what I said.

And you know what, the workers from the National Union of Metalworkers of South Africa, Numsa, depot immediately made a South African made vehicle, a Mercedes-Benz, which they made with their own hands. And I think they even contributed some of their pay to build a red Mercedes-Benz for President Mandela. They said, this is our gift to you as our first democratically elected President. It was a Mercedes-Benz.

Clearly, a Mercedes-Benz made here in South Africa by South African workers must qualify as a locally made car. What do we make here in this country? We make cars that are, if you like, originated by your big original equipment manufacturers, OEMs, and many, almost all of them are here. The BMW is here, Mercedes-Benz is here, Toyota is here, Nissan is here, Volvo is here, Volkswagen is here and all that. For me the greatest joy is to go to these factories and see these workers making these cars with great excellence and great capabilities. They even bring workers from Germany to come and be trained here because our own workers have developed such great proficiency in making these cars which we export.

Much as in 1991 when I was a young secretary-general I had this notion. But later when I realised that these are South African made cars. And at times, yes, you’ll find that the car

that the President drives in is a BMW, but BMW is made here as well, and we export. And maybe the specific one that I drive in for security reasons and otherwise for security reasons because it has to be armoured and all that, is not made here. It is a very thin line. For us the real pride must be that many of the cars that even Ministers and Deputy Ministers drive in, including our police services, are made here in South Africa - whether they are BMW or whatever because we are such a globally competitive country in terms of manufacturing.

That is what we should celebrate. The celebration for me is to make a car here and we export it to the United States, we export it to Japan, we export it to Europe and the rest of our continent as well. For me that is the joy. So, we do make cars that we drive. Thank you very much.

Mr N L S KWANKWA: Thank you very much. Mr President, just for a record, when we take over power in 2024, we will also employ competent cadres of the UDM. President, one of the most common misconceptions about the developmental state economic model is to attribute its success to just its ability to build the capacity of the state and for it to create a conducive environment. While one of the features of a developmental

state is the ability to enforce performance standards both in the private and public sectors, that has not happened so far. Mr President, is enforcement as well as performance standards in the private sector where for example in instances where we use the powers to revoke licenses, revoke tax breaks and subsidies from industries that are either nonperforming or not doing what is expected in line with the socioeconomic objectives of the country, and whose objectives also do not support our industrial policy. Have we been able to identify such industries and such sectors of the society which have not aligned themselves with the industrial policy and the socioeconomic development of the country? And if we have, what have we done about them? Have we used or try to implement these performance standards on the private sector as well?

Thank you.

The PRESIDENT OF THE REPUBLIC: Thank you, hon Speaker. The noise that was made crowded out your initial statement. Did I hear you saying that when you take over power in 2024 you will also implement the same appointment method that the ANC uses?

Mr N L S KWANKWA: We will deploy competent cadres of the UDM as well.

The PRESIDENT OF THE REPUBLIC: My apologies, Speaker, for encouraging a dialogue. I apologise. The answer to your question is a simple one. We have embarked on a policy of localisation. And it is a policy through which we are calling upon and encouraging the private sector to focus more on utilising products that are made in South Africa. We have been criticised for this where those who have been critical of us have said that we will never be able to achieve the localisation dream. And we are finding that a number of countries that allowed the firms to start importing a whole number of products that they could have made, are now realising that they have actually been exporting jobs and they are now saying we want locally made products. When you have locally made products you are actually bringing back the jobs that you had exported.

Now, we are in the process of encouraging more and more products to be made locally and we will also be moving forward to say, do we incentify them? For those who do not use locally made products that are easily available, what do we do? Do we exert certain areas of penalisation? And we are in the process of straightening our industrial policy platform in that way.

You want to know, why not? This is a process and we have embarked upon it and it also touches on a whole number of others. Those companies that obviously do not comply, not only with the issue of localisation, but the whole number of other processes including laws, obviously, they have to face the strength and the mighty of the law because if the law prescribes that things should be done in a particular way, it should be done. I can assure you that in a number of areas that is the case in pact. Through the DTIC including the competition authorities greater focus is now being placed on those who do not follow those rules. I do believe that as we move forward we will be able to ensure that we agree. Greater jobs may be created here particularly as far as I am concerned when we encourage more and more localisation.

We have exempted for a while the issue of localisation when it has to deal with load shedding, particularly those companies that have to bring in parts or implements that we do not make here locally. But at the same time we have said we should also build capacity to have those parts, products or implements made here. This is a journey and it is a journey that I do believe will mature as we move forward. Thank you, hon Speaker.

The SPEAKER: Now, we proceed to the next question.

Question 5:

The PRESIDENT OF THE REPUBLIC: Hon Speaker and hon members, South Africa has more than 100 state-owned enterprises, SOEs. Our state-owned enterprises play a crucial role in the provision of public goods and infrastructure to enable economic growth. But they can do so, effectively, if they are properly capitalised and managed and if they have the capability and resources to carry out that role effectively.

We have made significant progress in restoring good governance at our SOEs and undoing the immense damage that was done by state capture.

As I announced in the state of the nation address, government is undertaking a far-reaching reconfiguration of our state- owned enterprises’ landscape. This process of reconfiguration takes the overall approach that SOEs that operate in specific sectors of the economy should be placed under the relevant government departments. This is currently the case for most SOEs. The only exceptions are the seven state-owned

enterprises that are in the portfolio of the Department of Public Enterprises.

The reconfiguration process is supported by the work of the Presidential SOE Council, which, among other things, has made proposals to strengthen the framework governing SOEs and determining an appropriate shareholder ownership model.

Among the recommendations of the Presidential SOE Council is the adoption of a centralised shareholder model for the management of the SOEs and that a state-owned holding company be established to house strategic state-owned enterprises and to exercise coordinated shareholder oversight. This will delineate the functions of policymaking and regulation from the shareholding and operations of those SOEs. Policy-making and regulation will reside in the relevant departments.

A holding company will instil effective governance and enhance the efficiency of those SOEs to achieve the government’s developmental objectives, to ensure increased transparency and accountability, and promote the commercial sustainability of those SOEs.

A state-owned holding company would enable streamlined governance processes, transparent financial systems, economies of scale, for instance in procurement, shared transactional services and adequate funding to SOEs to fulfil their respective mandates.

The SOE Council is in the midst of an in-depth exercise to establish the strategic and developmental role of each SOE, their financial position and operational capabilities. As part of this work, the council will make recommendation on which SOE could be placed in the proposed holding company.

As I said in the state of the nation address, the Presidency as well as National Treasury will work together to rationalise government departments, entities and programmes over the next three years.

This work, which will review the role of all departments including the Department of Public Enterprises, will inform the configuration of government going into the next administration. I thank you, hon Speaker.

The SPEAKER: Question 5 has been asked by the hon M Hlengwa. The hon the President!

*IsiZulu*:

Mnu M HLENGWA: Somlomo, ngicela ukulekelela kancane. Le mpendulo ebekade eyiphendula beyiphendula mina. Sekuyimina ke manje. [Uhleko.]

*English*:

Mr President, respectfully, I put it to you that you are not committed to your own commitments in so far as the reconfiguration of government is concerned.

In 2018 you said: As indicated in the state of the nation address we have begun a review of the configuration, size and number of national Ministries and departments.

In 2019 you said: To promote greater coherence, better coordination, improved efficiency, we have combined a number of portfolios.

In 2023, Mr president, you said: The Presidential SOE, which I appointed in 2020, has recommended that government adopt a

centralised shareholder model where it’s key commercial state- owned companies; and you go on.

Again in 2023, Mr President, you said: I have instructed the Presidency and National Treasury to work together to rationalise government departments’ entities programmes over the next three years.

Every year, every state of the nation address you kick the can down the road. What has emerged today, however, Mr President, is an indictment on you, wherein it says that the Department of Public Service and Administration in April 2019 handed over to the President a substantive report on the macro reorganisation of the state was never done. What has happened, Mr President?

In so now I pointed to you. every time your government departments and Ministers fail you take on the responsibilities into the Presidency. You have done the exact same thing.

So, Mr President, are you committed to the commitments you made to the public, to the country, to the economy? Because it

seems as if everything you say does not happen. Thank you, Madam Speaker.

The PRESIDENT OF THE REPUBLIC: Hon Hlengwa, you may want to recall that prior to 2019 we had 34 Ministries, I reduced that to 28 with the initial reconfiguration that I spoke about; and we have had 28. I also said the objective is to reduce further.

Recently, what I said at the state of the nation address, Treasury and the Presidency, including the Department of Public Service and Administration, DPSA, are going to look at how we further reconfigure because their reconfiguration report had brought us to 28, and I wanted us to go below that 28.

This time around, because we are dealing with key problems, one problem is electricity and I said that I would like to appoint a Minister of Electricity, which would increase the number of Ministries to 29, from 28.

In the course of looking at everything, including the enhancement of the capability of the state and the

implementation process to get us over these challenges that we are having, I decided that we now needed to have a Ministry, standalone, of Monitoring and Evaluation to make sure that there’s full implementation; that has then brought us 30. But not to the 34 that we had. [Interjections.] No, no, but ... and I have clearly said this is a transitory process. I’ve said that very clearly and there’s been clear transparency on this; it’s not for the weekend. [Laughter.] I have said so very clearly because the work that we need to get done is the type of work that we need to focus more attention and to ensure that the work gets done over the next 12-15 months and beyond that, in the next administration, when this party will be back as the governing party. [Laughter.]

When this party will be back as the governing party we will come back and reconfigure the state, following the report that will come, and I have said I’d like to see the Ministries going further down. And this is fairly simple ... [Interjections.] ... this is a fairly simple and straightforward.

The first one, and you asked a direct question, yes, the Ministry of Public Enterprises will cease to exist. It will

cease to exist because the entities that are now overseen by the Ministry of Public Enterprises will revert back to their department and - as I often been saying - the coordinating structure, which is your state-owned enterprise holding company, which is going to enhance proper coordination, give us all line of sight of what’s happening in our state-owned enterprises, the financial discipline that should be there, benefitting – as I said earlier on – the economies of scale when it comes to procurement, the board, the governance systems and all that, will now be housed in a state-owned enterprise holding company as that Ministry then exist.

That Ministry – as I said – is now in the process of putting together the legislation, putting together the way ... [Inaudible.] ... through which this holding company is going to function. So, that is the way, if we are proceeding. I made this public when I announced the various two Ministries that we are going to have.

Beyond that, we are going to look at the merger of certain departments. There are departments that land themselves to being merged so that we have a much more efficient executive where we have less administry.

This is work in progress and the end, as far as I’m concerned, is in sight. You may as well say: This is what you promised and so forth.

In 2019 we had 34 Ministries, we did bring that down by six. Now, we have gone to 30 ... for the reasons ... yes ... for the reasons that I have set out, and all these are transitory because we’ve got specific challenges that we are addressing right now. Thank you, hon Speaker.

*Setswana*:

Moh M M E TLHAPE: Madume, Tautona.

*English*:

Hon President, the establishment of the Presidential SOE Council is a clear indication that the process of reconfiguration of SOEs is underway and I thank you for explaining to us that this is a process, not something that can be done overnight, over 12 months.

Now, Mr President, in addition to the strengthening of governance framework of SOEs, what are other issues that the SOE Council is dealing with? Thank you ...

The SPEAKER: Hon Leader of the Opposition, don’t distract the President. It’s possible to finish at five, you know!

The PRESIDENT OF THE REPUBLIC: Hon Speaker, the Presidential SOE Council is dealing with a whole number of other matters, as I said, is dealing with the issues of governance to look at how we streamline governance to avoid the situation that we have now where a number of our own state-owned enterprises have different governance processes and procedures which are enshrined in their memoranda of incorporation and we find, as we look at it, completely different one. The board’s system of appointment is completely different, and we are the same government. We find that their financial systems are also very different. And when some of them are not even able to submit their annual financial statements, we do not have line of sight of that because some of them almost operate hidden somewhere and we don’t have line of sight.

A coordinating structure which was initially proposed by the Presidential Review Commission, which was chaired by - I think

- Ms Phiyega, almost 10 or 12 years ago, suggested precisely that, and now we are following through and the SOE Council has confirmed that this is the best way of dealing with it.

It is also looking at just the operational processes. But the more important part for me is the procurement processes where we have not been able to benefit from the economies of scale when it comes to procurement. For instance, Eskom, when it needs to procure steel. It procures steel in the billions.

Transnet also has to do the same. Quite often they go to the same source and they do not have a combined strategy of doing the procurement system which can bring their prices down. And this, in itself, will help a great deal when it comes to procurement, utilising our economies of scale.

There’s also the question of balance sheet management. Through this we will be able to manage the balance sheets of your state-owned enterprises in a much more efficient manner. And so the holding company concept, we found would help a great deal. Other countries have it. For instance, Singaporeans have it, in an entity called Temasek. They’ve strengthened their own state-owned enterprises and some of them are global players. And, yes, in China they have more or less the same, not exactly like Temasek, but more or less coordinating structure.

So, we are doing something that is not very different from what others have done. And others have also been able to build their sovereign funds through, either, the dividends and the special finances that they have been able to draw out of their own state-owned enterprises.

This is aimed at ensuring that as a government we have line of sight and that the shareholder, which is the people of South Africa, are able to see exactly what is happening in their state-owned enterprises at one glance. We will be able to see exactly how each one is happening: board appointments, remuneration of directors and all that. And that is easily done or effected when you have a seamless coordinating structure, rather than have these many. And of course, no doubt, not each of the more than 100 will lend themselves to meeting the criteria to be part of this, but the majority, the big ones, should be part of this because they are the ones that in the end really move the economy, infrastructure projects that they embark upon, contribute a great deal to our fixed capital investment. So, this is the way in which we believe we should go. And the timing of some of those processes, like capital investment, would also benefit a great

deal if there is closer coordination. Thank you, hon Speaker. [Applause.]

The LEADER OF THE OPPOSITION: Mr President, you preside over one of the largest Cabinets in the world and one of the most bloated and expensive. And, Mr President, you can fool some of the people some of the time, but not all of the people all of the time.

It is a reality, Mr President, that sitting on your desk since 2019 is a report from the Public Service Administration, it has done all this work that still needs to be done, it has done all the studies and it was completed way back in 2019.

They recommend that the size of Cabinet, use of a number of governments, but that’s been gathering dust on your desk since 2019.

Mr President, given the fact that you’ve got all these Ministers living like rock stars, 97 mansions with over a billion rand, free generators, free electricity, luxury vehicles and sadly they are not [Toyota] Fortuners, they are high end luxury vehicles.

Do you think it’s fair that South Africans, who are suffering under this cost of living crisis, should exist with these Ministers living like rock stars while they are suffering?

And, Mr President, are you in receipt of this report from the Department of Public Service and Administration? If so, why we’ve done about it since 2019? Thank you, Speaker.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, well, I don’t know about rock stars ... [Interjections.] ... The report from the Public Service has dealt with the issues of, yes, reconfiguration, but also from the point of view of how some of the departments can be brought together and merged.

For the departments to be merged we found, as we did in 2019, by the way, also inspired by the work of that report, we found that it takes quite a while because all of a sudden you’ll find out that you got ... merging two departments you’ve got two director-generals, DGs, and in some of them you’ve got a number of deputy director-generals, DDGs, and as you bring the functions together, that tends to take a great deal of time.

And part of the work that was done to reduce from 34 to 28 was inspired by the work that was done; so, that was inspired

then. But then we said we are going to do more further reconfiguration and this is precisely what we are on the way to having done.

For this year and for the 15 months that we have, we’ve added two Ministries. Firstly, as I said, electricity, which is an existential challenge and problem right now for all of us as South Africans. Secondly, implementation process to make sure that everything is properly and well implemented.

I can understand, on your side you say it’s bloated. By no means we are not the biggest Cabinet in the world, we are not; by any means. And I have looked at a number of Cabinets around the world, I have looked at them ... [Interjections.] ... and I found that we are basically in line with many others. Having come from 28 Ministers to 30, admittedly, which I have stated very clearly the reason for that and I’ve also said it is a time bound increase and we are going to revert back to much less than the 28 because we are dealing with challenges right now.

I know, obviously, on the opposition side there’s no real understanding ... [Interjections.] ... for starters, and no

understanding and no agreement, and I think that’s where we part ways. And we must accept that there we part ways because we have a particular focus and because the focus is to address electricity challenge right now, we have decided to do it in the way that we are doing right now.

But regarding reconfiguration, I can tell you now that I am focused on it and my focus started in 2019 when I reduced the Ministries from 34 to 28. Now ... [Interjections.] ... yes, there are 30 and they are going to go further down. Watch the space! Thank you very much, hon Speaker.

Mr W W WESSELS: Hon President, you speak about good governance and that governance has improved. The problem is that the Department of Public Enterprises, itself, obtained adverse findings in its audit outcomes regarding governance and that is why governance is not improving.

So, a failed Department of Public Enterprises where the Auditor-General says that leadership is lacking, compliance with laws and legislation is lacking, fail. Now, your government wants to replace it with a holding company.

Mr President, our problem is not only limited to electricity crisis. If you go and look at all the state-owned enterprises, they have failed and they are costing taxpayers money and they are actually taking away money from the poor and the vulnerable.

Will this state-owned holding company not cost the taxpayer more money and be more fail than the Department of Public Enterprises under your government?

But I do want to agree that this is a transition because next year there will be a different government than an ANC government. I thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, I see hon Groenewald doing what they do in soccer matches. I didn’t know that you love soccer so much.

Hon Speaker and hon Wessels, you will be pleased to hear that the Presidential SOE Council in crafting their proposal, which they will soon finalize, they are actually saying in the end the way the state-owned enterprise holding company should be structured, it should not in the end cost the taxpayer money.

And we’ve got financiers, who are looking very closely at how it should be structured and financed, and they have made it a point that we do not want this to be a drain in the fiscus.

So, I’ve taken a lot of courage from that because even those who have, in a way, been a bit doubtful about whether this is the best way to go, when they have heard the structure and the way it could function and the coordination process, because it just does not leave things messy and our state-owned enterprises in a messy situation but well-coordinated. But the policies and regulation being done by departments, and it is the shareholder relationships and the management thereof; they have taken quite a lot of courage and confidence in that.

So, it is a transition, not of the type that you’re talking about, it is a transition to a better management of our state- owned enterprises.

A number of our state-owned enterprises are operating rather well. I can cite one really good one, which I used to be associated with, SA Special Risks Insurance Association, Sasria. Sasria operates extremely well and has been one of those that has paid dividends, from way back when I used to be

Chairman thereof, and it was only now with the unrest that it needed some bailout money. But it has supported a lot of businesses, almost completely outside the mandate it originally had.

So, we’ve got some number of state-owned entities that are working very well. Should I name another? There are quite a few. [Laughter.] They are not coming to mind now as I stand here. [Laughter.] But there are quite a number ... Denel, yes, you raised Denel. No, no, Denel is one of its kind on our continent and it’s well positioned to compete with a number of arms manufacturers in the world. And the orders that Denel has now, it’s just going to make it shoot right through the roof. But it has needed support and we have decided to give it support, rather than shut it down.

I mean the intellectual property, IP, that resides in Denel is just amazing. Even those who come from outside, when they look at the IP that we’ve got, they are just amazed that we’ve got such a company on the African continent.

[Interjections.] ... no, but Eskom, we all know. I mean we all know what’s happening with Eskom, huh? ... [Interjections.]

... no, no. now, we are repositioning ... I like this. Speaker, I like this ... [Interjections.] ... Transnet? ... no, let’s ... Transnet ... no, no, no, let’s talk about Transnet.

Transnet is facing challenges right now. But we’ve got clear plans. I’m going to be having conversations with a number of those people. What we have done ... I mean if you take care to listen to what we have done. Transnet’s challenges have got to do with investments. And a few months ago they issued a bond, they issued a bond which was oversubscribed, about a billion dollars; well oversubscribed. Which shows that investors still have a lot of confidence in the ability of Transnet to operate well. They are facing challenges now and their challenge is investment. And that is why we have embarked on a process of inviting those with capital, those who have the money to help us with our ports, to help us with a number of their operations and it’s a well-managed process. We are going to be inviting those who can participate in the concessions that are going to be made, and this is done in many other countries.

So, we are going to strengthen Transnet and Transnet used to be a great operator, and we are going to take it exactly where it is.

And a number of others that have really faced a number of challenges but the resolve amongst us is to reposition our state-owned enterprises and the state-owned enterprise holding company is going to be a great boom because we will have clear line of sight of what is happening in our state-owned enterprises and be able to introduce discipline in order to introduce much better operating systems, the financial systems as well. So, I’m very confident that the assets that we got are soon going to be turned around and they will be made to operate better. Even people in the private sector are saying this is the way to go because they know very well how coordination can help companies to operate a lot better. So, we are on a journey and we are going to get there. Thank you very much, hon Speaker.

Question 6:

The PRESIDENT OF THE REPUBLIC: Honourable Speaker and hon members, the Expropriation Bill is currently in the National Council of Provinces. My constitutional obligation, in terms of section 79 of the Constitution, is to satisfy myself of the constitutionality of a Bill before I assent to it.

If I have reservations about the constitutionality of a Bill once I receive it – and only once I receive it – am I constitutionally obliged to send it back to this House first? The Constitution only provides for a role for the Constitutional Court if I am not satisfied with the constitutionality of a Bill after this House has reconsidered it. I cannot make such a determination, hon Groenewald, until Parliament has finalised its work and the Bill is on my desk for assent.

As I have previously said to this House, the Expropriation Bill is critical to addressing a hunger that our people have for land. Deprivation of land was central to the disenfranchisement and dispossession of the majority of South Africans.

Addressing this historical injustice is critical to increasing the promise of our Constitutional dispensation. This principle is entrenched in our Constitution, where section 25 speaks of the nation’s commitment to land reform, and to reforms to bring about equitable access to all South Africa’s natural resources.

The state is enjoined in our Constitution to take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis. We are also empowered to take legislative and other measures to achieve land, water and related reform to redress the results of past discrimination.

We are committed to respecting our Constitution and fulfilling its promises. So, once that process is done and the Bill is presented to me on my desk, it is then that I will be able to examine the issues of whether it is constitutionally compliant or not. Thank you.

*Afrikaans*:

Dr P J GROENEWALD: Agb Speaker en agb President ...

*English*:

... may I misuse my own time and quickly respond to the police matter. Hon President, I would like you to ask and talk to your Minister of Police because yes, we need 10 000 new members but as we speak now there is a deficit of 358 trainers in the police services. I don’t need to tell anyone that a police member who is not trained well is not only a danger to

him or herself but also to the community. There is no use to have 10 000 new members who are not well trained.

Coming to your answer, thank you, hon President. You referred to the process and I agree, but hon President, will you also agree that the process of the Expropriation Bill actually started in 2015 where there was an effort from the governing party to amend section 25 of the Constitution that clearly says that there should be and there must be compensation which is fair and equitable. The governing party did not succeed.

Now they continue with the same principle with other words to say ‘well, it is actually not expropriation without compensation, it is actually compensation at no value’.

*Afrikaans*:

Nou, agb President, mens hoef nie baie intelligent te wees om te weet dat as die waarde nul is, is dit so goed soos onteiening sonder vergoeding.

*English*:

Don’t you think it will enhance more trust from potential investors in South Africa, especially for the agricultural

sector, when there is certainty that it will go to the Constitutional Court to be tested? I thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, to the hon Groenewald, thank you very much for your response on the issue of police trainers. It is certainly a matter that I would like to take forward and look into. Thank you very much for that information.

On the issue of the Expropriation Bill which you compare to section 25, the interpretation of section 25 by those who are legal eagles says that imbedded in that section 25 is a process where the compensation, when taking into account all the factors that are set out in section 25 on how the land was acquired, what it was used for and all the use it will be put to in the future and so forth, could also result in nil compensation. Similarly with the Expropriation Bill.

The last part of your input is very instructive in that in the end, because we live in a constitutional state that is ruled by the rule of law, the Expropriation Bill does cater for when you have an issue or complaint you are entitled to take that up. That is what I think infuses confidence in investors

knowing that South Africa is a country that is ruled by the rule of law, and that if you have any dispute of whatever nature you will be able to approach our courts and be able to get justice.

Section 25 talks about equitable compensation and in the end the Expropriation Act also refers to that. It does talk about the fact that it could be nil compensation, but it has been made clearer in the Expropriation Act and also the understanding or the interpretation embedded in section 25.

Those who have given us that type of interpretation have made that clear.

In the end, the real guarantee for any investor or anyone is that our robust judicial system and robust Constitutional Court in the end becomes our defender. If you look at that Act you will see that you have to go through a number of processes before you even arrive at that level which you are complaining about. So, I am going to wait for that Bill to be finalised and in the process of finalising it maybe greater wisdom will come through. There will be further amendments and redrafting, and the concerns that you are putting forward can be inserted. When it comes to me, as President, I will look at it and if it

requires that it should be tested in the Constitutional Court it will be so and if it requires that it should be returned to the House then it will be so.

This process, hon Groenewald, is transparent, inclusive and I do believe that investors take a great deal of courage in looking at the way that we deal with matters that are as sensitive as this. Thank you very much, hon Speaker.

Ms N NTOBONGWANA: Hon Speaker, to the hon President, thank you for explaining clearly to hon Groenewald. In fact, this Expropriation Bill is repealing an old apartheid Expropriation Act 63 of 1975 that was passed by fathers of some of the members that are here. What this Parliament is actually doing is to ensure that there is transformation in this country. It is therefore our constitutional role as members of this Parliament to process legislation that is before us to ensure that all matters relating to constitutionality are therefore

...

The SPEAKER: Question, hon member, you are out of time.

Ms N NTOBONGWANA: Thank you, hon Speaker. I would then just ask the hon President to explain to the House how then this Bill be implemented by the Minister of Public Works and Infrastructure. Thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, I would like to thank hon Ntobongwana for making reference because the historical reference is also important. It is important to have a little bit of a history because the Expropriation Act of the apartheid era was used to good effect without any compensation. That is true.

I want to tell you a personal story. I was born 17 November 1952 at 1627 Letanka Street in Western Native Township. My mother was 5km out of Louis Trichardt. In 1952 my mother’s family in Louis Trichardt and my father’s family in Johannesburg were both removed. We were both removed from where we were born, and I promise you my mother’s family did not get compensation, and we were later told it was the Expropriation Act that was used with no compensation. They were taken and dumped almost 40km away from Louis Trichardt. Myself, my sister and brother, father and mother we were taken from Western Native Township — 5km out of Johannesburg to

almost 30km from Johannesburg to Soweto. We had a beautiful home. No compensation.

What the hon member has referred to is what our lived experience as black people in this country has been about; being removed, possessions being taken away from us with nil compensation. Not even the ability to go to any court to raise your dispute. Zero.

Today, more or less the same piece of legislation is being revived because any government around the world has the right to expropriate. If you want to build a railway line and there are people living there you can move them and expropriate the land. Sometimes there is payment and at times there is no payment. It happens all over the world; United Kingdom, America, Japan and various parts of our continent. So, this thing is not new.

However, we are a constitutional state and the apartheid regime was not, and that is why my own family and many other families here were removed, including yours, Hlengwa, were removed with zero compensation. So, hon Groenewald, I hear what you are saying. It could be future jeopardy but we have

had past jeopardy on this side of the table. Some of us have lived through it but we are going to make sure that because we are in a constitutional state it is done in terms of our laws and Constitution. Thank you, hon Speaker.

The LEADER OF THE OPPOSITION: Madam Speaker, to the President, I am glad you spoke about the injustice and Constitution imperative because it is something we all have to do and work towards. I put before you today, Mr President, that communal ownership is preventing large parts of South Africa from being farmed and operated productively because people cannot get finance. They cannot invest in upgrading that land and get required loan capital to do so and this is obviously contributing to massive food crises and the poverty crises in the country. Mr President, I would ask then why your government has not empowered South Africans living in rural areas in terms of section 256 of the Constitution to give them private ownership in those areas? It is becoming clear that your government does not trust these 18 million black South Africans with private land ownership. If that is the case, Mr President, they deserve an explanation why they don’t deserve private ownership. Are you able to give that today?

The PRESIDENT OF THE REPUBLIC: Hon Speaker, our transformation process since 1994 has had to be dealing with the legacy of our past which balkanised our country, created Bantu stands and created the land ownership situation that we have now with majority of our people who live in communal areas and their land tenure is tenuous. We have been in discussions regarding this matter and this process has been led by former Deputy President, David Mabuza. I have now given this task to Deputy President, Paul Mashatile, to carry on with it. He is going to hit the road running because we have been in discussion with our traditional leaders about how we deal with communal land and the talks have been very fruitful and positive. We are going to be reaching a point of resolving this matter. All efforts are going to be made to address this matter and Deputy President, Paul Mashatile’s hands are going to be full with this matter. I have no doubt that he is going to make great strides in having this matter resolved. So, it is a matter that is being addressed and it is going to be addressed very positively. Thank you very much, hon Speaker.

Mr B N HERRON: Madam Speaker, to Mr President, as you said section 25 of the Constitution says that the amount of compensation must be just and equitable and as you indicated

that many legal experts already interpret this to include nil compensation, but we don’t need legal experts because the Constitutional Court already settled this about 20 years ago when it said that there are appropriate circumstances where it is permissible in the broader public interest to deprive persons of property without payment of compensation. There are many examples where it would be just and equitable to expropriate private property for nil compensation. I would like to have time to unpack the living conditions of privately owned migrant labour hostels built in the apartheid era and where all the spheres of government say we cannot provide services to those who live in those hostels because they are privately owned, but they have been long ago abandoned by the owners who built those properties. So, the question, Mr President, is not whether the matter is constitutional but how the government intends to use the Act when it is enacted.

Thank you.

The PRESIDENT OF THE REPUBLIC: Hon Speaker, to hon Herron, thank you for reminding us and citing that judgement almost 20 years ago. It is a judgement that has become so obscure that many people are not alive to it because that is the way the Constitutional Court has interpreted section 25 of our

Constitution. As it turns out, as I said earlier, it is a practice that prevails in many countries all over the world. The state can expropriate property and land with just compensation or with nil compensation. It happens in many places around the world. In the end it depends for what reason it is being done. If it is being done for public purpose then it is able to do so.

You raised a very important question because the Expropriation Bill, in the end, is the Bill that is going to have to enhance precisely transformational processes like the one that you cited. For instance, we have hostels which have been abandoned by their owners where government does need to provide services. In instances where the local government has been hesitant to do so, the Expropriation Bill will make it much clearer that it can be used as an instrument for public interest and public purpose. That is precisely how the Expropriation Bill has been structured and that is how it is going to be used to advance the interests of our people collectively. It will be for public purpose and for public use. That will be driving the transformation process going forward. For those who think that we will just use it willy- nilly, I just want to assure them that it is going to be used

for public purpose, the interest of our people and for transformational purposes. Thank you very much, hon Speaker.

The SPEAKER: Thank you very much, hon President. Hon members, we have done very well with time, it is now ten minutes to five. That concludes the questions to the President, and I thank the hon the President and hon members for your good conduct.

Business of the day concluded.

The House adjourned at 16:51.