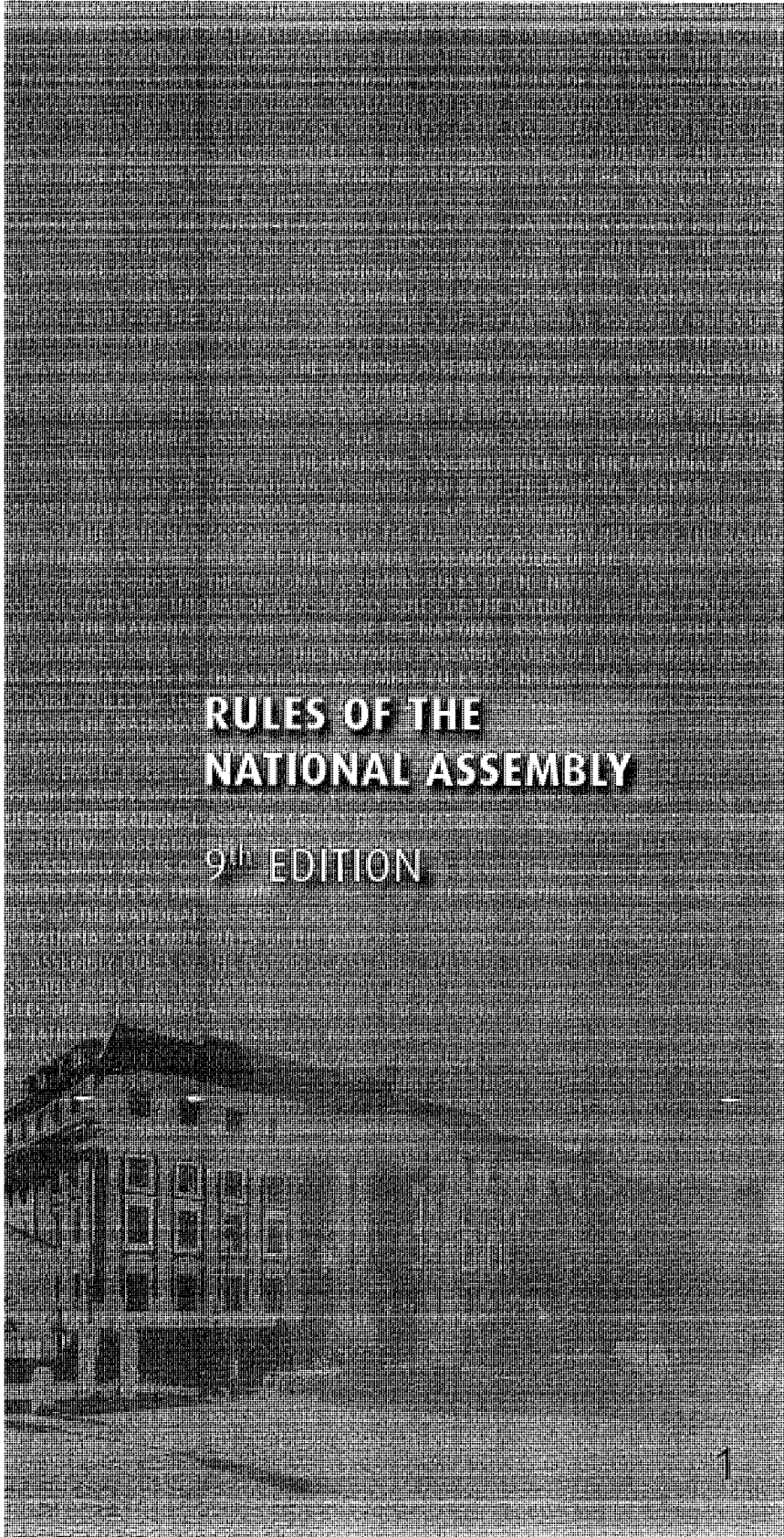




PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

**RULES OF THE
NATIONAL ASSEMBLY**

9th EDITION



RULES OF THE NATIONAL ASSEMBLY

9TH EDITION

26 May 2016

The 9th Edition of the Rules of the National Assembly contains the rules as comprehensively revised (necessitating their complete renumbering) and adopted by the National Assembly on 26 May 2016. For ease of reference relevant supporting documents have been included as appendices.

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CHAPTER 1

SOURCES OF AUTHORITY OF ASSEMBLY AND THEIR APPLICATION

Part 1: Definitions

1. Definitions

In these rules, unless the context otherwise indicates —

“Assembly” means the National Assembly;

“ATC” means the document entitled Announcements, Tablings and Committee Reports, which supplements the Minutes of Proceedings of the National Assembly;

“attendance” means a member’s presence at a sitting of the House, a meeting of a mini-plenary session or any other committee or forum, or at any other official parliamentary activity;

“Chamber” means the Chamber of the National Assembly or any other chamber in which the proceedings of the House and its forums are conducted;

“Chief Whip” means the Chief Whip of the Majority Party;

“classification”, with reference to a Bill, means the classification of a Bill in terms of Joint Rule 160(6) or the reclassification of a Bill in terms of Joint Rule 163;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“constitutional institution” means —

- (a) any state institution mentioned in Section 181 of the Constitution; or
- (b) any other institution established, or of which the establishment is required, in terms of a specific provision of the Constitution, including the constitutional institutions listed in Schedule 1 of the Public Finance Management Act, 1999;

“constitution amendment Bill” means a Bill to which Section 74 of the Constitution applies;

“Council” means the National Council of Provinces;

“document” means any written instrument, and includes any electronic or other device in or on which information, including visual material, is recorded, stored or kept;

“duration of the House” means the term of the House or the remaining part of its term at any time;

“formal motion” means a motion of a procedural nature that in terms of Rule 123 does not require notice;

“forum” in relation to the Assembly means any formal gathering of members of the Assembly as provided for in the rules and orders to conduct the business of the Assembly, and includes sittings of the House, mini-plenary sessions of the House, and meetings of committees and other relevant structures of the Assembly;

“Gazette” means the national Government Gazette;

“House” means the Assembly unless otherwise specified;

“JTM” means the Joint Tagging Mechanism established by Joint Rule 151;

“member” means a member of the Assembly;

“mini-plenary session” means a subordinate meeting of the House for debating purposes only and involving a reduced number of members, as provided for in Rules 49 to 56;

“misconduct” in these rules means a breach of the standing rules of Parliament by a member, except a breach of the code of conduct contained in the schedule to the Joint Rules or conduct amounting to contempt of Parliament as defined in the Powers and Privileges Act;

“money Bill” means a Bill that appropriates money or imposes taxes, levies or duties and to which Section 77 of the Constitution applies;

“motion” means —

- (a) a proposal made by a member in the form of a draft resolution that the Assembly do something, order something to be done or express an opinion concerning some matter; or
- (b) a proposal made by a member that the Assembly discuss a subject presented by the member for that purpose;

“official parliamentary activities” means any business or activity of Parliament, including plenary sittings, committee meetings, study tours, workshops, parliamentary forums or any other parliamentary activity sanctioned by the Assembly, or its committees or presiding officers, as duly authorised;

“organ of state” means any executive organ of state in the national sphere of government as contemplated in Section 55(2) and defined in Section 239 of the Constitution;

“Parliamentary Protection Services” means any employee authorised by Parliament to perform security and protection services within the precincts of Parliament, and includes all parliamentary staff members employed, appointed, assigned, delegated or contracted by Parliament to perform security and protection functions within the precincts of Parliament;

“party whip” means a member designated by the leadership of a party to oversee and guide the conduct of its members in relation to the rules and the decorum and business of the House or a committee, and to perform such further functions as the House may prescribe;

“person in charge” —

- (a) with reference to a Bill introduced by a Cabinet member, a Deputy Minister or an Assembly member, means that Cabinet member, Deputy Minister or Assembly member;
- (b) with reference to a Bill introduced by an Assembly committee, means the chairperson or any other member of the committee designated by the committee;
- (c) with reference to a money Bill, means the Cabinet member responsible for national financial matters;
- (d) with reference to a Section 76(2) Bill introduced on behalf of a Cabinet member or Deputy Minister in the Council, means that Cabinet member or Deputy Minister;
- (e) with reference to a Section 76(2) Bill introduced in the Council, other than Bills referred to in Paragraph (d), means the Assembly member designated in terms of Joint Rule 217(2);
- (f) with reference to a committee report, means the member who introduces the report in the House on behalf of the committee; and
- (g) with reference to a motion, means the member who gives notice of the motion and/or moves the motion in the House;

“point of order” means a matter related to the procedure or practice of the House, or a complaint of unparliamentary conduct or behaviour on the part

of another member, which a member is entitled to raise during the sitting of the House or committee when seeking guidance and a ruling on the matter from the presiding officer;

“Powers and Privileges Act” means the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004;

“precincts of Parliament” means the precincts referred to in Section 2 of the Powers and Privileges Act;

“private member” means any member other than a Minister, a Deputy Minister, the Speaker and the Deputy Speaker;

“question”, except in respect of question time or a question period and a question of privilege, means a proposal presented to the Assembly or a committee of the Assembly by the presiding officer for consideration and decision or disposal in some manner;

“question of privilege” means any report of an act which may constitute a breach of privilege or contempt of Parliament in terms of the Powers and Privileges Act;

“Question Paper” means, as applicable, the Question Paper produced for a particular question day or an Internal Question Paper containing all current questions that still have to be replied to;

“recess”, with reference to the Assembly, means a period determined as a recess by the Programme Committee, or by resolution of the Assembly, during which, subject to Rule 167, no business of the Assembly is conducted;

“Secretary” means the Secretary to Parliament;

“Section 75 Bill” means a Bill to which the procedure prescribed in Section 75 of the Constitution applies;

“Section 76(1) Bill” means a Section 76 Bill introduced in the Assembly;

“Section 76(2) Bill” means a Section 76 Bill introduced in the Council;

“session”, except in the context of a mini-plenary session as contemplated in Part 3 of Chapter 4, means an annual session of a Parliament;

“sitting day” means a day on which the Assembly sits or a mini-plenary session is held;

“special petition” means a petition requesting a pension or other specific or personal relief from the state which is not authorised by law;

“subject of a Bill” means the objects of the Bill as introduced in the Assembly and the substance of the Bill to give effect to those objects;

“substantive motion”, with reference to a member or the holder of an office specified in Rule 88, means a self-contained proposal in terms of Rule 85 or Rule 88 for separate consideration by the House, relating to any charge against that member or office-bearer;

“tabling”, in relation to any document or paper, means the official presentation of the document or paper in the House, or, if not presented in the House, the publication in the ATC of the document or paper after it has been officially submitted to the Speaker;

“term”, in relation to the Assembly, means the period for which the Assembly is elected in terms of Section 49(1) of the Constitution; and

“working day” means any day of the week except —

- (a) Saturday and Sunday;
- (b) a public holiday in terms of the Public Holidays Act, 1994; and
- (c) a Monday following any of these public holidays that fall on a Sunday.

Part 2: Sources of authority of National Assembly

2. Introduction

The sources of authority of the National Assembly are —

- (a) the Constitution;
- (b) the Powers and Privileges Act and any other applicable legislation;
- (c) the Rules of the National Assembly;
- (d) the Joint Rules of Parliament, if and when applicable;
- (e) orders or any other binding decision of the National Assembly;
- (f) directives and guidelines of the Rules Committee;
- (g) rulings by the Speaker and other presiding officers; and
- (h) any conventions or practices that have been established in the National Assembly by agreement and usage over a period of time.

3. Rules of National Assembly

- (1) The Rules of the National Assembly are adopted by resolution of the House in accordance with Section 57 of the Constitution.
- (2) The rules remain in force until amended or repealed.

- (3) The rules must be strictly adhered to by members.

4. Suspension or supplementing of rules

- (1) Any provision of these rules relating to the business or proceedings at a sitting of the House or a mini-plenary session, or of a committee of the House or any other forum of the House, may be suspended by resolution of the House.
- (2) The suspension of any provision must be limited in its operation to the particular purpose and period for which such suspension has been approved.
- (3) Any motion to adopt or amend any rule or to suspend any provision of these rules requires notice in accordance with Rule 123.
- (4) At least one third of the members of the House must be present before a decision may be taken to suspend any provision of these rules but a majority of the members of the House must be present before a decision may be taken to adopt or amend any rule.
- (5) The National Assembly may by resolution, subject to these rules, make an order supplementing these rules in accordance with Section 57 of the Constitution; provided that —
- (a) a standing order of the House remains in force until amended or repealed; and
 - (b) a sessional order of the House, identified as such by the House, remains in force —
 - (i) until the period of its validity, as specified in the order, has expired; or
 - (ii) until the end of the last sitting day of the session within which it was made;
 provided that a sessional order may be amended or repealed at any time.

5. Non-diminution or non-limitation of rules and orders

No convention or practice may limit or inhibit any provision of these rules or any order of the House.

6. Unforeseen eventualities

- (1) The Speaker may give a ruling or frame a rule in respect of any eventuality for which these rules or orders of the House do not provide, having due regard to the procedures, precedents, practices and conventions developed by the House and on the basis of constitutional values and principles underpinning an open, accountable and democratic society.
- (2) A rule framed by the Speaker remains in force until the House, based on a recommendation of the Rules Committee, has decided thereon.

7. Directives and guidelines of Rules Committee

- (1) The Rules Committee may, in terms of Rule 193, issue directives and lay down guidelines to assist with the implementation of these rules and orders of the House.
- (2) Members must comply with any such directives and guidelines.

8. Rulings

- (1) The Speaker must perform the functions as provided for in these rules and may make rulings in applying and interpreting these rules, orders of the House and directives and guidelines approved by the Rules Committee.

- (2) The Speaker and other presiding officers may make rulings in accordance with Subrule (1) in respect of procedural matters that arise when they are presiding at a sitting of the House or a mini-plenary session.
- (3) Members must comply with rulings made by presiding officers.
- (4) (a) A member may request that a ruling be referred to the Rules Committee for consideration and report.
- (b) In considering a ruling referred to it in terms of Subrule (4(a)), the Rules Committee must confine itself to the principle underlying, or subject of, the ruling in question.

9. Conventions and practices

- (1) Conventions and practices relating to the business of the House and its committees and other forums are established by agreement amongst political parties and parliamentary office-bearers, and may be varied by agreement amongst them and reviewed from time to time as decided by the Rules Committee.
- (2) Conventions and practices must be consistent with the provisions of the Constitution, these rules, orders of the House, rulings, and directives and guidelines of the Rules Committee.
- (3) Presiding officers may request members' compliance with established conventions and practices.

10. Contempt

A member who wilfully fails or refuses to obey any rule, order or resolution of the House may be found guilty of contempt of Parliament in terms of the Powers and Privileges Act, 2004.

11. Application to President of the Republic and other non-members

- (1) These rules and orders of the House apply, as appropriate, to the President of the Republic as they apply to a Minister.

- (2) A reference in these rules and orders of the House to a member or a Minister must, where applicable, be construed as a reference also to the President of the Republic, and to the Deputy President, or a Minister or Deputy Minister who is not a member of the House.

CHAPTER 2

PROCEEDINGS IN CONNECTION WITH COMMENCEMENT OF TERM AND SESSION

12. Convening notice read

At the commencement of the proceedings of the National Assembly on the first day of its first session, the Secretary or an officer of Parliament nominated by him or her, must read the notice convening the House under Section 51(1) of the Constitution.

13. Oath or affirmation by members

When the convening notice has been read at the commencement of the proceedings of the House on the first day on which it meets after a general election at which members of the House were elected, such members must be sworn in or make affirmation before the Chief Justice or a judge designated by the Chief Justice, in accordance with Section 48 read with Schedule 2 to the Constitution.

14. Election of Speaker and Deputy Speaker

At the first sitting after its election, the National Assembly must, in accordance with Sections 52(1), (2) and (3), read with Schedule 3 to the Constitution, elect one of its members to be the Speaker and thereafter another to be the Deputy Speaker of the House.

15. Election of President of the Republic

At the first sitting, after its election of a Speaker and a Deputy Speaker, the House must in accordance with Sections 86(1) and (2), read with Schedule 3 to the Constitution, elect one of its members as the President of the Republic.

16. Opening of a Parliament

- (1) At the commencement of the first session of a Parliament after its election the President must deliver an Opening Address at a date and time to be announced by the Speaker.
- (2) The Speaker must thereafter publish the Opening Address in the Minutes of Proceedings and place it on the Order Paper for discussion.

17. Commencement of annual session

The Speaker must inform the House of the date and time on which an annual session of the House will commence, as determined by the Programme Committee in accordance with Rule 210.

18. President's State of the Nation Address

The Speaker must inform the House of the date and time for the President's annual State of the Nation Address.

19. State of the Nation Address reported

The Speaker must publish the President's State of the Nation Address in the Minutes of Proceedings.

20. State of the Nation Address placed on Order Paper

When the President has delivered the State of the Nation Address, the Speaker must place it on the Order Paper of the House for discussion.

CHAPTER 3

PRESIDING OFFICERS AND MEMBERS

Part 1: Presiding Officers

21. Election of Speaker and Deputy Speaker

- (1) (a) Whenever it is necessary to elect a Speaker, the Secretary or an officer of Parliament nominated by him or her, must inform the National Assembly accordingly, whereupon the House must immediately or at a time announced by the Secretary or such officer proceed to the election in terms of Section 52 of the Constitution.
- (b) The Chief Justice or another judge designated by the Chief Justice presides over the election of the Speaker.
- (2) (a) Whenever it is necessary to elect a Deputy Speaker, the Speaker must inform the National Assembly, whereupon the House must immediately or at a time announced by the Speaker proceed to the election in terms of Section 52 of the Constitution.
- (b) The Speaker presides over the election of a Deputy Speaker.
- (3) The member elected must be given the opportunity, from his or her place, to make an acceptance speech.

22. Election of other presiding officers

- (1) The House must elect three members as House Chairpersons for the duration of the House.
- (2) The Speaker must allocate functions and responsibilities to the House Chairpersons and announce such allocations in the ATC.

23. Officers presiding in the House

The Deputy Speaker or a House Chairperson must preside during a sitting of the House whenever requested to do so by the Speaker.

24. Acting Speaker

- (1) Whenever the Speaker is absent or unable to perform the functions of the office of Speaker, or whenever that office is vacant, the Deputy Speaker must act as Speaker.
- (2) Whenever both the Speaker and the Deputy Speaker are absent or unable to perform the functions of the office of Speaker, the Speaker or, if the Speaker is not available, the Deputy Speaker, must designate one of the House Chairpersons to act as Speaker.

25. Acting House Chairperson

Whenever the House has been informed of the likelihood of the continued absence of both the Speaker and the Deputy Speaker for longer than seven consecutive parliamentary working days, the House may elect a member to act as House Chairperson while the House Chairperson so designated acts as Speaker, until the Speaker or the Deputy Speaker becomes available or the House decides otherwise.

26. General authority and responsibility of Speaker

- (1) In exercising the authority of the Speaker, as provided for in the Constitution and legislation and the rules of Parliament, the Speaker must —
 - (a) ensure that the National Assembly provides a national forum for public consideration of issues, passes legislation and scrutinises and oversees executive action in accordance with Section 42(3) of the Constitution;
 - (b) ensure that parties represented in the National Assembly participate fully in the proceedings of the Assembly and its committees and forums, and facilitate public involvement in the processes of the Assembly in accordance with Sections 57 and 59 of the Constitution; and
 - (c) whenever possible, consult with relevant office-bearers and structures within Parliament to achieve the efficient and effective functioning of Parliament in a transparent and accountable manner.
- (2) The Speaker must maintain and preserve the order of and the proper decorum in the House, and uphold the dignity and good name of the House.
- (3) The Speaker is responsible for the strict observance of the rules of the House and must decide questions of order and practice in the House, such a ruling being final and binding as provided for in Rule 92.
- (4) The Speaker must act fairly and impartially and apply the rules with due regard to ensuring the participation of members of all parties in a manner consistent with democracy.

27. Election of temporary presiding officer to act as Speaker

Whenever the House has been informed that the elected presiding officers are unavoidably absent, the House must immediately elect one of its members to act as Speaker for that day only, the question being put by the Secretary.

28. Removal from office of Speaker or Deputy Speaker

- (1) The House may remove the Speaker or Deputy Speaker from office by resolution in terms of Section 52(4) of the Constitution.
- (2) A motion for the removal of the Speaker from office must comply, to the satisfaction of the Deputy Speaker, with the prescripts of any relevant law or any relevant rules and orders of the House and directives and guidelines approved by the Rules Committee before being placed on the Order Paper, and must include the grounds on which the proposed removal from office is based.
- (3) In respect of a motion for the removal of the Deputy Speaker from office, the Speaker must approve compliance as contemplated in Subrule (2).
- (4) The Deputy Speaker or Speaker, as applicable, may request an amendment of or in any other manner deal with a relevant motion that does not comply with the requirements as contemplated in Subrule (2).
- (5) The Deputy Speaker or Speaker, as applicable, must accord an approved motion under this rule due priority and, before scheduling it, must consult with the Chief Whip of the Majority Party.
- (6) The debate on a motion under this rule may not exceed the time

allocated for it by the Deputy Speaker or Speaker, as applicable, after the required consultation.

- (7) A majority of the members of the Assembly must be present when the resolution is adopted.

Part 2: Members

29. Oath or affirmation

Other than immediately after a general election, new members may, in accordance with Item 4(2) of Schedule 2 to the Constitution —

- (a) at a sitting of the House, be announced and conducted to the Table by not more than two members in order to be sworn in or to make affirmation before the presiding officer; or
- (b) at any time by arrangement be sworn in or make affirmation before the Speaker in the Speaker's chambers, the Speaker reporting accordingly to the House at the first opportunity.

30. Declaration of private interests

If a member has a personal or private financial or business interest in any matter before a forum of the Assembly of which he or she is a member, he or she must at the commencement of engagement on the matter by the forum immediately declare that interest in accordance with the code of conduct contained in the schedule to the Joint Rules and comply with the other provisions of the code.

31. Raising a question of privilege

- (1) A member who wishes to raise a perceived breach of privilege must report it to the Speaker without delay.

- (2) If the alleged breach of privilege is in the Speaker's opinion adequately substantiated and may affect a sitting of the House on the day on which the question of privilege is reported or in the immediate future, the Speaker may, with due regard to the provisions of the Powers and Privileges Act —
 - (a) make an immediate ruling on the matter and announce it in the House; or
 - (b) provide the member with an opportunity during the sitting to move an urgent motion without notice in terms of Rules 123(1)(b) and 127.
- (3) If the alleged breach of privilege does not directly affect a sitting of the House in the immediate future, the Speaker must refer the matter to the Powers and Privileges Committee and inform the House accordingly, either immediately or at the earliest opportunity.

32. Leader of the Opposition

- (1) The leader of the largest opposition party in the Assembly must be recognised as the Leader of the Opposition as contemplated in Section 57(2)(d) of the Constitution.
- (2) In the event that two or more opposition parties qualify as the largest opposition party in that they hold an equal number of seats in the House, the leader of the opposition party that obtained the most votes in the election must be recognised as the Leader of the Opposition.

33. Appointment and responsibilities of whips

- (1) At the first meeting of the Rules Committee after an election, or as soon as possible thereafter, the Rules Committee must determine the number of whips to be allocated to parties represented in the House.

- (2) The Speaker must appoint whips on the recommendation of the leaders of the parties which qualify for whips.
- (3)
 - (a) Parties which do not qualify for a whip may jointly request the Speaker to appoint one or more whips from amongst their number to represent their interests, or to alter the appointments previously made under this subrule.
 - (b) In considering such a request, the Speaker must apply guidelines approved by the Rules Committee for that purpose.
- (4) The names of the appointed whips must be published in the ATC.
- (5)
 - (a) The functions of the whippers are —
 - (i) in general, to be responsible collectively for the maintenance of the proper decorum of the House and the orderly conduct of the business of the House, and
 - (ii) to co-ordinate the business of their parties in Parliament for purposes of facilitating the political management of Parliament.
 - (b) The Chief Whip of the Majority Party and other chief whips must additionally perform the functions prescribed in the rules.
 - (c) The House may approve recommendations by the Rules Committee to provide for any further responsibilities, duties or functions of the parliamentary whippers.

34. Designation of parliamentary counsellors

- (1) The Speaker may, on the recommendation of the President and the Deputy President, designate two members as parliamentary counsellors to the President and the Deputy President, respectively.

- (2) The parliamentary counsellors must facilitate communication between the National Assembly and the offices of the President and Deputy President, respectively.
- (3) The names of the designated parliamentary counsellors must be published in the ATC.

Part 3: Members' attendance

35. Members' attendance

- (1) Subject to minimum standards as provided for in these rules, members' attendance of official parliamentary activities is regulated by their political parties.
- (2) A member's absence from Parliament during a parliamentary session, other than during a formal recess or resulting from the member's suspension in terms of these rules and orders of the House, must be approved by the member's political party in Parliament.
- (3) A member, or the party whip assigned responsibility for members' leave by the party, must inform —
 - (a) the party's duty whip; or
 - (b) the chairperson of a relevant committee,of the member's approved absence from a sitting of the House or a committee meeting, respectively.
- (4) All political parties must —
 - (a) maintain proper leave records for their members in accordance with an attendance policy for members formally approved by Parliament; and
 - (b) annually, within 14 days after the last sitting day of the session, submit the attendance records of their members to the Speaker for publication in the ATC.

[See Appendix A for the leave policy approved by the Joint Rules Committee]

36. Absence from sittings of House

- (1) The period for which leave may be granted to a member by the member's party, other than maternity leave and parental/adoption leave as provided for in the approved attendance policy, may not exceed 15 consecutive sitting days in a session.
- (2) Leave may be requested of the House by motion for a member's absence in excess of 15 consecutive sitting days, the leave to be requested not later than by the close of the fifteenth consecutive sitting day of the member's absence.
- (3) The motion presented to the House must state the reasons for the request and the period for which continued leave of absence is sought.
- (4) If the motion requesting leave of absence is rejected by the House, the reasons for such rejection must be put to the House by way of a formal amendment to the motion, and the motion as amended must be supplied to the member and the member's party in Parliament without delay.

37. Sanctions for extended unauthorised absence from sittings of House

- (1) A member who absents himself or herself for 15 or more consecutive sitting days of the Assembly without authorisation as provided for in these rules, loses his or her membership of the National Assembly in accordance with Section 47(3)(b) of the Constitution.
- (2) The Speaker must without delay inform a member and the member's party of the member's loss of his or her membership of the Assembly in terms of this rule.

38. Absence from meetings of committee

- (1) A member may not without his or her party's approval be absent from more than two consecutive meetings of a committee to which the member has been appointed as a full member in terms of the rules.
- (2) A member's approved absence from a meeting of a committee referred to in Subrule (1) must be recorded in the minutes of the meeting as formally adopted by the committee.
- (3) The secretary to a committee must without delay send a copy of the formal minutes of each meeting of the committee to the responsible whip of each of the parties represented on the committee.
- (4) The Secretary must every three months within a session submit a report to the Speaker on all members who have been absent from three or more consecutive meetings of a committee without approval as recorded in the committee's minutes.

39. Sanctions for extended unauthorised absence from meetings of committee

- (1) A member who is absent from three or more consecutive meetings of a committee referred to in Rule 38(1) without his or her party's approval may be fined an amount to be determined by the Rules Committee from time to time for each day of absence.
- (2) The Speaker must inform the member without delay of the imposition of a fine in terms of this rule.

40. Appeal against application of sanctions

- (1) A member who feels aggrieved by the sanction imposed upon him or her in terms of Rule 37 or 39 may lodge a formal appeal with the Speaker within 14 days of being notified of the application of the sanction.
- (2) If the Speaker is unable to resolve the appeal on reasonable grounds, the Speaker must refer the appeal to a committee to be determined by the Rules Committee.
- (3) The committee must report its findings to the House.
- (4) The Speaker must report any sanction imposed or appeal processed in terms of these rules to the House.

**CHAPTER 4
SITTINGS OF ASSEMBLY**

Part 1: General

41. Forums for proceedings of National Assembly

- (1) Subject to the Constitution and these rules, proceedings of the National Assembly may be conducted at sittings of the House or in mini-plenary sessions of the House.
- (2) Subject to Section 59 of the Constitution, sittings of the House and its forums in terms of Subrule (1) must be held in public.

42. Working days and hours of sitting

- (1) Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, excluding official public holidays, are parliamentary working days.
- (2) Unless otherwise determined by the Programme Committee in accordance with Rule 210, the House may consider business on these days during the following times:
 - (a) Mondays to Thursdays: 14:00, or such later time as the Speaker determines, to adjournment.
 - (b) Fridays: 09:00, or such later time as the Speaker determines, to adjournment.
- (3) The Speaker may, in exceptional circumstances, after consultation with the Leader of Government Business and party whips, allow the House to sit on any other day.

43. Change of venue

- (1) The Speaker may in an emergency or on grounds of security —
 - (a) in terms of Section 51(3) of the Constitution, after consultation with the Leader of Government Business and the chief whips or party representatives of each party in the House, direct that the National Assembly sit at a place other than the seat of Parliament in Cape Town; and
 - (b) after consultation with the Leader of Government Business and the chief whips or party representatives of each party in the House, direct that a sitting of the House be held, or resumed, in a different chamber within the precincts.

- (2) The Assembly may on grounds of public interest or convenience, in terms of Section 51(3) of the Constitution, resolve to sit at a place other than the seat of Parliament in Cape Town, provided that the resolution —
 - (a) identifies the public interest or convenience that is the reason for the change of venue; and
 - (b) approves the change of venue to a specified place and for a specific period.

44. Arrangement of business on Order Paper when no consensus in Programme Committee

- (1) If no consensus could be reached in the Programme Committee in accordance with Rule 210 on the programme of business for a particular sitting day or if the Programme Committee has not made a detailed determination for any sitting day, the Chief Whip of the Majority Party must, subject to these rules and particularly any rule providing that the Speaker must exclusively make a specific programming decision, arrange the business of the Assembly on the Order Paper for that day —
 - (a) with the concurrence of the Speaker, and the Leader of Government Business when any government business is prioritised; and

- (b) after due consideration of the views and directions of the Programme Committee.
- (2) The Secretary must, on instruction of the Speaker, draw up the order of business as agreed to in terms of Subrule (1) for each sitting.

Part 2: Sittings in plenary

45. Quorum required only for taking decisions

The Assembly may proceed with its business irrespective of the number of members present, but may vote on a Bill or decide on any question only if a quorum is present in terms of Rule 96.

46. Opportunity for prayer or meditation

At the commencement of parliamentary business on every sitting day the presiding officer must afford members an opportunity for silent prayer or meditation.

47. Sequence of proceedings

- (1) Subject to the Constitution and these rules, and unless altered by resolution of the House, the business on each sitting day of the House must follow the following sequence of events:
 - (a) Opportunity for silent prayer or meditation;
 - (b) announcements from the Chair;
 - (c) swearing in of new members;
 - (d) formal motions moved by the Chief Whip;
 - (e) statements by Cabinet members; and
 - (f) orders of the day and notices of motion on the Order Paper, which must be dealt with in sequence; provided that precedence must be given to questions on question days.

- (2) Subject to Subrule (1), and unless altered by resolution of the House, the business on any sitting day of the House may additionally include any event below, after the business under Subrule (1) has been completed and if included during any sitting must follow the following sequence of events:
- (a) Any other formal motions;
 - (b) motions without notice;
 - (c) opportunity for statements by members and responses to statements by Cabinet members;
 - (d) notices of motion; and
 - (e) petitions.

48. Interruption, suspension or adjournment of proceedings

- (1) The presiding officer may interrupt, suspend or adjourn the proceedings of the House.
- (2) The presiding officer may in consultation with the Leader of Government Business adjourn the House until a parliamentary working day other than the next scheduled sitting day as determined by the Programme Committee in accordance with Rule 210; provided that during such adjournment the Speaker may accelerate or postpone the date for the resumption of business.

Part 3: Mini-plenary sessions

49. Business of mini-plenary sessions

- (1) The Speaker refers matters for consideration in a mini-plenary session after due consideration of the views and directions of the Programme Committee.

- (2) Any matter may be discussed or debated in a mini-plenary session.
- (3) No more than three mini-plenary sessions may take place simultaneously.
- (4) Mini-plenary sessions are held in the precincts of Parliament, but in special circumstances the Speaker may direct that a mini-plenary session may be held elsewhere.

50. Members attending

- (1) A mini-plenary session in respect of a budget vote of a particular department or on a Bill or oversight matter related to that department consists of the members of the corresponding portfolio committee, and all other Assembly members who attend the proceedings of the mini-plenary session.
- (2) A mini-plenary session in respect of any matter other than a matter referred to in Subrule (1) consists of all Assembly members who attend the proceedings of the mini-plenary session.

51. Quorum

A mini-plenary session may proceed with its business irrespective of the number of members present.

52. Decisions

- (1) No decisions may be taken in a mini-plenary session.
- (2) In the event that a decision is required on a budget vote debated in a

mini-plenary session, such decision must be deferred to be taken by a plenary session of the House, provided that when the decision is taken in the House —

- (a) no further debate on the matter may be allowed; and
- (b) declarations of vote must be permitted subject to Rule 108(5).

53. Speakers' list

- (1) A mini-plenary session does not make use of a speakers' list, except in the event of a debate on a budget vote when a speakers' list must be used.
- (2) In referring a matter for consideration to a mini-plenary session in terms of Rule 49(1), the Speaker must —
 - (a) allocate time for the debate on that matter, including time for participation by the person in charge, provided that if the person in charge is a member of the executive the time allocated to him or her must be determined in consultation with the Leader of Government Business; and
 - (b) set a time limit for speeches by all participating members other than the person in charge.
- (3) When a speakers' list is not used, the presiding officer must, in a balanced manner, allow speakers from all parties to participate in the debate or discussion, subject to any time limit imposed in terms of Subrule (2).
- (4) A member may participate in a debate in a mini-plenary session more than once if recognised by the presiding officer.

54. Presiding officer

The Chair of a miniplenary session must be taken by —

- (a) an elected presiding officer; or
- (b) any other member,
appointed by the Speaker for that purpose.

55. Relief of presiding officer

A member attending a mini-plenary session must take the Chair whenever requested to do so by the presiding officer.

56. Order in meetings and rules of debate

In addition to these rules, the rules generally applicable to plenary sessions of the House are also applicable to the proceedings of a mini-plenary session.

Part 4: Public access

57. Admission of visitors

- (1) The power to admit visitors to the places set apart for them in the Chamber or public galleries of the Chamber or in any other venue in which the House or a mini-plenary session or a committee of the House is meeting, or to regulate or limit any activity, access or movement of visitors whilst within the precincts of Parliament or a venue utilised for parliamentary work, vests in the Speaker, subject to Section 59 of the Constitution.

- (2) Unless the Speaker directs otherwise in respect of a particular visitor or group of visitors, all visitors must, in an appropriate manner, be subjected to a security check or screening before entering the precincts of Parliament or the Chamber or any venue utilised for parliamentary work and, if reasonable cause exists, any visitor may at any time while within the precincts of Parliament or a venue utilised for parliamentary work, be subjected to a security check or screening.
- (3) If any visitor refuses in any manner whatsoever to comply with the procedures in Subrules (1) and (2), such visitor may be refused access to the precincts of Parliament or any such venue or may be immediately removed from the precincts of Parliament or such venue by the Parliamentary Protection Services, who may in exercising that duty be assisted by members of the security services acting on or in terms of the instruction of the Speaker.
- (4) The House may approve an operational manual, as recommended by the Joint Rules Committee, for the use of members of the Parliamentary Protection Services or security services for purposes of exercising this and any other function in terms of the Powers and Privileges Act and these rules.

58. Access for non-members to floor of Chamber

The Speaker may give a non-member access to the floor of the Chamber during a sitting of the House or a mini-plenary session in special circumstances.

59. Conduct of visitors

Visitors admitted in terms of Rule 57 may not disrupt the proceedings in any manner and must adhere to the directives of the presiding officer and members of the Parliamentary Protection Services and the security services.

60. Withdrawal of visitors

- The presiding officer may, whenever he or she thinks it reasonable and justifiable in an open and democratic society to do so, order visitors to withdraw from the precincts of the House or a mini-plenary session and the places set apart for them in a Chamber, or from the precincts of Parliament.

61. Serjeant-at-Arms to remove visitors

When instructed by the presiding officer, the Serjeant-at-Arms must remove, or arrange with the Parliamentary Protection Services in terms of Rule 57(3) for the removal of, any person who —

- (a) without permission is present in that part of the Chamber designated for members only or in another place within the precincts of Parliament or any other venue utilised for parliamentary work which is out of bounds for that person; or
- (b) disrupts the proceedings of the House or a mini-plenary session or a committee or any other forum of the House or does not withdraw when duly ordered to do so.

62. Invitation to head of state, head of government or other person to address House

- (1) The Speaker, after consultation with or at the request of the Leader of Government Business, may invite a head of state or a head of government who is on an official visit to the Republic to address the House.
- (2) The National Assembly may by resolution invite any person to address the House.

CHAPTER 5

ORDER IN PUBLIC MEETINGS AND RULES OF DEBATE

Part 1: Order in meetings

63. Freedom of speech

- (1) In accordance with Section 58(1)(a) of the Constitution, Cabinet members, Deputy Ministers and members of the National Assembly have freedom of speech in the Assembly and in its committees, subject to its rules and orders.
- (2) In accordance with Section 58(1)(b) of the Constitution, Cabinet members, Deputy Ministers and members of the National Assembly are not liable to civil or criminal proceedings, arrest, imprisonment or damages for anything that they have said in, produced before or submitted to the Assembly or any of its committees, or anything revealed as a result of anything that they have said in, produced before or submitted to the Assembly or any of its committees.
- (3) The provisions of Subrules (1) and (2) also apply to proceedings in a mini-plenary session and other forums of the Assembly.

64. Conduct of members

Members must at all times accord the presiding officers of the National Assembly and members due respect and conduct themselves with dignity and in accordance with the decorum of the House and are required —

- (a) to enter or leave the House with decorum;
- (b) to be seated when the bells stop ringing to mark the start of proceedings;

- (c) to rise, if possible, when the presiding officer enters the Chamber at the start of proceedings and to remain standing until invited to be seated;
- (d) not during proceedings to pass between the Chair and the member who is speaking, nor between the Chair and the Table, nor to stand in any of the aisles or cross aisles, nor to cross the floor of the House in front of the benches;
- (e) not to bring weapons of any kind nor dangerous or threatening articles or objects nor replicas of any such articles or objects into the Chamber, excluding cultural objects with the prior approval of the Speaker;
- (f) to dress in a manner befitting the dignity and decorum of the House, as may further be provided for in guidelines approved by the Rules Committee; provided that no party symbols may be displayed;
- (g) not to take photographs or video footage during proceedings, speak on a cellphone, eat, read newspapers or in any other way conduct themselves in a manner not befitting the dignity and decorum of the House; and
- (h) on adjournment of the House, to rise, if they are able to do so, and remain in their allocated seats until the presiding officer has left the Chair.

65. Members not to converse aloud

Members may not converse aloud during debate.

66. Member not to be interrupted

No member may interrupt another member whilst speaking, except —

- (a) to call attention to a point of order, subject to Rule 92, or a question of privilege; or
- (b) at the discretion of the presiding officer, on a point of clarity to request permission to put a question to the member speaking.

67. Precedence of presiding officer

Whenever the presiding officer addresses the House during a debate, any member then speaking or offering to speak must resume his or her seat, and the presiding officer must be heard without interruption.

68. Irrelevance or repetition

The presiding officer may order a member addressing the House to stop speaking if that member, despite warnings from the Chair, persists in irrelevant or repetitive arguments.

69. Grossly disorderly conduct

Members may not engage in grossly disorderly conduct in the House and its forums, including —

- (a) deliberately creating serious disorder or disruption;
- (b) in any manner whatsoever physically intervening, preventing, obstructing or hindering the removal of a member from the House who has been ordered to leave the House;
- (c) repeatedly undermining the authority of the presiding officer or repeatedly refusing to obey rulings of the presiding officer or repeatedly disrespecting and interrupting the presiding officer while the latter is addressing the House;
- (d) persisting in making serious allegations against a member without adequate substantiation or following the correct procedure;
- (e) using or threatening violence against a member or other person; or
- (f) acting in any other way to the serious detriment of the dignity, decorum or orderly procedure of the House.

70. Member ordered to leave Chamber

- (1) If the presiding officer is of the opinion that a member is deliberately contravening a provision of these rules, or that a member is disregarding the authority of the Chair, or that a member's conduct is grossly disorderly, he or she may order the member to leave the Chamber immediately for the remainder of the day's sitting.
- (2) A member ordered to leave the Chamber must immediately withdraw from the precincts of Parliament.

71. Naming or suspension of member

If a presiding officer is of the opinion that a contravention committed in terms of Rule 70 by a member of the House is of so serious a nature that an order to leave the Chamber for the remainder of the day's sitting is inadequate, the presiding officer may —

- (a) if he or she is the Speaker, suspend the member for a period provided for in Rule 74 and order him or her to leave the Chamber immediately; or
- (b) if he or she is not the Speaker, name the member and order him or her to leave the Chamber immediately and not participate in any parliamentary activities until the Speaker, after consultation with the presiding officer, has announced what action is to be taken against the member in terms of these rules, including whether such member will be suspended for a period provided for in Rule 74; provided that the Speaker's decision must be announced within two working days after the member has been named.

72. Action against member to be announced in House

The action taken against a member by the Speaker under Rule 71(b) must be announced in the House.

73. Removal of member from Chamber and precincts

- (1) If a member refuses to leave the Chamber when ordered to do so by the presiding officer in terms of Rule 70 or 71, the presiding officer must instruct the Serjeant-at-Arms to remove the member from the Chamber and the precincts of Parliament forthwith.
- (2) If the Serjeant-at-Arms is unable in person to effect the removal of the member, the presiding officer may call upon the Parliamentary Protection Services to assist in removing the member from the Chamber and the precincts of Parliament.
- (3) Unless already suspended in terms of Rule 71, a member who is removed from the Chamber in terms of Subrule (2) is thereby immediately automatically suspended for the period applicable as provided for in Rule 74, and may not enter the Chamber or the precincts for the duration of the suspension.
- (4) If a member resists attempts to be removed from the Chamber in terms of Subrule (1) or (2), the Serjeant-at-Arms and the Parliamentary Protection Services may use such force as may be reasonably necessary to overcome any resistance.
- (5) No member may, in any manner whatsoever, physically intervene in, prevent, obstruct or hinder the removal of a member from the Chamber in terms of these rules.
- (6) Any member or members who contravene Subrule (5) may, on the instruction of the presiding officer, also be removed from the Chamber and the precincts of Parliament forthwith.
- (7) If proceedings are suspended for the purposes of removing a member or members, all other members must remain seated or resume their seats, unless otherwise directed by the presiding officer.

- (8) When entering the Chamber on the instruction of the relevant presiding officer —
 - (a) members of the Parliamentary Protection Services may not be armed; and
 - (b) members of the security services may not be armed, except in extraordinary circumstances in terms of security policy.
- (9) Members who have been removed from the Chamber will be escorted off the precincts by Parliamentary Protection Services personnel and will not be allowed to enter the House or precincts of Parliament as the rules prescribe.
- (10) If, after having been removed from the Chamber, a member(s) offers resistance to being removed from the precincts, members of the security services may be called upon to assist with such removal.
- (11) In the event of violence ensuing in the Chamber as a result of a member(s) resisting removal, the presiding officer may suspend proceedings, and members of the security services may be called upon by the Speaker during such period of suspended proceedings to assist with the removal of members from the Chamber and the precincts of Parliament forthwith in terms of Section 4(1) of the Powers and Privileges Act; provided that the security services may intervene directly anywhere in the precincts and in the Chamber in terms of Section 4(2) of the Act when there is immediate danger to the life or safety of any person or damage to any property.
- (12) Whenever a member is physically removed from the Chamber in terms of this rule, the circumstances of such removal must be referred by the Speaker, within 24 hours, for consideration to a subcommittee of the Rules Committee appointed for that purpose.
- (13) The House may approve standard operating procedures, recommended by the Rules Committee, for the exercise of this function, in particular in relation to the use of the Parliamentary Protection Services and members of the security services.

- (14) For the purposes of this rule, “precincts” excludes the Chamber.

74. Period of suspension

The suspension of a member on the first occasion during a session continues for 5 parliamentary working days, on the second occasion for 10 parliamentary working days, and on any subsequent occasion for 20 parliamentary working days.

75. Expression of regret

- (1) A member of the House who has been suspended or named may submit to the Speaker a written expression of regret, and if the Speaker approves such expression of regret, he or she may discharge the suspension or other action taken against the member, or reduce the severity of any such action, and the Speaker must inform the House accordingly.
- (2) An expression of regret approved by the Speaker must be recorded in the Minutes of Proceedings.

76. Member to withdraw while his or her conduct is debated

Whenever a charge is made against a member, he or she must, after having been heard from his or her place, withdraw from the Chamber while such charge is being debated.

77. Grave disorder

In the event of grave disorder at a meeting, the presiding officer may adjourn the meeting, or may suspend the proceedings for a period to be stated by him or her.

Part 2: Rules of debate

78. Member to address Chair

- (1) Every member desiring to speak must, if possible, stand while addressing the Chair.
- (2) At a sitting in the Chamber of the National Assembly a member may —
 - (a) only speak from the podium during debate and whenever the presiding officer so directs, and at all other times address the Chair from a microphone on the floor of the Chamber; or
 - (b) deliver his or her address in such other manner as the member is physically able to do and agreed to by the presiding officer.
- (3)
 - (a) The Speaker and Deputy Speaker must be referred to as “honourable Speaker”, or “honourable Deputy Speaker” or “Mister” or “Madam Speaker” and “Mister” or “Madam Deputy Speaker”, as the case may be, and the other presiding officers must be referred to as “honourable Chairperson”.
 - (b) No name to impugn the dignity or undermine the authority or legitimacy of any presiding officer may be used.

79. Recognition of members to speak

- (1) Subject to Rule 78, a member may speak only when recognised by the presiding officer during proceedings of the House.
- (2) Subject to Subrule (1), a member may draw the attention of the presiding officer to a point of order or a question of privilege at any time.

- (3) In a debate the presiding officer must recognise a member in accordance with a list of members who are to speak in the debate and the times allocated for speeches by members of different parties.

80. Control of microphones in Chamber

- (1) In the event of a member not showing due respect to the authority of or not obeying an order or ruling or direction of the presiding officer, or acting in a disruptive or grossly disorderly manner in the House, the presiding officer may disable or switch off the microphone being used by such member or order that that be done.
- (2) Before proceeding in terms of Subrule (1), the presiding officer must inform the member and the House of the intention to do so.

81. List of speakers and time limits for speeches

- (1) Unless otherwise provided in these rules, and subject to Rules 94 and 95, members speak in a debate in accordance with a list of speakers compiled by the Chief Whip in consultation with the whips or party representatives of the other parties represented in the House.
- (2) The list of speakers must accommodate all parties represented in the House that wish to participate in the debate.
- (3) Members on the list may speak for the time allocated to them on the list, which may not be less than three minutes unless by agreement with the member concerned.
- (4) If a list of speakers is incomplete in respect of the identification of members who are to speak in a debate or the time allocated to each, or in the absence of a list of speakers, the Speaker must determine speaking arrangements for the debate in accordance with this rule after consultation with the party whips.

- (5) If amendments are proposed to the question before the House at a late stage in a debate, the presiding officer may, at his or her discretion, extend the debate after consultation with the party whips to allow members the opportunity to respond to the amendments.

82. Reference to member in respectful terms

- (1) In the House and in mini-plenary sessions members must refer to one another in respectful terms.
- (2) Further to Subrule (1), no member may refer to any other member by his or her name only.
- (3) No name to impugn the dignity of any member may be used.

83. Member not to read speech

A member must as far as possible refrain from reading his or her speech, but may refresh his or her memory by referring to notes.

84. Unparliamentary or unacceptable language or gestures

No member may use offensive, abusive, insulting, disrespectful, unbecoming or unparliamentary words or language, nor offensive, unbecoming or threatening gestures.

85. Reflections upon members, the President and Ministers or Deputy Ministers who are not members of the Assembly

- (1) No member may impute improper motives to any other member, or cast personal reflections upon a member's integrity or dignity, or verbally abuse a member in any other way.

- (2) A member who wishes to bring any improper or unethical conduct on the part of another member to the attention of the House, may do so only by way of a separate substantive motion, comprising a clearly formulated and properly substantiated charge that in the opinion of the Speaker prima facie warrants consideration by the House.
- (3) Subrules (1) and (2) apply also to reflections upon the President and Ministers and Deputy Ministers who are not members of the House.

86. Reflections upon decisions or statutes

No member may —

- (a) for the remainder of the term of the House, reflect upon any decision of the House that directly refers to any specified person, except for the purpose of moving that such decision be amended or rescinded; or
- (b) reflect upon any statute of the same session, except for the purpose of moving for its amendment or repeal.

87. Reflections upon the House and its proceedings and decisions

No member may reflect in a disrespectful manner upon the House or its forums and committees or upon their proceedings and decisions.

88. Reflections upon judges and certain other holders of public office

No member may reflect upon the competence or integrity of a judge of a superior court, the holder of a public office in a state institution supporting constitutional democracy referred to in Section 194 of the Constitution, or any other holder of an office (other than a member of the government) whose removal from such office is dependent upon a decision of the House, except upon a separate substantive motion in the House presenting clearly formulated and properly substantiated charges which, if true, would in the opinion of the Speaker prima facie warrant such a decision.

89. Matters sub judice

No member may reflect upon the merits of any matter on which a judicial decision in a court of law is pending.

90. Rule of anticipation

- (1) No member may anticipate the discussion of a matter appearing on the Order Paper or agreed upon by the Programme Committee for scheduling.
- (2) In determining whether a discussion is out of order on the ground of anticipation, the presiding officer must consider whether it is probable that the matter anticipated will be discussed in the House or at a joint sitting within a reasonable time.

91. Explanations

- (1) A member may, with the prior consent of the presiding officer, make an explanation at a time approved by the presiding officer after the conclusion of the debate from which the complaint arises, but only if, during that debate, a material part of the member's speech has been misquoted or misunderstood; provided that —
 - (a) such explanation must be limited to reading into the record a correction as agreed in principle by the presiding officer, not to exceed three minutes in duration; and
 - (b) no debate is allowed upon such explanation.
- (2) A member may also, with the prior consent of the presiding officer, explain matters of a personal nature, but such matters may not be debated, and the member must confine himself or herself strictly to the vindication of his or her own conduct and may not speak for longer than three minutes.

92. Points of order

- (1) A member may raise a point of order at any time during the proceedings of the House, in terms of the procedure prescribed in Rule 66, by stating that he or she is rising on a point of order.
- (2) A point of order must be confined only to a matter of parliamentary procedure or practice, or a matter relating to unparliamentary conduct, as defined, and must be raised immediately when the alleged breach of order occurs.
- (3)
 - (a) The member raising the point of order must commence by quoting the exact rule or standing order, or at least the principle or subject matter, upon which the point of order is based.
 - (b) If the member does not do so, the presiding officer may insist on him or her doing so, and if he or she fails or does not adequately do so, the presiding officer may summarily rule that it does not amount to a point of order or that the matter is out of order.
- (4) The presiding officer may, at his or her discretion, allow members to address the presiding officer briefly on a point of order that has been raised.
- (5) The presiding officer must give a ruling, and may give his or her ruling or decision on the point of order immediately, or defer the decision to the earliest opportunity thereafter by way of a considered ruling.
- (6) No point of order may be raised in response to a considered ruling in terms of Subrule (5).
- (7) No other member may raise another point of order before the presiding officer has ruled on the first point of order.

- (8) No member may raise a point of order again or a similar point of order, if the presiding officer has ruled that it is not a point of order or that the matter is out of order.
- (9) Members may not disrupt proceedings by raising points of order that do not comply with this rule.
- (10) When a point of order is raised during debate, the member called to order must resume his or her seat, and after the point of order has been stated to the presiding officer by the member raising it, the member raising the point of order must likewise immediately resume his or her seat when he or she has concluded his or her submission or if the presiding officer asks him or her to do so.
- (11) The presiding officer's ruling on a point of order is final and binding, and may not be challenged or questioned in the House.
- (12) (a) A member who is aggrieved by a presiding officer's ruling on a point of order may subsequently in writing to the Speaker request that the principle or subject matter of the ruling be referred to the Rules Committee.

(b) The Rules Committee may deal with the referral in terms of Paragraph (a) as it deems fit, provided that it must confine itself to the principle underlying, or subject matter of, the ruling concerned, and may not in any manner consider the specific ruling which is final and binding.

93. Acting for absent member

If the member in charge of a motion or an order of the day is absent, another member authorised by the absent member may take charge of the motion or order after having timeously notified the presiding officer, where possible.

94. When reply allowed

The member in charge of a motion or an order of the day, including an executive statement, is allowed to reply.

95. Debate closed

A reply to a debate closes the debate.

CHAPTER 6

DECISION OF QUESTIONS

96. Quorum

In terms of Section 53 of the Constitution, except where the Constitution provides otherwise —

- (a) a majority of the members of the National Assembly must be present before a vote may be taken on a Bill or an amendment to a Bill; and
- (b) subject to Rule 4, at least one third of the members must be present before a vote may be taken on any other question before the Assembly.

97. Questions to be decided by majority

In terms of Section 53 of the Constitution, except where the Constitution provides otherwise, all questions before the Assembly are decided by a majority of the votes cast.

98. Absence of quorum

- (1) If the attention of the presiding officer is called to the absence of the prescribed quorum when a question is put for decision, the presiding officer may suspend the proceedings, postpone the decision of the question or direct that the bells be rung for five minutes, or such longer time as the presiding officer may direct but not exceeding 15 minutes.
- (2) If the bells are rung and, after the interval referred to in Subrule (1), there is still no quorum, the presiding officer may suspend the proceedings or postpone the decision of the question.

- (3) (a) For the purpose of establishing whether a quorum is present, the presiding officer may, at his or her discretion, utilise the electronic voting system; and
- (b) all members present in the Chamber when the electronic voting system is used must record their presence as directed by the presiding officer.
- (4) The presiding officer must be counted for the purpose of establishing whether a quorum is present.

99. Decision of question postponed

When the debate on a question has been concluded in the House, the presiding officer may postpone the decision of the question.

100. Decision of postponed questions

Whenever it is expedient to do so, the Speaker may after consultation with the Programme Committee in terms of Rule 208 or, if the Programme Committee is not due to meet in time, after consultation with party whips, determine a day for the decision of postponed questions by the House.

101. Decision of questions requiring special majorities

- (1) A question requiring a special majority in terms of the Constitution must be decided by voting, whether or not a division is demanded.
- (2) (a) In accordance with Section 53(2)(b) of the Constitution, the presiding officer may cast a deliberative vote when a question must be decided with a supporting vote of at least two thirds of the members of the Assembly.

- (b) Whenever a presiding officer casts a deliberative vote, he or she must inform members accordingly.

[See Appendix B for Special Majorities required in terms of the Constitution of the Republic of South Africa, 1996]

102. Casting of votes

Unless the Constitution provides otherwise, voting takes place in accordance with Rules 103 or 104.

103. Electronic voting system

- (1) At a sitting of the House held in a Chamber where an electronic voting system is in operation, unless the presiding officer directs otherwise, questions are decided by the utilisation of such system in accordance with a procedure predetermined by the Speaker and directives as announced by the presiding officer.
- (2) Members may vote only from the seats allocated to them individually in the Chamber.
- (3) Members vote by pressing the "Yes", "No" or "Abstain" button on the electronic consoles at their seats when directed by the presiding officer to cast their votes.
- (4) A member who is unable to cast his or her vote, must draw this to the attention of the Chair and may in person or through a whip of his or her party inform the Secretary at the Table of his or her vote.
- (5) When all members have cast their votes, the presiding officer must immediately announce the result of the division.

- (6) Members' names and votes must be printed in the Minutes of Proceedings.

104. Manual voting procedure

- (1) Where no electronic voting system is in operation, a manual voting system may be used in accordance with a procedure predetermined by the Speaker and directives to be announced by the presiding officer.
- (2) When members' votes have been counted, the presiding officer must immediately announce the result of the division.
- (3) If the manual voting procedure permits, members' names and votes must be printed in the Minutes of Proceedings.

105. Postponed question put without further debate

A question referred to in Rules 99 and 100 must be put without further debate.

106. Question put again

If the presiding officer has put a question and it is not heard or understood, he or she must put it again.

107. Question fully put

- (1) No member, except a member who is permitted to make a declaration of vote, may speak to any question after it has been fully put by the presiding officer.

- (2) A question is deemed to have been fully put when the voices in favour of and against the question have been given.

108. Declaration of vote

- (1) Subject to Subrule (4), the presiding officer may at any time after a question has been fully put, if so requested, permit one member of each political party to declare its vote by stating on behalf of his or her party the reasons why the party is in favour of or against the question; provided that in the case of declarations of vote on a committee report, the relevant Minister be given the opportunity to express the executive's view and for that purpose be allocated the same amount of time as the member of the majority party in terms of Subrule (2).
- (2) The time allocated to a member from each party for making a declaration of vote must be determined by the Rules Committee and must take into account the proportional strength of the party in the House.
- (3) A member addressing the Chair in terms of Subrule (1) may read out aloud a written formulation of his or her party's viewpoint, and deliver a signed copy thereof at the Table for inclusion in the Minutes of Proceedings.
- (4) No declaration of vote is permitted if the question is put for decision immediately after the debate on the question has been concluded.
- (5) When the budget votes in the schedule to the main Appropriation Bill are to be decided upon, declarations of vote, if requested, must be limited to a total time for all the budget votes, as well as proportional time per party, as allocated for that purpose by the Programme Committee in accordance with Rule 210.

109. Recording of opposition

- (1) Whenever a question is put by the presiding officer, any member may, instead of demanding a division, inform the presiding officer that he or she wishes his or her opposition, or that of the party to which he or she belongs, to be formally recorded in the Minutes of Proceedings.
- (2) The presiding officer may order that a division take place in the event of four or more members wishing to record their individual opposition.

110. Demand for division

After a question has been put and the presiding officer has indicated whether in his or her opinion the voices in favour of or against the question are in the majority, any member may demand a division, whereupon, subject to Rule 111, a division must take place without debate.

111. Fewer than four members supporting demand for division

- (1) Whenever a division is demanded, the presiding officer must, before ordering the division bells to be rung, satisfy himself or herself that at least four members support the demand for the division.
- (2) If fewer than four members rise in support thereof, the presiding officer must immediately declare the decision on the question.
- (3) The names of the members who indicated their support for the division in terms of Subrule (2) must be recorded in the Minutes of Proceedings.

112. Division bells rung and doors barred

- (1) If the required number of members support the demand for a division, the division bells must be rung and the doors must be barred as soon after the lapse of five minutes as the presiding officer may direct, but if further divisions are required to dispose of the question and such divisions follow immediately upon the first division, the division bells must again be rung and the doors must be barred as soon after the lapse of 15 seconds as the presiding officer may direct.
- (2) When the doors have been barred, no member may enter or leave the Chamber until the result of the division has been declared.

113. Procedure after doors barred

When the doors have been barred and all members are seated, the presiding officer must inform members of the question to be decided and announce that a division has been demanded.

114. Member calling for division to vote against question

A member demanding a division may not leave the Chamber until the result of the division has been declared and in the event that he or she did not vote, his or her vote must be recorded as against the question put by the presiding officer.

115. Members present must vote

- (1) Every member present in the Chamber when the question is put with the doors barred must vote or record an abstention; provided that in terms of Section 53(2) of the Constitution the presiding officer has no deliberative vote, but —

- (a) must cast a deciding vote when there is an equal number of votes on each side of a question; and
 - (b) may cast a deliberative vote when a question must be decided with a supporting vote of at least two thirds of the members of the Assembly.
- (2) In accordance with Section 54 of the Constitution, the provisions of Subrule (1) do not apply to the President of the Republic or to a Minister or Deputy Minister who is not a member of the House.

116. Points of order during division

Subject to all other rules relating to the taking of points of order, while a division is in progress, members may only raise points of order directly related to the procedures during the division.

117. Confusion or error concerning division

- (1) If in the opinion of the presiding officer there is confusion or error concerning a division, the presiding officer may direct that another division must take place; provided that if in the opinion of the presiding officer the nature of the confusion or the extent of the error does not affect the result of the division, the presiding officer may direct that the numbers be corrected otherwise.
- (2) Party whips may, at the request of any affected members, scrutinise the electronic voting results at the Table and under their signature make limited corrections, provided the corrections so made do not affect the result of the division.

118. Correction of minutes

- If any member, in writing to the Speaker within 24 hours after the Minutes of Proceedings have been published, reports that his or her vote has been mistakenly altered, as recorded, or if any other error occurs in the voting results as published in the Minutes of Proceedings, the Speaker may order the Minutes of Proceedings to be corrected.

CHAPTER 7

MOTIONS

Part 1: General

119. Nature of motions

A member may propose a subject for discussion, or a draft resolution for approval as a resolution of the House, with or without debate.

120. Same question rule

- (1) No matter may be proposed for discussion in the House which is the same in substance as a matter that has been discussed in it during the same annual session.
- (2)
 - (a) No draft resolution may be moved in the House which is the same in substance as a draft resolution which has been approved, with or without amendments, or rejected by it during the same annual session.
 - (b) The House may amend or rescind such previous resolution.

121. Amendments to draft resolutions generally

- (1) Subject to Rule 122, a member may propose an amendment in writing to a draft resolution, provided the amendment does not extend the scope of the draft resolution or is ruled out of order for any other reason by the presiding officer.
- (2) When an amendment is moved as provided for in Subrule (1), a signed copy of the proposed amendment must be delivered to the Secretary at the Table without delay.

- (3) A proposed amendment to a draft resolution which does not strictly comply with Subrules (1) and (2) and Rule 122 may not be proceeded with in the House.
- (4) Proposed amendments to draft resolutions must be put for decision in sequence, with the last amendment being put first and the original motion, with or without amendments, last, unless the presiding officer determines otherwise.

122. Amendments to draft resolutions relating to committee reports

No amendment may be proposed to the content and substance of a committee report tabled for consideration by the House, except in respect of any recommendation made in such report for adoption by the House.

123. Motions without notice

- (1) Every motion requires notice, except a draft resolution —
 - (a) by way of amendment to a draft resolution permitted in terms of these rules;
 - (b) raising a question of privilege when approved by the Speaker in terms of Rule 31;
 - (c) for the postponement or discharge of an order of the day, giving precedence to an order of the day scheduled for that day or giving precedence to any other business;
 - (d) referring a Bill to a committee;
 - (e) by the Chief Whip, or any other member with the permission of the presiding officer, proposing a decision on a report of a committee immediately after the debate on the report has been concluded;
 - (f) specially excepted by these rules; or

- (g) in regard to which notice is dispensed with by all the members present, subject to Subrule (2).
- (2) Motions in respect of which notice is dispensed with in terms of Subrule (1)(g) are accommodated according to the following conditions:
- (a) Members of each party are entitled to move motions without notice, minority parties being given an opportunity to participate in a manner consistent with democracy.
 - (b) The number of motions without notice on any sitting day, the period of time within which such motions must be completed on that day and the sequence of party participation must be determined by the Rules Committee.
 - (c) Motions without notice must be confined to national issues and must comply with the following criteria as are applicable to all motions requiring a decision of the House: Such a motion —
 - (i) must be consistent with the Constitution, the law and these rules,
 - (ii) must deal with only one substantive matter,
 - (iii) must consist of a clear and succinct proposed resolution,
 - (iv) may not contain statements, quotations, arguments or other matters not strictly necessary to make the proposed resolution intelligible,
 - (v) may not be the same in substance as a draft resolution that has been approved or rejected during the same session,
 - (vi) may not contain unbecoming or offensive expressions,
 - (vii) may not propose to issue an instruction to the executive,
 - (viii) must observe the principles of co-operative government in accordance with Chapter 3 of the Constitution, and

- (ix) may in any event not take longer than 90 seconds to read out.
- (d) Unless the Speaker decides otherwise in a particular case, a member may not be given an opportunity to read out and move a motion without notice in the House unless the following requirements have been met:
 - (i) The member or the member's party must make the text of the motion available to the Secretary to the National Assembly before 10:00 on the day on which it is to be moved,
 - (ii) the proposed motion must comply with the criteria specified in Paragraph (c),
 - (iii) if the proposed motion complies with the specified criteria, the Secretary to the National Assembly must circulate it to all parties by 11:00 on that day, and
 - (iv) at least five parties including the majority party and the largest minority party have notified the Secretary to the National Assembly at least 30 minutes before the sitting of the House commences that they have no objection to the motion being moved without notice.
- (e) If a proposed motion is preceded by another motion of the same substance that has already been approved or rejected on the same day, the proposed motion falls away and may not be read out and moved.
- (f) If a member is not given the opportunity to read out and move the motion without notice in terms of Paragraph (d) or, for whatever reason, during the sequence of party participation the member fails to utilise the opportunity to move a motion without notice, the party to which that member belongs forfeits that opportunity.
- (g) If a proposed motion without notice as submitted does not

comply with the specified criteria, the member or the member's party must be informed accordingly and the proposed motion without notice may be adjusted and resubmitted as a motion without notice for the next appropriate sitting day or be presented as a notice of motion.

- (3) Members may be given an opportunity to move a motion without notice only on a sitting day of the House when motions without notice have been placed on the Order Paper in terms of Rule 44 read with Rule 47.

124. Notices of motion

- (1) Members of each party are entitled to give notices of motion when recognised by the presiding officer for that purpose.
- (2) The number of notices of motion on any sitting day and the period of time within which such motions must be completed on that day must be determined by the Programme Committee in accordance with Rule 210.
- (3) Members must be given an opportunity to give notices of motion only on a sitting day of the House when notices of motion have been placed on the Order Paper in terms of Rule 44 read with Rule 47.
- (4) A notice of motion in the form of a draft resolution must —
- (a) be submitted in writing;
 - (b) deal with a subject within the competence of the National Assembly;
 - (c) be concise;
 - (d) refer to a single substantive matter; and
 - (e) comply with any other rules and orders of the House and relevant guidelines approved by the Rules Committee.

- (5) A notice of motion in the form of a proposed subject for discussion must comply with the requirements of Subrule (4) and must additionally be limited to clearly identifying the proposed topic.
- (6) When giving notice of a motion, a member must —
 - (a) read it aloud and immediately thereafter deliver at the Table a signed copy of the notice, which may not differ from the notice as read aloud; or
 - (b) deliver to the Secretary a signed copy of the notice on any parliamentary working day for placing on the Order Paper.
- (7) Written notices of motion delivered to the Secretary in terms of Subrule (6)(b) after 12:00 on any parliamentary working day may be placed on the Order Paper only after the expiry of 24 hours, unless in a particular case the Speaker directs otherwise.

125. Acting for absent member

A member may give notice of a motion on behalf of an absent member, provided he or she has been authorised to do so by the absent member.

126. Speaker may disallow notices

The Speaker may disallow notices of motion which contravene the rules and orders of the House or directives and guidelines approved by the Rules Committee.

127. Motions on questions of privilege

An urgent motion directly concerning the privileges of the House must take precedence over other motions and orders of the day.

128. Withdrawal and lapsing of motion

- (1) A member who has given notice of a motion may withdraw it at any time before being called upon to move it in the House.
- (2) Once moved in the House, a motion may only be withdrawn with the unanimous concurrence of all the members present.
- (3) A notice of motion on the Order Paper lapses —
 - (a) after a period as determined by the Rules Committee from time to time; or
 - (b) at the end of the day as specified in Rule 351.

Part 2: Motions of no confidence in terms of Section 102 of Constitution

129. Motions of no confidence in terms of Section 102 of Constitution

- (1) A member may propose that a motion of no confidence in the Cabinet or the President in terms of Section 102 of the Constitution be placed on the Order Paper.
- (2) The Speaker must accord such motion of no confidence due priority and before scheduling it must consult with the Leader of Government Business and the Chief Whip.
- (3) The motion must comply, to the satisfaction of the Speaker, with the prescripts of any relevant law or any relevant rules and orders of the House and directives and guidelines approved by the Rules Committee, before being placed on the Order Paper, and must include the grounds on which the proposed vote of no confidence is based.

- (4) The Speaker may request an amendment of, or in any other manner deal, with a notice of a motion of no confidence which contravenes the law, rules and orders of the House or directives and guidelines approved by the Rules Committee.
- (5) After proper consultation and once the Speaker is satisfied that the motion of no confidence complies with the aforementioned prescribed law, rules and orders of the House and directives or guidelines of the Rules Committee, the Speaker must ensure that the motion of no confidence is scheduled, debated and voted on within a reasonable period of time given the programme of the Assembly.
- (6) The debate on a motion of no confidence may not exceed the time allocated for it by the Speaker, after aforesaid consultation process.
- (7) If a motion of no confidence cannot reasonably be scheduled by the last sitting day of an annual session, it must be scheduled for consideration as soon as possible in the next annual session.
- (8) Rules 120, 123 and 127 do not apply to motions of no confidence in terms of this rule.

CHAPTER 8

DISCUSSION OF URGENT MATTERS OF NATIONAL PUBLIC IMPORTANCE

130. Urgent matter of national public importance

- (1) A private member may request the Speaker in writing to schedule without delay an urgent matter of national public importance for discussion by the House.
- (2) In submitting the request, the member must motivate why the matter is of so urgent a nature that it should be dealt with in terms of this rule.
- (3) In granting such a request, depending on the urgency of the matter, the Speaker may at his or her discretion —
 - (a) if, on a sitting day, the request is received at least by midday, schedule the discussion for the same day;
 - (b) if the House is not programmed to meet at an early date that will accommodate the urgency of the matter, convene a special sitting of the House for the discussion; or
 - (c) schedule the matter for discussion at the earliest opportunity.
- (4) If the Speaker grants the request, he or she must without delay inform the House, the Leader of Government Business and the responsible Minister of the date and time set for the discussion.
- (5) Such a discussion may not exceed the time allocated for it by the Speaker, after consultation with the Leader of Government Business and the Chief Whip.
- (6) In the absence of the responsible Minister, any other member of the executive may respond to the discussion on that Minister's behalf; provided that, at the Speaker's discretion, the discussion may proceed

even if no member of the executive is available to respond.

- (7) There may only be one discussion in terms of this rule on a sitting day, and if the Speaker receives more than one request, he or she must decide which matter is more urgent or important.
- (8) In exercising his or her discretion, the Speaker must apply the following criteria:
 - (a) Matters already discussed by the House during the same annual session may not be discussed under this rule;
 - (b) the matter must be raised at the earliest opportunity;
 - (c) the matter must be —
 - (i) of so serious a nature that it requires urgent attention, or
 - (ii) of sufficient immediate public importance to warrant it taking precedence over other programmed business;
 - (d) the request must deal with a matter of national importance for which the government can be held responsible, or that falls within the scope of ministerial action;
 - (e) the subject must relate to a specific matter of recent occurrence, and not to a general state of affairs or to a matter of policy;
 - (f) the matter must be defined and specific;
 - (g) the request must deal with only one substantive matter;
 - (h) the request will not be granted if the matter can be considered by some other means in the near future; and
 - (i) the sub judice rule (Rule 89) applies to such a discussion.

131. Withdrawal of scheduled discussion on matter of urgent public importance

The member who requested the discussion may request the Speaker to withdraw the scheduled discussion, provided that sufficient notice of such withdrawal is given.

CHAPTER 9

MEMBERS' STATEMENTS AND EXECUTIVE STATEMENTS

132. Statements by members

- (1) A member, other than the Deputy President, a Minister or a Deputy Minister, may be recognised by the presiding officer to make a statement on any matter for not more than one and a half minutes.
- (2) Members of each party are entitled to make a number of statements, minority parties being given an opportunity to participate in a manner consistent with democracy.
- (3) If a member, for whatever reason, during the sequence of proceedings, fails to utilise the opportunity to make a statement, the party to which that member belongs forfeits that opportunity.
- (4) The number of members' statements on any sitting day, the period of time within which such statements must be completed on that day and the sequence of party participation must be determined by the Rules Committee.
- (5) At the conclusion of statements by members, a Minister or Deputy Minister present may be given an opportunity to respond, for not more than two minutes, to any statement.
- (6) The number of permissible ministerial responses to members' statements must be determined by the Rules Committee.
- (7) Statements are only taken on any sitting day when placed on the Order Paper in terms of Rule 44 read with Rule 47.

- (8) The rules of debate apply to members' statements and ministerial responses.

133. Executive statements

- (1) A Cabinet member may request the Speaker for an opportunity for that Cabinet member or the relevant Deputy Minister on behalf of that Cabinet member to make a factual or policy statement relating to government policy, any executive action or other similar matter of which the House should be informed.
- (2) The time allotted to a Cabinet member making an executive statement in terms of Subrule (1), including any reply to party responses in terms of Subrule (7), may not exceed 20 minutes, except with the consent of the House.
- (3) Whenever reasonably possible, a copy of an executive statement must be delivered to the leader of each party, or that leader's representative, at or before the time the statement is made in the House.
- (4) After any executive statement has been made, the Cabinet member concerned may table relevant supporting papers.
- (5) Following any executive statement, a member or members of each of the parties represented in the House may comment on the executive statement, the time allocated to each party for that purpose and the sequence for party comments to be determined by the Rules Committee.
- (6) Party responses as envisaged in Subrule (5) may be postponed by agreement between the majority of parties represented in the House or by motion without notice in the House to a later date as determined by the Programme Committee in accordance with Rule 210.

- (7) At the conclusion of party responses, the responsible Cabinet member or Deputy Minister must, subject to Subrule (2), be given an opportunity to reply.

CHAPTER 10 QUESTIONS

Part 1: General

134. Notice and placing of questions

- (1) Except as otherwise provided in these rules or with the prior consent of the Speaker —
 - (a) notice must be given of each question by placing it on the Question Paper; and
 - (b) no question for oral reply may be asked on the day on which notice thereof is given.

- (2)
 - (a) A member may give notice of a question on any working day in accordance with these rules.

 - (b) A member who wants to give notice of a question must deliver to the Speaker, for placement on the Question Paper —
 - (i) a signed copy of the notice, or
 - (ii) an electronic copy of the notice, which must be accompanied by the member's electronic signature or originate from the member's email address, indicating the day on which the question will be put.

 - (c) A whip or representative of the member's party designated by the party may submit a notice in terms of Subrule (2)(a) on behalf of the member.

- (3) Questions delivered to the Speaker before 12:00 on any working day in terms of Subrule (2) may appear on the Question Paper only after the expiry of 24 hours.

- (4) Subject to these rules and any guidelines that may be approved by the Rules Committee, and in particular Rules 137(7) and 140, questions must be placed on the Question Paper in the order in which they are received.
- (5)
 - (a) No question may be addressed to any person other than a member of the Cabinet; and
 - (b) questions must relate to matters for which Cabinet members are officially responsible.
- (6) If a notice of a question is not consistent with these rules or any guidelines that may be approved by the Rules Committee, the Speaker may either amend the question or return it to the member who submitted it.

135. Lapsing of questions

All questions on the Question Paper on the last sitting day of an annual session lapse 20 working days after the last sitting day.

136. Monitoring replies to questions

- (1) The Speaker must in consultation with the Rules Committee establish a system to monitor and report regularly to the House on questions that have been endorsed as unanswered on the Question Paper in terms of Rules 143(2), 144(5) and 146(3).
- (2) The Leader of Government Business must be informed of any steps taken in respect of any member of the executive in giving effect to the monitoring of replies and the application of Rules 143 to 146.

Part 2: Questions for oral reply

137. Form and arrangement of questions

- (1) A member who wants an oral reply to a question must write the words "for oral reply" on the copy of the notice of the question delivered to the Speaker in terms of Rule 134(2).
- (2) A question for oral reply must be concise and may not contain more than two subdivisions.
- (3) If the Speaker is of the opinion that a question comprises matters of a substantively statistical nature, the Speaker may direct that the question be placed on the Question Paper for written reply.
- (4) Questions for oral reply are limited to two questions per member per question day.
- (5) (a) The restrictions imposed by Subrule (4) and by Rules 138(7), 139(3) and 140(3) do not apply to questions —
 - (i) approved as urgent questions in terms of Rule 141,
 - (ii) standing over in terms of Rule 144(1) or (3), or
 - (iii) transferred from written to oral reply in terms of Rule 146.(b) If a question referred to in Paragraphs (a)(i) to (iii) is included on a Question Paper for a particular day, an additional 30 minutes must be added to the question time for that day.
- (6) A question that is submitted for oral reply must be placed on the Question Paper for reply at least six working days prior to the question day on which it is to be replied to.

- (7) An authorised representative of a party may before 12:00 on the day after questions for a particular question day appear on the Question Paper for the first time, notify the Speaker in writing of the order in which questions put by members of that party are to be placed on the Question Paper.
- (8) Questions that cannot be placed on the Question Paper for oral reply because of quotas must be placed as questions for written reply.
- (9) The sequence of questions on the Question Paper rotates without interruption for the duration of an annual session according to the order in which members of the respective parties may put questions, such order being determined by the Rules Committee from time to time.
- (10) (a) If the member in whose name a question appears on the Question Paper is absent on the day when the question is to be replied to, another member authorised by the absent member may take charge of the question after having timeously notified the presiding officer, where possible.
- (b) If another member has not been authorised to take charge of a question as contemplated in Paragraph (a), 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's duration.

138. Questions to Ministers

- (1) Questions for oral reply by Ministers must be dealt with in accordance with a clustered system of government portfolios, as determined by the Rules Committee from time to time and published in the ATC.

- (2) The clusters rotate on a weekly basis, so that, subject to Subrules (5) and (6), questions relating to each cluster are answered in succession in accordance with the agreed system.
- (3) A Minister may authorise his or her Deputy Minister to reply to a question directed at that Minister, provided the Deputy Minister is able also to respond competently to any permissible supplementary questions that may be asked.
- (4) If a Minister and his or her Deputy Minister are absent on a day when questions relating to the relevant Ministry are to be answered, the Minister may authorise another Cabinet member to reply to a question directed at that Minister, provided the Cabinet member so authorised is able also to respond competently to any permissible supplementary questions that may be asked.
- (5) If a Minister is absent on a day when a question relating to the relevant cluster is called and the question is not answered by the Deputy Minister concerned or another Cabinet member in accordance with Subrules (3) and (4), the Speaker may, if requested to do so by the member in whose name the question to that Minister stands, and after consultation with the Leader of Government Business, direct that —
 - (a) such question to that Minister be placed on the Question Paper for the first question session for Ministers following that day; and
 - (b) an additional 30 minutes be added to the question time for that session.
- (6) Questions to Ministers must not be scheduled for a day on which the President is scheduled to answer questions in the Assembly.
- (7) The number of questions to a Minister is limited to 10 questions per question day in respect of any one department of state.

- (8) Where the order in which questions are put to Ministers according to Rule 137(9) is interrupted at the end of a question session, the next question session to Ministers starts from the point where the order was so interrupted.

139. Questions to Deputy President

- (1) Questions to the Deputy President must be scheduled by the Programme Committee in accordance with Rule 210 for a question day once per month during session time in accordance with the annual programme of the Assembly, outside of the question time for Ministers; provided that —
- (a) questions to the Deputy President may not be scheduled for any week in which questions to the President are scheduled; and
 - (b) the Programme Committee must further determine which months qualify as months during session time within the annual programme for purposes of this rule.
- (2) Questions to the Deputy President must be limited to matters of national and international importance, as assigned to him or her by the President.
- (3) The number of questions to the Deputy President is limited to six questions per question day.
- (4) The total time allowed for replies to questions and associated supplementary questions under this rule is limited to a maximum of three hours.
- (5) Where the order in which questions are put to the Deputy President according to Rule 137(9) is interrupted at the end of a question session to the Deputy President, the next question session to the Deputy President starts from the point where the order was so interrupted.

- (6) Questions to the Deputy President must be submitted to the Speaker at least 16 calendar days before the question day on which they are to be answered, for the Speaker's approval as complying with these rules and the guidelines determined by the Rules Committee.

140. Questions to President

- (1) Questions to the President must be —
 - (a) scheduled in accordance with Rule 210 for a question day at least once per quarter during session time within the annual programme; and
 - (b) limited to matters of national and international importance.
- (2) Questions to the President must be submitted to the Speaker at least 16 calendar days before the question day on which they are to be answered, for the Speaker's approval as complying with these rules and the guidelines determined by the Rules Committee.
- (3) The number of questions to the President is limited to six questions per question day.
- (4) The total time allowed for replies to questions and associated supplementary questions under this rule is limited to a maximum of three hours.
- (5) Where the party sequence in which questions are put to the President according to Rule 137(9) is interrupted at the end of a question session, the next question session to the President starts from the point where the sequence was so interrupted.

141. Urgent questions

- (1) A member may request the Speaker in writing to allow an urgent question for oral reply to be put to —
 - (a) the relevant Minister at the next question session for Ministers in the House, regardless of whether that Minister falls within the ministerial cluster for that day; or
 - (b) the President or the Deputy President on the next applicable question day.
- (2) A member who wants to put an urgent question in terms of Subrule (1) must deliver a signed copy of the question to the Speaker before 12:00 on the day preceding the question day on which the question is to be answered, clearly indicating that it is an urgent question.
- (3) In submitting the request, the member must motivate why the question is so urgent that it must be dealt with in terms of this rule.
- (4) The Speaker must consult the Leader of Government Business before approving an urgent question.
- (5) An approved urgent question takes precedence over all other questions on the relevant question day.

142. Times allotted and time limits

- (1) Questions for oral reply have precedence on Wednesdays, unless the Programme Committee determines otherwise in accordance with Rule 210.
- (2) The time allotted for questions is three hours.

- (3) The reply to a question is limited to four minutes, but if the presiding officer is of the opinion that the matter is of sufficient importance, an additional two minutes may be allowed.
- (4) In respect of each question, four supplementary questions may be asked, the member in whose name a question stands or who takes charge of a question in terms of Rule 137(10) being given the first opportunity to ask a supplementary question.
- (5) A member who asks a supplementary question may make a statement or express an opinion, but the time allowed for the first supplementary question is limited to two minutes and for subsequent supplementary questions one minute.
- (6) A supplementary question must arise directly from the original question and the reply given thereto and may not constitute a new question.
- (7) A supplementary question may not consist of more than one question.
- (8) The reply to a supplementary question is limited to two minutes.
- (9) The provisions of Subrules (1), (2), (3) and (8) do not apply to questions to the Deputy President and the President.

143. Unanswered questions for oral reply

- (1) Replies to questions for oral reply which have not been reached at the end of the time allotted on a question day must be submitted in writing to the Speaker on the same day for appropriate distribution and inclusion in the Official Report of the Debates of the Assembly.

- (2) If a reply to such a question is not received by the Speaker on the question day concerned, the question must be regarded as unanswered and the question must be endorsed on the Question Paper to that effect.

144. Questions for oral reply standing over

- (1) A question for oral reply must stand over if the Minister to whom it is addressed —
- (a) so requests, either in the Assembly when the question is called for reply, or by notice in writing to the Speaker before the start of question time on the day for which it is on the Question Paper; or
 - (b) is not present in the Assembly when the question is called for reply and the question is not replied to by the relevant Deputy Minister or another Cabinet member on his or her behalf in terms of Rule 138(3).
- (2) Subject to a direction by the Speaker under Rule 138(5), a question that stands over in terms of Subrule (1) must be —
- (a) placed on the Question Paper for reply on the next question day on which the relevant Minister is scheduled to reply to questions; and
 - (b) published at the end of the Question Paper, but may be prioritised in terms of Rule 137(7); provided that if more than one question is to be so published, the questions must be published in the order in which they previously appeared.
- (3) A question for oral reply may not stand over more than once and is regarded as unanswered, unless the relevant Minister offers a valid reason —
- (a) in the Assembly for requesting that it stand over again, when the question is called for reply; or

(b) in writing to the Speaker for being absent from the House on the question day for which it has been set down in terms of Subrule (2);

or the Speaker determines otherwise.

- (4) If a question stands over again in terms of Subrule (3), the member in whose name the question stands may again request the Speaker that the question be placed on the Question Paper for the first question session for Ministers following that day in terms of Rule 138(5).
- (5) If a question standing over is not answered, either orally or in terms of Rule 143(1), the Question Paper must be endorsed to the effect that the question has not been replied to.

Part 3: Questions for written reply

145. Form and placing of questions

- (1) A question for written reply may be placed on the Question Paper for any working day.
- (2) A question for written reply may not contain more than 10 subdivisions.
- (3) Questions for written reply are limited to three questions per member per week.
- (4) The restriction imposed by Subrule (3) does not apply to questions referred to in Rule 137(8).
- (5) (a) A question for written reply must be replied to within 10 working days, provided that the responsible Minister may in writing request the Speaker for an extension not exceeding a further 10 working days on good cause shown.

- (b) If the Speaker approves a request for an extension in terms of Paragraph (a), the member in whose name the question stands must be informed accordingly and the extension must be recorded on the Question Paper.

146. Written reply not given

- (1) If the responsible Cabinet member has not replied in writing to a question within 10 working days of the day for which the question was set down for written reply or within the period of an extension approved by the Speaker in terms of Rule 145(5), and the member in whose name the question stands, or who takes charge of a question in terms of Rule 137(10), so requests, the Speaker must place the question on the Question Paper for oral reply.
- (2) If a reply to a question placed on the Question Paper for oral reply in terms of Subrule (1) is submitted in writing to the Speaker not later than 12:00 on the question day on which it is to be replied to, the question must not be called in the House.
- (3) If a written reply has not been received within 10 working days or within the period of an extension approved by the Speaker in terms of Rule 145(5), subject to Subrule (1) the Question Paper must be endorsed to the effect that the question has not been replied to, and the Speaker must inform the Leader of Government Business accordingly.

CHAPTER 11

MESSAGES

147. Messages from Council

A message received from the Council must be recorded in the ATC, or be made known in such other manner as the Speaker may determine.

148. Messages to President of the Republic

A message from the House to the President of the Republic must be signed and communicated by the Speaker.

149. Messages from President of the Republic

- (1) All communications from the President of the Republic to the House must, if he or she does not attend a sitting of the House or a joint sitting, be by message.
- (2) The message must be presented to the House by the presiding officer, may in the discretion of the presiding officer be read out by him or her, and must be printed in the ATC, or in the Minutes of Proceedings if the message is read out in the House.
- (3) The consideration of the message may be placed on the Order Paper, or the presiding officer may interrupt business at the request of the Leader of Government Business in order that precedence may be given to the consideration of the message; provided that a message whereby the President of the Republic calls a sitting of Parliament in terms of Section 42(5) of the Constitution may not be considered.

CHAPTER 12 COMMITTEE SYSTEM

Part 1: Introduction

150. List of committees

- (1) The Assembly has the following committees —
- (a) as established by these rules:
- (i) the Rules Committee established by Rule 190;
 - (ii) the Programme Committee established by Rule 205;
 - (iii) the Disciplinary Committee established by Rule 216;
 - (iv) the Forum of Committee Chairpersons established by Rule 221;
 - (v) the portfolio committees that must be established in terms of Rule 225;
 - (vi) the Standing Committee on Public Accounts established by Rule 243;
 - (vii) ad hoc committees that may be established in terms of Rule 253; and
 - (viii) the Chief Whips' Forum established by Rule 256; and
- (b) as established by these rules in terms of legislation:
- (i) the Powers and Privileges Committee established by Rule 211;
 - (ii) the Standing Committee on Finance established by Rule 230;
 - (iii) the Standing Committee on Appropriations established by Rule 236; and
 - (iv) the Standing Committee on the Auditor-General established by Rule 249.

- (2) Other committees may be established but only by resolution of the Assembly.
- (3) If a proposal to establish a committee is contained in draft legislation before a portfolio committee, that committee must first refer the proposal to the Rules Committee for a report and recommendation before that committee considers the proposal.
- (4) The Assembly participates in joint committees and other joint structures in accordance with the Joint Rules.

151. Subcommittees

- (1) A committee —
 - (a) has such subcommittees as are established by these rules; and
 - (b) may appoint a subcommittee only when —
 - (i) there is provision for such appointment in these rules, or
 - (ii) authorised by resolution of the Assembly.
- (2) Subrule (1) does not prevent a committee from assigning a task to one or more of its members for a purely internal or administrative purpose.
- (3) If a proposal to establish a subcommittee is contained in draft legislation before a portfolio committee, that committee must first refer the proposal to the Rules Committee for a report and recommendation before that committee considers the proposal.

152. Application of rules to committees and subcommittees established in terms of legislation

These rules also apply to a committee or subcommittee established in terms of legislation, and in such application the committee or subcommittee must be regarded as having been established in terms of these rules.

Part 2: Rules applicable to committees generally

153. Application of this part

The provisions of this part apply to all committees established by or in terms of these rules except in so far as any of these provisions is inconsistent with —

- (a) another provision of these rules applicable in a specific case; or
- (b) a resolution of the Assembly.

154. Composition

- (1) Parties are entitled to be represented in committees in substantially the same proportion as the proportion in which they are represented in the Assembly, except where —
 - (a) these rules prescribe the composition of the committee; or
 - (b) the number of members in the committee does not allow for all parties to be represented.
- (2) Subject to these rules, the Joint Rules and decisions of the Rules Committee, and where practicably possible, each party is entitled to at least one representative in a committee.

155. Appointment procedures

- (1) Unless these rules provide otherwise, the parties appoint the members of a committee and advise the Speaker accordingly.
- (2) Parties must appoint their members within five working days after the establishment of a committee by the House.

- (3) The names of the members appointed, and alternates appointed in terms of Rule 156, must be published in the ATC without delay.

156. Alternates

- (1) Alternates may be appointed for one or more specific members of a committee.
- (2) An alternate acts as a member when the member for which the alternate was appointed —
 - (a) is absent; or
 - (b) has vacated office, until the vacancy is filled.

157. Term of office

- (1) Subject to Section 49(4) of the Constitution, members of a committee and alternates for members are appointed until the Assembly's term expires or the Assembly is dissolved, whichever occurs first.
- (2) A member of a committee ceases to be a member and an alternate for a member ceases to be an alternate if a whip of the party to which that member or alternate belongs, or a designated representative of that party, gives notice to the Speaker, in writing, that the member or alternate is to be replaced or withdrawn.

158. Chairpersons

- (1) A committee must elect one of its members as the chairperson of the committee.

- (2) The chairperson of a committee, subject to other provisions of these rules and directions of the committee —
- (a) presides at meetings of the committee;
 - (b) may act in any matter on behalf of and in the best interest of the committee when it is not practical to arrange a meeting of the committee to discuss that matter, if that matter concerns —
 - (i) a request by a person to give evidence or make oral representations to the committee,
 - (ii) any other request to the committee, and
 - (iii) the initiation of any steps or decisions necessary for the committee to perform its functions or exercise its powers;
 - (c) performs the functions, tasks and duties and exercises the powers that the committee, resolutions of the Assembly and legislation may assign to the chairperson; and
 - (d) in the event of an equality of votes on any question before the committee, must exercise a casting vote in addition to the chairperson's vote as a member.
- (3) The chairperson must report to the committee on any steps taken in terms of Subrule (2)(b).

159. Acting chairpersons

- (1) If the chairperson of a committee is absent or unable to perform the functions of chairperson, the committee must elect another of its members as acting chairperson.
- (2) An acting chairperson performs the functions and may exercise the powers of the chairperson.

160. First meetings

- (1) The Secretary must call a meeting of a committee within five working days after the names of the members of the committee have been announced.
- (2) If a party or parties have not appointed their members in time, as provided for in Rule 155(2), the Secretary must call a meeting of the committee within five working days after a sufficient number of members have been appointed to form a quorum in terms of Rule 162(2).
- (3) If the Assembly is in recess, the Secretary must notify the members of the committee, the Chief Whip and the most senior whip of each of the other parties of the time and place of the meeting at least 14 days before the meeting.

161. Meetings

- (1) Committees meet whenever necessary and as determined in accordance with these rules and the decisions, directives and guidelines of the Programme Committee in accordance with Rule 210.
- (2) A meeting of a committee may be called in terms of Subrule (1) —
 - (a) by the chairperson of the committee; or
 - (b) by resolution of the Assembly.
- (3) If at least one third of the members of a committee, in writing, request the chairperson of the committee to call a meeting of the committee, the chairperson must call the meeting within a reasonable time.

162. Quorum requirements

- (1) A committee at all times requires at least one third of its members to be present for it to conduct any business.
- (2) A majority of the members of a committee must be present for it to decide any question.
- (3) When a committee has to decide a question and a quorum in terms of Subrule (2) is not present, the chairperson may either suspend business until a quorum is present, or adjourn the meeting.

163. Co-option when members and alternates not available

If a member of a committee and that member's alternate are both absent from a meeting of the committee, the chairperson may co-opt any other Assembly member from the same party to act as a member of the committee until that committee member or the alternate member is no longer absent.

164. Interruption, suspension or adjournment

The chairperson of a committee —

- (a) may interrupt or suspend the proceedings or adjourn the meeting; and
- (b) may change the date for the resumption of business, provided reasonable notice is given.

165. Information reflecting upon integrity of members

If any information reflecting upon the integrity of an Assembly member comes before a committee, the committee may not proceed upon that information, but must report it to the Speaker without delay.

166. Reporting

- (1) A committee must report to the Assembly on a matter referred to the committee —
 - (a) when the Assembly is to decide the matter in terms of these rules, the Joint Rules, a resolution of the Assembly or legislation;
 - (b) if the committee has taken a decision on the matter, whether or not the Assembly is to decide the matter as contemplated in Paragraph (a); or
 - (c) if the committee is unable to decide a matter referred to it for report.

- (2) A committee must report to the Assembly on —
 - (a) all other decisions taken by it, except those decisions concerning its internal business; and
 - (b) its activities at least once per year.

- (3) A report of a committee —
 - (a) must be formally adopted by the committee;
 - (b) must be submitted to the Assembly by the chairperson or another member of the committee designated by the committee; and
 - (c) may request that the chairperson or another member of the committee designated by the committee introduces or explains the report in the Assembly.

- (4)
 - (a) A committee may not submit a minority report.

 - (b) If a report is not a unanimous report, it must —
 - (i) specify in which respects there was not consensus, and
 - (ii) in addition to the views representative of the majority in the committee, express any views of a minority in the committee.

- (5) If a committee reports on a matter other than a matter mentioned in Subrule (1)(a) and is of the view that its report, or a specific matter mentioned in the report, should be considered by the Assembly, it may make a request to that effect in the report.

167. General powers

For the purposes of performing its functions a committee may, subject to the Constitution, legislation, the other provisions of these rules and resolutions of the Assembly —

- (a) summon any person to appear before it to give evidence on oath or affirmation, or to produce documents;
- (b) receive petitions, representations or submissions from interested persons or institutions;
- (c) permit oral evidence on petitions, representations, submissions and any other matter before the committee;
- (d) conduct public hearings;
- (e) consult any Assembly or Council committee or subcommittee, or any joint committee or subcommittee;
- (f) determine its own working arrangements;
- (g) meet at a venue determined by it, which may be a venue beyond the seat of Parliament;
- (h) meet on any day and at any time, including —
 - (i) on a day which is not a working day,
 - (ii) on a day on which the Assembly is not sitting,
 - (iii) at a time when the Assembly is sitting, or
 - (iv) during a recess; and
- (i) exercise any other powers assigned to it by the Constitution, legislation, the other provisions of these rules or resolutions of the Assembly.

168. Privilege of witnesses

Prior to a witness giving evidence before a House or committee, the chairperson must in accordance with Section 16 of the Powers and Privileges Act inform the witness as follows:

“Please be informed that by law you are required to answer fully and satisfactorily all the questions lawfully put to you, or to produce any document that you are required to produce, in connection with the subject matter of the enquiry, notwithstanding the fact that the answer or the document could incriminate you or expose you to criminal or civil proceedings, or damages. You are, however, protected in that evidence given under oath or affirmation before a House or committee may not be used against you in any court or place outside Parliament, except in criminal proceedings concerning a charge of perjury or a charge relating to the evidence or documents required in these proceedings.”

169. Conferring powers of committees

- (1) A committee may confer with any other committee of the Assembly.
- (2) Committees must confer —
 - (a) if the Assembly instructs them to confer; or
 - (b) during a recess, if the Speaker, with the concurrence of the Chief Whip, instructs them to confer.
- (3) When committees meet to confer, the chairpersons of the respective committees co-chair the meeting.
- (4) Committees conferring in terms of Subrule (1) may report jointly, subject to the provisions of Rule 228(2).

- (5) If a committee is unable to meet to confer with another committee within reasonable time frames, the committee may invite the other committee to convey its views in writing.

170. Public involvement

Committees must ensure public involvement in accordance with the provisions of the Constitution and these rules.

Part 3: Rules applicable to subcommittees generally

171. Application of this part

The provisions of this part apply to all subcommittees established by or in terms of these rules except in so far as any of these provisions is inconsistent with —

- (a) another provision of these rules applicable in a specific case; or
- (b) a resolution of the Assembly.

172. General rules

- (1) A subcommittee established by or in terms of these rules —
- (a) is accountable to its parent committee;
 - (b) must carry out its task and responsibilities within a policy framework determined by its parent committee and in accordance with these rules and any directives, guidelines or regulations issued by the parent committee;
 - (c) may consult any Assembly or Council committee or subcommittee, or any joint committee or subcommittee;
 - (d) may determine its own working arrangements, subject to these rules, any directives of the parent committee or resolutions of the Assembly;

- (e) may only make recommendations to its parent committee; and
 - (f) must report to its parent committee regularly or when requested by the parent committee.
- (2) The parent committee of a subcommittee —
- (a) must appoint the members of the subcommittee from among its members;
 - (b) may, if appropriate, determine a period within which the subcommittee must complete its task;
 - (c) must determine the extent, nature and form of the subcommittee's reports to the committee, and time limits for the submission of a report;
 - (d) may delegate any of its powers to the subcommittee necessary for the subcommittee to perform its task; and
 - (e) may instruct the subcommittee to perform any of its functions.

173. Alternates

- (1) A parent committee may appoint alternates from among its members for one or more specific members of a subcommittee.
- (2) An alternate acts as a member when the member for which the alternate was appointed —
 - (a) is absent; or
 - (b) has vacated office, until the vacancy is filled.

174. Term of office

- (1) Subject to Section 49(4) of the Constitution, the members of a subcommittee established by a provision of these rules and any alternates for those members are appointed until the Assembly's term expires or the Assembly is dissolved, whichever occurs first.

- (2) A subcommittee established by a committee in terms of a provision of these rules ceases to exist —
 - (a) when it has completed the task for which it was established; or
 - (b) if it is dissolved earlier by the parent committee.

- (3) (a) A member of a subcommittee ceases to be a member and an alternate for a member ceases to be an alternate if a whip of the party to which that member or alternate belongs gives notice to the Speaker, in writing, that the member or alternate is to be replaced or withdrawn.

- (b) The written notice to the Speaker in terms of Subrule (3)(a) must be copied to the parent committee.

175. Chairpersons

- (1) The parent committee of a subcommittee must designate a member of the subcommittee as the chairperson of the subcommittee.

- (2) The chairperson of a subcommittee, subject to the other provisions of these rules and the directions of the parent committee —
 - (a) presides at meetings of the subcommittee;
 - (b) may act in any matter on behalf of and in the best interest of the subcommittee when it is not practical to arrange a meeting of the subcommittee to discuss that matter, if that matter concerns —
 - (i) a request by a person to give evidence or make oral representations to the subcommittee,
 - (ii) any other request to the subcommittee, and
 - (iii) the initiation of any steps or decisions necessary for the subcommittee to perform its functions or exercise its powers; and

- (c) performs the functions, tasks and duties and exercises the powers that the parent committee, resolutions of the Assembly and legislation may assign to the chairperson.
- (3) The chairperson must report to the subcommittee on any steps taken in terms of Subrule (2)(b).

176. Acting chairpersons

- (1) If the chairperson of a subcommittee is absent or unable to perform the functions of chairperson, the subcommittee must elect another of its members as acting chairperson.
- (2) An acting chairperson performs the functions and exercises the powers of the chairperson.

177. Meetings

- (1) Subcommittees meet whenever necessary and as determined in accordance with these rules and the decisions, directives and guidelines of the Programme Committee in accordance with Rule 210.
- (2) A meeting of a subcommittee may be called in terms of Subrule (1) by —
 - (a) the chairperson of the subcommittee;
 - (b) the parent committee; or
 - (c) the chairperson of the parent committee.

178. Matters relating to quorum

A subcommittee may proceed with business irrespective of the number of members present.

179. Decisions

- (1) A question before a subcommittee is decided by consensus.
- (2) If consensus cannot be reached, all views in the subcommittee on the question must be reported to the parent committee.

180. General powers

A subcommittee has the powers listed in Rule 167 only when assigned to it in terms of these rules or by a resolution of the Assembly.

Part 4: Rules applicable to both committees and subcommittees generally

181. Application of this part

The provisions of this part apply to all committees and subcommittees established by or in terms of these rules except in so far as any of these provisions is inconsistent with —

- (a) another provision of these rules applicable in a specific case; or
- (b) a resolution of the Assembly.

182. Conduct of members

Members must at all times conduct themselves in a manner befitting the dignity and decorum of a forum of the Assembly.

183. Persons appearing before committees

Any person, including counsel and attorneys, appearing before a committee or subcommittee must observe the directions and conform to the procedures determined by the chairperson of the committee or subcommittee.

184. Admission of public

- (1) Meetings of committees and subcommittees are open to the public, including the media, and the chairperson of the committee or subcommittee may not exclude the public, including the media, from the meeting, except when —
 - (a) legislation, these rules or resolutions of the Assembly provide for the committee or subcommittee to meet in closed session; or
 - (b) the committee or subcommittee is considering a matter which is —
 - (i) of a private nature that is prejudicial to a particular person,
 - (ii) protected under parliamentary privilege, or for any other reason privileged in terms of the law, or
 - (iii) confidential in terms of legislation,
the nature of which is such that its confidential treatment is reasonable and justifiable in an open and democratic society.
- (2) A decision in terms of Subrule (1) to exclude the public must be taken, after due consideration, by the committee or subcommittee concerned, provided that the chairperson of the committee or subcommittee may at any time —
 - (a) before the start of the meeting rule that the meeting must take place in closed session, but the committee or subcommittee may at any time after the start of the meeting open the meeting; or

- (b) close the meeting for a decision by the committee or subcommittee whether the matter should be considered in closed session.
- (3) The Speaker must —
- (a) set aside places for the public in the committee rooms; and
 - (b) determine the entrances and routes through which the public can obtain access to these places.
- (4) The Speaker may take reasonable measures —
- (a) to regulate public access, including access of the media, to the committees and subcommittees;
 - (b) to prevent and control misconduct of the public in committee rooms; and
 - (c) to provide for the searching of any person, including that person's vehicle or other property in that person's possession, and, where appropriate, the refusal of entry to, or the removal of, any person.

185. Presence of other Assembly members

- (1) A member of the Assembly who is not a member of the committee or subcommittee may be present at a meeting of the committee or subcommittee.
- (2) A member mentioned in Subrule (1) who is present at a meeting of a committee or subcommittee —
 - (a) may speak on a matter before the committee or subcommittee subject to any reasonable restrictions the chairperson may impose; and
 - (b) may not vote except when the vote is cast as an alternate in terms of Rule 156.

186. Exclusion of members of public from meetings

The chairperson of a committee or subcommittee may —

- (a) order a member of the public to leave the meeting —
 - (i) when the public is excluded from a meeting in terms of Rule 184(1), or
 - (ii) when necessary to give effect to the measures taken under Rule 184(3); or
- (b) order a person referred to in Rule 183 to leave the meeting if that person does not comply with a ruling of the chairperson.

187. Exclusion of other persons from meetings

When the public is excluded from a meeting of a committee or subcommittee in terms of Rule 184(1), the chairperson may order a staff member, a government official and any other person not deemed a member of the public, excluding a member of the Assembly, also to leave the meeting.

188. Removal of persons

When instructed by the chairperson of a committee or subcommittee, the Serjeant-at-Arms must remove or arrange for the removal of any person who —

- (a) without permission, is present in that part of a committee room designated for members of the committee or subcommittee only;
- (b) disrupts the proceedings of the committee or subcommittee or causes a nuisance; or
- (c) does not leave when ordered to leave under Rule 186 or 187.

189. Publication or disclosure of proceedings, evidence, reports, etc

- (1) All documents officially before, or emanating from, a committee or subcommittee are open to the public, including the media, but the following documents may not be published, and their contents may not be disclosed, except with the permission of the committee, or the parent committee in the case of a subcommittee, or by order of the Speaker, or by resolution of the Assembly:
- (a) The proceedings of, or evidence taken by or placed before, the committee or subcommittee while the public were excluded from a meeting in terms of Rule 184(1);
 - (b) any report or summary of such proceedings or evidence; and
 - (c) any document placed before or presented to the committee or subcommittee as a confidential document and declared by it as a confidential document;
 - (d) any document —
 - (i) submitted or to be submitted to members of the committee or subcommittee as a confidential document by order of the chairperson of the committee or subcommittee, or
 - (ii) after its submission to members, declared by the chairperson as a confidential document.
- (2) The permission, order or resolution authorising the publication, or the disclosure of the contents, of documents mentioned in Subrule (1) may provide that specific parts of, or names mentioned in, the document may not be published or disclosed.
- (3) For the purposes of Subrule (1) a document is officially before a committee or subcommittee when —
- (a) the chairperson places the document, or permits the document to be placed, before the committee or subcommittee; or
 - (b) a person appearing before the committee or subcommittee as a witness or to make representations presents the document to the committee or subcommittee.

- (4) Subrules (1)(c) and (d) apply only to documents that —
- (a) contain information of a private nature that is prejudicial to a particular person;
 - (b) are protected under parliamentary privilege, or for any other reason are privileged in terms of the law;
 - (c) are confidential in terms of legislation; or
 - (d) are subject to a media embargo, until the embargo expires, the nature of which is such that its confidential treatment is reasonable and justifiable in an open and democratic society.

Part 5: Rules Committee

190. Establishment

There is a Rules Committee.

191. Composition

- (1) Unless the House by resolution decides otherwise, the Rules Committee consists of —
- (a) in their capacity of elected office-bearers —
 - (i) the Speaker, and
 - (ii) the Deputy Speaker; and
 - (b) in their capacity as party representatives —
 - (i) the Chief Whip and nine other members of the majority party,
 - (ii) the Chief Whip of the largest opposition party and two other members of that party,
 - (iii) two members of the second largest opposition party, and

(iv) two members representative of other parties,
appointed by the Speaker as members of the Rules Committee.

- (2) Alternate members may be appointed for the party representatives referred to in Subrule (1)(b).
- (3) The House Chairpersons and other members may attend and participate in Rules Committee meetings in accordance with Rule 185.

192. Chairperson

- (1) The Speaker is the chairperson of the Rules Committee.
- (2) If the Speaker is not available, the Deputy Speaker performs the functions of the Speaker.

193. Functions and powers

- (1) The Rules Committee may —
 - (a) develop and formulate policy proposals concerning the exclusive business of the Assembly in respect of the proceedings, procedures, rules, orders and practices concerning the business of the Assembly;
 - (b) monitor and oversee the implementation of policy on all matters referred to in Paragraph (a);
 - (c) make recommendations to the Joint Rules Committee on any matter falling within the functions and powers of the Rules Committee;
 - (d) lay down guidelines and issue directives regarding any aspect of policy referred to in this rule;
 - (e) appoint committees or subcommittees to assist it with the performance of any of its functions or the exercise of any of its powers;

- (f) recommend to the Assembly for adoption rules and orders and other policy proposals concerning the business of the Assembly; and
 - (g) perform any other functions assigned to it by legislation, other provisions of these rules or resolutions of the Assembly.
- (2) The committee may deal with a matter falling within its functions and powers —
- (a) on its own initiative; or
 - (b) when referred to it for consideration and report by —
 - (i) the Assembly, or
 - (ii) the Speaker.

194. Implementation of policy

- (1) The responsibility for the implementation of policy determined by the Rules Committee vests in the Speaker, subject to the decisions of the Rules Committee and resolutions of the Assembly.
- (2) The Speaker, with the concurrence of the Rules Committee, may appoint task teams to assist the Speaker in executing the responsibility mentioned in Subrule (1).

195. Quorum

- (1) The Rules Committee requires at least one third of its members or alternates referred to in Rules 191(1) and (2) to be present for it to conduct any business.
- (2) A majority of the members must be present for it to decide any question.

196. Decisions

A question before the Rules Committee is decided when there is a quorum present in terms of Rule 195(2) and there is agreement on the question among the majority of the members present.

197. Subcommittees

- (1) The Rules Committee has the following subcommittees:
 - (a) Subcommittee on Review of Assembly Rules;
 - (b) Subcommittee on Physical Removal of Member from Chamber; and
 - (c) any other subcommittee appointed in terms of Rule 193(1(e)).

- (2) When the Rules Committee appoints the members of a subcommittee, the committee —
 - (a) is not restricted to the members of the Rules Committee; and
 - (b) may appoint any Assembly member.

- (3) A subcommittee of the Rules Committee may take a matter to a joint subcommittee of the Joint Rules Committee only if authorised by the Rules Committee.

Subcommittee on Review of Assembly Rules

198. Composition

The Subcommittee on Review of Assembly Rules consists of the number of members and party representation as determined by the Rules Committee.

199. Chairperson

The Rules Committee must appoint one of the members of the subcommittee as the chairperson of the subcommittee.

200. Functions and powers

The subcommittee may —

- (a) make recommendations to the Rules Committee regarding —
 - (i) the proceedings, procedures, rules, orders and practices of the Assembly, and
 - (ii) the development, formulation or adoption of policy on a matter mentioned in Subparagraph (i); and
- (b) perform any other function and exercise any other power assigned to it by the Rules Committee.

Subcommittee on Physical Removal of Member from Chamber

201. Composition

The Subcommittee on Physical Removal of Member from Chamber consists of —

- (a) the Deputy Speaker, or if the Deputy Speaker presided in the Chamber at the time when the member was physically removed, a House Chairperson designated by the Speaker;
- (b) a senior whip from each party in the Assembly nominated by the party; and
- (c) any other member that may be designated by the Speaker.

202. Chairperson

The Deputy Speaker or, as appropriate, the House Chairperson as provided for in Rule 201(a) is the chairperson of the subcommittee.

203. Functions and powers

- (1) The subcommittee must consider the circumstances of the physical removal of a member from the Chamber as reported to it by the Speaker in terms of Rule 73(12), taking into account all relevant aspects including —
 - (a) the conduct of the member concerned;
 - (b) the ruling by the relevant presiding officer; and
 - (c) the manner in which the member was removed.
- (2) In carrying out its function, the subcommittee may exercise such powers contained in Rule 167 as it may require.
- (3) The subcommittee's mandate in considering the circumstances referred to it does not extend to disciplinary proceedings against the member nor a formal review of the presiding officer's ruling.
- (4) The subcommittee must report its findings to the Rules Committee within 10 working days, including any recommendations it may make based on those findings.

204. Public access

Meetings of the subcommittee are held in public but may be closed if the subcommittee so decides in accordance with Rule 184.

Part 6: Programme Committee

205. Establishment

There is a Programme Committee.

206. Composition

The Programme Committee consists of —

- (a) the Speaker;
- (b) the Deputy Speaker;
- (c) the Leader of Government Business or a designated representative;
- (d) the House Chairpersons;
- (e) the Chief Whip;
- (f) the deputy chief whip of the majority party in the Assembly;
- (g) the whip of the majority party responsible for programming; and
- (h) the number of party representatives that the Speaker may determine with the concurrence of the Rules Committee, provided that each party is entitled to at least one representative on the committee.

207. Chairperson

- (1) The Speaker is the chairperson of the Programme Committee.
- (2) If the Speaker is not available, the Deputy Speaker presides at a meeting of the committee.

208. Functions and powers

The Programme Committee, subject to Rule 210 —

- (a) must prepare and, if necessary, from time to time adjust the annual programme of the Assembly, subject to any relevant decisions of the Joint Programme Committee;
- (b) must monitor and oversee the implementation of Parliament's annual programme in the Assembly, including the legislative programme;
- (c) must implement the rules regarding the scheduling or programming of the business of the Assembly, and the functioning of Assembly committees and subcommittees;
- (d) may make recommendations to the Joint Programme Committee on any matter falling within the functions and powers of that committee; and
- (e) may take decisions and issue directives and guidelines to prioritise or postpone any business of the Assembly, but when the committee prioritises or postpones any government business in the Assembly it must act in consultation with the Leader of Government Business.

209. Quorum

The committee may proceed with its business irrespective of the number of members present.

210. Decisions

- (1) Decisions are taken in the Programme Committee by consensus.
- (2) If consensus cannot be reached on a question before the Programme Committee, a decision on the question may be taken, at the meeting

or subsequently, by the Chief Whip with the concurrence of the Speaker and the Leader of Government Business in accordance with Rule 44.

- (3) If a decision is taken subsequently in terms of Subrule (2), the decision must be communicated to all parties without delay.

Part 7: Powers and Privileges Committee

211. Establishment

There is a Powers and Privileges Committee as required by Section 12 of the Powers and Privileges Act.

212. Composition

- (1) The committee consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.
- (2) The committee must elect a chairperson, and may elect an acting chairperson when the chairperson is not available.

213. Meetings

- (1) The chairperson of the committee convenes meetings of the committee.
- (2) Meetings of the committee must be held in closed session when the committee considers a matter affecting a specific member or members and the committee regards that matter to be confidential, unless the committee decides to open a meeting in the public interest.

- (3) Meetings of the committee must be open when it considers matters in terms of its general functions when such matters are not related to a specific member or members.

214. Functions

- (1) The committee must consider any matter referred to it by the Speaker relating to contempt of Parliament or misconduct¹ by a member or a request to have a response recorded in terms of Section 25 of the Powers and Privileges Act, except a breach of the Code of Conduct contained in the Schedule to the Joint Rules.
- (2) (a) Upon receipt of a matter relating to contempt of Parliament or misconduct by a member, the committee must deal with the matter in accordance with the procedure contained in the Schedule to the Rules of the National Assembly.
- (b) The committee must table a report in the Assembly on its findings and recommendations in respect of any alleged contempt of Parliament, as defined in Section 13 of the Powers and Privileges Act, or misconduct.
- (c) If it is found that a member is guilty of contempt or misconduct, the committee must recommend an appropriate penalty from those contained in Section 12(5) of the Powers and Privileges Act.
- (d) The Assembly may impose the recommended penalty, an alternative penalty contained in Section 12(5) of the Powers and Privileges Act, or no penalty.
- (3) The committee may on its own initiative or upon request by the Speaker conduct research and comment on matters relating to the powers, privileges and immunities of Parliament.

1. The rules in this part are still to be reviewed, also with reference to "misconduct". (See *Chapter 1, Part 1: Definitions* and *Chapter 12, Part 8: Disciplinary Committee*)

- (4) (a) After receiving the request to have a response recorded referred to in Subrule (1), the committee must without delay inform the member or witness concerned that a request to have a response recorded has been received, and thereafter consider the request in accordance with criteria that the committee has approved.
- (b) In considering the request, the committee may invite verbal or written submissions by the member, witness or any other person concerned.
- (c) After considering the request to have a response recorded, the committee must publish the response in the ATC, refer it back to the person for amendments, or not publish the response.

215. Decisions

A question before the committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

Part 8: Disciplinary Committee

216. Establishment

There is a Disciplinary Committee consisting of —

- (a) the Deputy Speaker;
- (b) a senior whip from each party in the Assembly nominated by the party; and
- (c) any other Assembly member or members designated by the Speaker.

217. Chairperson

- (1) The Deputy Speaker is the chairperson of the Disciplinary Committee.
- (2) If the Deputy Speaker is not available, a member of the committee designated by the Speaker performs the functions of the Deputy Speaker as chairperson of the committee.

218. Meetings

The Deputy Speaker convenes a meeting of the Disciplinary Committee.

219. Functions and powers

The Disciplinary Committee —

- (a) at the Speaker’s request, must investigate any alleged misconduct by a member except —
 - (i) a charge against a member of contempt of Parliament in terms of the Powers and Privileges Act, or
 - (ii) a breach of the Code of Conduct contained in the Schedule to the Joint Rules; and
- (b) must report to the Speaker.

220. Public access

Meetings of the committee must be held in closed session.

Part 9: Forum of Committee Chairpersons

221. Establishment

There is a Forum of Committee Chairpersons.

222. Composition

- (1) The Forum of Committee Chairpersons consists of —
 - (a) the House Chairpersons; and
 - (b) the chairperson of each Assembly committee and each Assembly member who is a chairperson or co-chairperson of a joint committee, or an Assembly member of the committee designated by the chairperson.
- (2) The forum may co-opt the chairperson of an ad hoc committee as a member of the forum.

223. Chairperson

- (1) The House Chairperson designated by the Speaker presides at meetings of the Forum of Committee Chairpersons.
- (2) If the designated House Chairperson is not available, another House Chairperson may preside at a meeting of the forum.

224. Functions and powers

The Forum of Committee Chairpersons may make recommendations to the Rules Committee or the Programme Committee regarding any matter affecting the scheduling or functioning of any Assembly committee, subcommittee or other Assembly forum.

Part 10: Portfolio committees

225. Establishment

The Speaker acting with the concurrence of the Rules Committee must —

- (a) establish a range of portfolio committees;
- (b) assign a portfolio of government affairs to each committee; and
- (c) determine a name for each committee.

226. Composition

A portfolio committee consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee in each case, subject to the provisions of Rule 154.

227. Functions

(1) A portfolio committee —

- (a) must deal with Bills and other matters falling within its portfolio as are referred to it in terms of the Constitution, legislation, these rules, the Joint Rules or by resolution of the Assembly;
- (b) must maintain oversight of —
 - (i) the exercise within its portfolio of national executive authority, including the implementation of legislation,
 - (ii) any executive organ of state falling within its portfolio,
 - (iii) any constitutional institution falling within its portfolio, and
 - (iv) any other body or institution in respect of which oversight was assigned to it;

- (c) may monitor, investigate, enquire into and make recommendations concerning any such executive organ of state, constitutional institution or other body or institution, including the legislative programme, budget, rationalisation, restructuring, functioning, organisation, structure, staff and policies of such organ of state, institution or other body or institution;
 - (d) may consult and liaise with any executive organ of state or constitutional institution; and
 - (e) must perform any other functions, tasks or duties assigned to it in terms of the Constitution, legislation, these rules, the Joint Rules or resolutions of the Assembly, including functions, tasks and duties concerning parliamentary oversight or supervision of such executive organs of state, constitutional institutions or other bodies or institutions.
- (2) Bills and amendments to Bills referred to a portfolio committee must be considered by it in accordance with Chapter 13 of these rules and Chapter 3 of the Joint Rules.
- (3) If there is doubt which portfolio committee must deal with a specific matter, the Speaker in consultation with the Chief Whip must decide the question, subject to any directions of the Rules Committee or a resolution of the Assembly.

228. Decisions

- (1) A question before a portfolio committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.
- (2) A question before two or more conferring Assembly committees is decided when a majority of members of each of the conferring committees is present and there is agreement on the question between the conferring committees.

229. Subcommittees

A portfolio committee may appoint a subcommittee from among its members to assist the committee.

Part 11: Standing Committee on Finance

230. Establishment

There is a Standing Committee on Finance, established in terms of Section 4(1) of the Money Bills Amendment Procedure and Related Matters Act, 2009 and Rule 152.

231. Composition

The Standing Committee on Finance consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

232. Functions and powers

- (1) The Standing Committee on Finance must perform the functions and exercise the powers specified in the Money Bills Amendment Procedure and Related Matters Act, 2009.
- (2) The committee must also perform the functions listed in Rule 227 and can exercise the powers specified in Rule 167, except in so far as any of these provisions are inconsistent with —
 - (a) the provisions of the Money Bills Amendment Procedure and Related Matters Act, 2009;
 - (b) another provision of these rules applicable in a specific case; or
 - (c) a resolution of the Assembly.

233. Consultation

The committee must consult with its counterpart in the Council and other committees on matters specified in the Money Bills Amendment Procedure and Related Matters Act, 2009, in a manner agreed by the committee.

234. Subcommittees

The committee may appoint a subcommittee from amongst its members to assist the committee, the subcommittee to adhere to the provisions of Part 3 of Chapter 12 of the Assembly Rules.

235. Public involvement

The committee must ensure public involvement in accordance with the provisions of the Constitution and the Money Bills Amendment Procedure and Related Matters Act, 2009.

Part 12: Standing Committee on Appropriations

236. Establishment

There is a Standing Committee on Appropriations, established in terms of Section 4(3) of the Money Bills Amendment Procedure and Related Matters Act, 2009 and Rule 152.

237. Composition

The Standing Committee on Appropriations consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

238. Functions and powers

- (1) The Standing Committee on Appropriations must perform the functions and exercise the powers specified in the Money Bills Amendment Procedure and Related Matters Act, 2009 and can exercise the powers specified in Rule 167.
- (2) The committee must perform any other functions, tasks or duties assigned to it in terms of the Constitution, legislation, these rules, the Joint Rules or resolutions of the Assembly.
- (3) The committee may consult and liaise with any executive organ of state or constitutional institution.

239. Consultation

The committee must consult with its counterpart in the Council and other committees on matters specified in the Money Bills Amendment Procedure and Related Matters Act, 2009, in a manner agreed by the committee.

240. Subcommittees

The committee may appoint a subcommittee from amongst its members to assist the committee, the subcommittee to adhere to the provisions of Part 3 of Chapter 12 of the Assembly Rules.

241. Mediation

When conflicting amendments are proposed by portfolio committees —

- (a) a subcommittee of the Standing Committee on Appropriations consisting of the chairperson and three other members must conduct mediation with a view to finding agreement on the conflicting amendments; and

- (b) the subcommittee established in terms of (a) will be advised by three members from each of the portfolio committees that had submitted conflicting amendments and, if requested by the Standing Committee on Appropriations, two members designated by the Speaker.

242. Public involvement

The committee must ensure public involvement in accordance with the provisions of the Constitution and the Money Bills Amendment Procedure and Related Matters Act, 2009.

Part 13: Standing Committee on Public Accounts

243. Establishment

There is a Standing Committee on Public Accounts.

244. Composition

The Standing Committee on Public Accounts consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

245. Functions and powers

- (1) The Standing Committee on Public Accounts —
 - (a) must consider —
 - (i) the financial statements of all executive organs of state and constitutional institutions or other public bodies when those statements are submitted to Parliament,

- (ii) any audit reports issued on those statements,
 - (iii) any reports issued by the Auditor-General on the affairs of any executive organ of state, constitutional institution or other public body,
 - (iv) any reports reviewing expenditure of public funds by any executive organ of state and constitutional institution or other public body, and
 - (v) any other financial statements or reports referred to the committee in terms of these rules;
- (b) may report on any of those financial statements or reports to the Assembly;
 - (c) may initiate any investigation in its area of competence; and
 - (d) must perform any other functions, tasks or duties assigned to it in terms of the Constitution, legislation, these rules, the Joint Rules or resolutions of the Assembly, including functions, tasks and duties concerning parliamentary financial oversight or supervision of executive organs of state, constitutional institutions or other public bodies.
- (2) The Speaker must refer the financial statements and reports mentioned in Paragraphs (a)(i) to (iv) to the committee when they are submitted to Parliament, irrespective of whether they are also referred to another committee.

246. Decisions

A question before the committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

247. Subcommittees

The Standing Committee on Public Accounts may appoint a subcommittee from amongst its members to assist the committee.

248. Notice to portfolio committee

When a matter falling within a portfolio committee's competence is to be considered by the Standing Committee on Public Accounts, the chairperson of the committee, after consultation with the chairperson of the portfolio committee, must give notice to the portfolio committee when that matter will be considered by the committee.

Part 14: Standing Committee on the Auditor-General

249. Establishment

There is a Standing Committee on the Auditor-General, established in terms of Section 10(3) of the Public Audit Act, 2004.

250. Composition

The Standing Committee on the Auditor-General consists of the number of Assembly members that the Speaker may determine with the concurrence of the Rules Committee, subject to the provisions of Rule 154.

251. Functions and powers

- (1) The Standing Committee on the Auditor-General must —
 - (a) maintain oversight over the Auditor-General; and
 - (b) perform the functions and exercise the other powers as specified in the Public Audit Act, 2004.
- (2) The Assembly may by resolution assign any other function, task or duty to the Standing Committee on the Auditor-General within its area of competence.

- (3) The Standing Committee on the Auditor-General may not consider —
 - (a) audit reports produced by the Auditor-General; and
 - (b) any budget or business plan other than that of the Auditor-General.

252. Decisions

A question before the Standing Committee on the Auditor-General is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of members present.

Part 15: Ad hoc committees

253. Establishment

- (1) An ad hoc committee may be established —
 - (a) by resolution of the Assembly; or
 - (b) during an adjournment of the Assembly for a period of more than 14 days, by the Speaker after consulting the Chief Whip and the most senior whip of each of the other parties.
- (2) Any decision by the Speaker to appoint an ad hoc committee must be tabled in the Assembly on its first sitting day after the decision was taken, for ratification by the Assembly.
- (3) An ad hoc committee may only be established for the performance of a specific task.
- (4) The resolution of the Assembly or decision of the Speaker establishing an ad hoc committee must —

- (a) specify the task assigned to the committee; and
 - (b) set time frames for —
 - (i) the completion of any steps in performing the task, and
 - (ii) the completion of the task.
- (5) An ad hoc committee has those of the powers listed in Rule 167 only as are specified in the resolution or decision establishing the committee.
- (6) An ad hoc committee ceases to exist —
- (a) when it has completed the task for which it was established and has submitted its report to the Assembly;
 - (b) if it is dissolved by the Assembly earlier; or
 - (c) if it has not completed its task by the date set for the completion of the task;
- provided that the committee may be revived thereafter by decision of the Speaker or resolution of the House.

254. Composition

- (1) The Assembly resolution establishing an ad hoc committee must either specify the number of members to be appointed or the names of the members who are appointed.
- (2) The Speaker appoints the members of an ad hoc committee if —
- (a) the resolution of the Assembly establishing the ad hoc committee does not specify the names of the committee members; or
 - (b) the Speaker established the ad hoc committee.
- (3) The Speaker must appoint the members of an ad hoc committee

established by —

- (a) the Assembly, within five working days after the establishment of the committee; and
 - (b) the Speaker, within 10 working days after the establishment of the committee.
- (4) When appointing the members of an ad hoc committee the Speaker must consult —
- (a) the Chief Whip when a member of the majority party is appointed; and
 - (b) the most senior whip of another party when a member of that particular party is appointed.
- (5) The names of the members appointed must be published in the ATC without delay.

255. Decisions

Unless a resolution establishing an ad hoc committee provides otherwise, a question before an ad hoc committee is decided when a quorum in terms of Rule 162(2) is present and there is agreement among the majority of the members present.

Part 16: Other structures relating to Assembly programming and functioning

Chief Whips' Forum

256. Establishment

There is a Chief Whips' Forum.

257. Composition

- (1) The Chief Whips' Forum consists of —
 - (a) the House Chairpersons;
 - (b) the Chief Whip;
 - (c) the deputy chief whip of the majority party; and
 - (d) the most senior whip of each of the other parties represented in the Assembly.
- (2) The Speaker and the Deputy Speaker may attend meetings of the forum or designate someone to attend on their behalf.
- (3) A whip referred to in Subrule (1)(d) who is unable to attend a meeting of the forum may designate another whip to attend the meeting.
- (4) Rule 156 does not apply to this forum.

258. Chairperson

- (1) The Chief Whip is the chairperson of the Chief Whips' Forum.
- (2) If the Chief Whip is not available, the deputy chief whip of the majority party performs the functions of the Chief Whip.

259. Meetings

- (1) The Chief Whip may call a meeting of the forum on own initiative or upon request by another member of the forum, but must call a meeting if the Speaker so requests.
- (2) The forum meets in closed session unless it decides otherwise.

260. Functions and powers

The Chief Whips' Forum acts as a forum —

- (a) for the discussion and co-ordination of matters for which the whips are responsible; and
- (b) which the Speaker may consult when appropriate.

Arrangement of House business and certain committee meetings

261. Unusual meetings of committees and subcommittees

- (1) A committee or subcommittee may sit on a day which is not a working day, or at a venue beyond the seat of Parliament, or during a recess of the Assembly, or at a time when the Assembly is sitting, only with the permission of the Chief Whip.
- (2) If a committee or subcommittee applies to the Chief Whip to sit on a day which is not a working day, or at a venue beyond the seat of Parliament, the Chief Whip may give permission in terms of Subrule (1) only after having consulted the Speaker.

House Chairperson: Committees

262. Scheduling function of the designated House Chairperson

The House Chairperson designated by the Speaker must, as delegated by the Speaker, implement any policy, directive or guideline on the scheduling and co-ordination of meetings of all committees and subcommittees.

Part 17: Miscellaneous committee matters

263. Composition of Assembly component in Mediation Committee

- (1) The number of Assembly representatives in the Mediation Committee to which a party is entitled must be determined by multiplying the number of seats the party holds in the Assembly by 9 and dividing the result by 401.
- (2) The result, disregarding any decimal fractions, indicates the number of representatives allocated to the party.
- (3) If any number of representatives remains unallocated, the representative or number of representatives is allocated in sequence of the highest decimal fractions referred to in Subrule (2).
- (4) If no representative is allocated to a party in terms of Subrules (1) to (3), that party may designate an observer in the Assembly component of the Mediation Committee.

264. Election of Assembly members to Mediation Committee

- (1) The Assembly must elect its nine representatives to the Mediation Committee in accordance with the respective allocations made to parties in terms of Rule 263.
- (2) Each party must nominate in accordance with its allocation a member or members for election by the Assembly.
- (3) If the Assembly fails to elect a member nominated by a party, the party must nominate another member.

265. Alternates for Assembly representatives in Mediation Committee

Alternates for Assembly representatives in the Mediation Committee envisaged in Joint Rule 105 must be elected in accordance with the same procedure applicable to the election of the Assembly representatives in terms of Rule 264.

266. Ad hoc joint committees

- (1) The Speaker must appoint the members of the Assembly who are to serve on an ad hoc joint committee.
- (2) The Speaker must cause the names of the members so appointed to be published in the ATC.
- (3) The Speaker must so appoint members whose names have been submitted by the chief or other whip of a party in the Assembly, not exceeding the number of members which such party is entitled to have on the committee.
- (4) If the names of members of a party have not been so submitted within two working days after the Speaker has called upon the chief or other whip of a party to submit the names of members to be appointed to the committee, such party must be regarded as not willing to participate in the committee.

CHAPTER 13
LEGISLATIVE PROCESS

Part 1: Introduction

267. Legislative powers of Assembly

- (1) The national legislative authority as vested by the Constitution in Parliament confers on the Assembly, in terms of Section 44(1) of the Constitution, the power —
 - (a) to amend the Constitution;
 - (b) to pass legislation with regard to any matter, including a matter within a functional area listed in Schedule 4 to the Constitution, but excluding, subject to Subrule (2), a matter within a functional area listed in Schedule 5; and
 - (c) to assign any of its legislative powers, except the power to amend the Constitution, to any legislative body in another sphere of government.

- (2) The Assembly may, as part of the legislative process contemplated in terms of Section 44(2) of the Constitution, pass legislation falling within a functional area listed in Schedule 5 to the Constitution, when it is necessary —
 - (a) to maintain national security;
 - (b) to maintain economic unity;
 - (c) to maintain essential national standards;
 - (d) to establish minimum standards required for the rendering of services; or
 - (e) to prevent unreasonable action taken by a province which is prejudicial to the interests of another province or to the country as a whole.

- (3) Any Bill may in terms of Section 73(1) of the Constitution be introduced in the Assembly.
- (4) In exercising its legislative powers, the Assembly in terms of Section 55 of the Constitution may —
 - (a) consider, pass, amend or reject any legislation before the Assembly; and
 - (b) initiate or prepare legislation, except money Bills.

268. Initiation of legislation by Assembly

- (1) The Assembly initiates or prepares legislation in terms of these rules for introduction as envisaged in Section 73(2) of the Constitution through —
 - (a) its committees acting with the permission of the Assembly; or
 - (b) its members.
- (2) Save for a money Bill or legislation envisaged in Section 214 of the Constitution, any committee or member of the Assembly may in terms of Section 73(2) of the Constitution introduce a Bill in the Assembly that has been initiated or prepared in terms of Subrule (1).

269. Initiation of legislation by national executive

- (1) The national executive may prepare and initiate legislation in terms of Section 85(2)(d) of the Constitution for introduction in the Assembly.
- (2) Such legislation may be introduced in the Assembly by a Cabinet member or a Deputy Minister in terms of Section 73(2) of the Constitution, but only the Cabinet member responsible for national financial matters may introduce a money Bill or a Bill which provides for equitable shares and allocations of revenue as envisaged in Section 214 of the Constitution.

270. Application of this chapter

- (1) The rules set out in Parts 1, 2, 3 and 9 of this chapter apply to Bills of all types to the extent that those rules are not inconsistent with the rules for specific types set out in Parts 4 to 8 of this chapter.
- (2) This chapter must be read with Chapter 4 of the Joint Rules.

Part 2: Steps prior to introduction

Bills initiated by Cabinet members and Deputy Ministers

271. Submission of legislative proposals to Speaker

A Cabinet member or Deputy Minister intending to introduce a Bill in the Assembly must, as is set out in Joint Rule 159, before the Bill is introduced submit to the Speaker —

- (a) the draft of the proposed Bill as approved by Cabinet, whether or not the draft has been legally or technically formalised as a proper draft Bill; and
- (b) a memorandum explaining the objects of the proposed legislation.

Bills initiated by Assembly members in individual capacity

272. Preparation of draft Bill

- (1) A member who intends to initiate or prepare legislation in an individual capacity (other than as a Cabinet member or Deputy Minister) for introduction in the Assembly as contemplated in Rule 268 must —

- (a) prepare a draft Bill, and a supporting memorandum setting out the objects of the Bill, in a form and style that complies with any prescribed requirements, including those set out in Rule 279; and
 - (b) comply with Rule 276 or, if it is a proposed constitutional amendment, with Rule 295.
- (2) The Speaker must reimburse a member —
- (a) for any reasonable expenses incurred by the member in the publication of a Bill as contemplated in Rule 276, provided that such publication is facilitated by the Speaker; and
 - (b) in full for any reasonable expenses incurred by the member in the preparation of a Bill as contemplated in Rule 276 if the Bill, with or without amendments, is passed by the Assembly, provided that those expenses were approved by the Speaker before they were incurred.

Bills initiated by Assembly committees

273. Submission of legislative proposals to Speaker

- (1) An Assembly committee intending to introduce a Bill in the Assembly must, for the purpose of obtaining the Assembly's permission in terms of Rule 268(1), table in the Assembly a memorandum which —
- (a) sets out particulars of the proposed legislation;
 - (b) explains the objects of the proposed legislation;
 - (c) states whether the proposed legislation will have financial implications for the state and, if so, gives an account of those implications; and
 - (d) sets out the views of the executive on the objects of the proposed legislation.

- (2) The Speaker must place the proposed legislation on the Order Paper for decision.
- (3) The Assembly may —
 - (a) give permission that the proposed legislation be proceeded with;
 - (b) refer the proposed legislation back to the committee for reconsideration; or
 - (c) refuse permission.
- (4) If the Assembly gives permission that the proposed legislation be proceeded with, it may, if it so chooses —
 - (a) express itself on the desirability of the proposed legislation; or
 - (b) subject its permission to conditions.

274. Preparation of draft Bill

- (1) If the Assembly gives permission that the proposed legislation be proceeded with, the committee must —
 - (a) prepare a draft Bill, and a memorandum setting out the objects of the Bill in a form and style that complies with any prescribed requirements, including those set out in Rule 279;
 - (b) consult the JTM for advice on the classification of the Bill; and
 - (c) comply with Rule 276 or, if it is a proposed constitutional amendment, with Rule 295.
- (2) If the committee chooses in terms of Rule 276 or 295 to publish the draft Bill, it is not bound to publish the Bill as it is to be introduced, but the committee may publish any version of the draft Bill prepared by it in terms of Subrule (1)(a).

- (3) The committee must report to the Assembly when it publishes the draft Bill.

275. Consideration of draft Bill before introduction

Before introducing its Bill, the committee —

- (a) must give interested persons and institutions a period of at least three weeks after the draft Bill or particulars of the draft Bill have been published in terms of Rule 276 or 295 to comment on the proposed legislation;
- (b) must give the relevant department in the national executive authority or executive organ of state in the national sphere of government sufficient opportunity to make submissions to the committee;
- (c) must consult the JTM for advice on the classification of the draft Bill as it is to be introduced; and
- (d) may in view of any comments received in terms of Paragraph (a) or (b) or advice given in terms of Paragraph (c), adjust the draft Bill before its introduction.

All Bills generally

276. Prior notice and publication of draft legislation

- (1) A Bill may be introduced in the Assembly only if —
- (a) a copy of the draft legislation has been submitted to the Speaker in terms of Rule 271, if it is a Bill initiated by the national executive and that rule is applicable;
 - (b) prior notice of its introduction has been given in the Gazette; and
 - (c) an explanatory summary of the Bill, or the draft Bill as it is to be introduced, has been published in the Gazette.

- (2) When intending to introduce a Bill in the Assembly, an Assembly member acting in his or her individual capacity must, as soon as possible after publication contemplated in Subrule (1)(c), submit to the Speaker the explanatory summary of the Bill, or the draft Bill, as appropriate.
- (3) The Speaker must refer the explanatory summary of the Bill, or the draft Bill, as appropriate, contemplated in Subrule (2) to the responsible portfolio committee in order —
 - (a) to assist the committee in planning its work; and
 - (b) to enable the committee members to acquaint themselves with and to develop their positions with regard to the proposed legislation.
- (4) If the Bill as it is to be introduced is published, the notice referred to in Subrule (1)(b) must contain an invitation to interested persons and institutions to submit written representations on the draft legislation to the Speaker within a specified period.
- (5) If the draft Bill itself is published, a memorandum setting out the objects of the Bill must also be published.
- (6) This rule does not apply to —
 - (a) constitution amendment Bills, which must be dealt with in terms of Rule 295; and
 - (b) money Bills when the special procedure set out in Rule 322(2) is followed.
- (7) Subrules (1)(b) and (c) do not apply to a Bill that has been certified by the member in charge of the Bill, in consultation with the Speaker, as an urgent matter.

277. Notice withdrawing proposed legislation

- (1) If a Cabinet member, Deputy Minister, committee or member decides not to proceed with the introduction of a Bill after Rule 276 has been complied with, the Cabinet member, Deputy Minister, committee or member must without delay inform the Speaker in writing of the decision.
- (2) In the case of a Cabinet member or Deputy Minister referred to in Subrule (1), he or she must publish a notice in the Gazette stating that the proposed legislation has been withdrawn.
- (3) The Speaker must publish a notice in the Gazette stating that the proposed legislation has been withdrawn where a committee or member decides not to proceed with the introduction of the Bill as is contemplated in Subrule (1).

278. Referral of Bills to National House of Traditional Leaders

- (1) The Secretary must refer a Bill to the National House of Traditional Leaders if the JTM has made a finding that the Bill pertains to customary law or customs of traditional communities in accordance with Rule 192 of the Joint Rules.
- (2) The Secretary must inform the Speaker and the chairperson of the portfolio committee to which the Bill was referred of the date of referral, which date must be published in the relevant parliamentary paper.

Part 3: Introduction of Bills and First and Second Readings

Introduction and related matters

279. Introduction of Bills in Assembly

- (1) A Cabinet member or Deputy Minister or an Assembly member or committee introduces a Bill (other than a Bill mentioned in Subrule (8)) by submitting to the Speaker —
- (a) a copy of the Bill or, if the Bill as it is introduced was published in terms of Rule 276(1)(c), a copy of the Gazette concerned;
 - (b) the explanatory summary referred to in Rule 276(1)(c), if a draft of the Bill itself was not published; and
 - (c) a supporting memorandum which must —
 - (i) state whether the Bill is introduced as a proposed Section 75 Bill, a Section 76(1) Bill, or a money Bill,
 - (ii) explain the objects of the Bill,
 - (iii) give an account of the financial implications of the Bill for the state,
 - (iv) contain a list of all persons and institutions that have been consulted in preparing the Bill; provided that in respect of Bills introduced by a member in his or her individual capacity, such a list may be included where consultations were conducted,
 - (v) if the Bill is introduced by a Cabinet member or a Deputy Minister, include a legal opinion by a state law adviser, or a law adviser of the state department concerned, on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160, and
 - (vi) if the Bill is introduced by a committee or an Assembly member, include a legal opinion by a parliamentary legal adviser on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160.

- (2) A Bill introduced by a Cabinet member or Deputy Minister must be certified by the Chief State Law Adviser or a state law adviser designated by him or her as being —
 - (a) consistent with the Constitution; and
 - (b) properly drafted in the form and style which conforms to legislative practice.
- (3) If a Bill is not certified as contemplated in Subrule (2), the Bill must be accompanied by a report or legal opinion by a state law adviser mentioned in Subrule (2) on why it has not been so certified.
- (4) A Bill introduced by a committee or an Assembly member must be certified by the Chief Parliamentary Legal Adviser or a parliamentary legal adviser designated by him or her as being —
 - (a) consistent with the Constitution and existing legislation; and
 - (b) properly drafted in the form and style which conforms to legislative drafting practice.
- (5) If a Bill is not certified as contemplated in Subrule (4), the Bill must be accompanied by a report or legal opinion by a parliamentary legal adviser mentioned in Subrule (4) on why it has not been so certified.
- (6) A Bill introduced by a Cabinet member or Deputy Minister must contain on its cover page a reference to that Cabinet member or Deputy Minister as the person introducing the Bill.
- (7) A Bill introduced by —
 - (a) an Assembly member; or
 - (b) a committee with the Assembly's permission in terms of Rule 273(3), must —
 - (i) be accompanied by a statement to that effect, and
 - (ii) contain on its cover page a reference to the name of the member or the committee as the member or committee introducing the Bill.

- (8) This rule does not apply to —
 - (a) constitution amendment Bills, which must be introduced in accordance with Rule 297; and
 - (b) money Bills when the special procedure set out in Rule 322(2) is followed.

280. Classification of Bills

- (1) When a Bill, other than a Bill initiated by an Assembly committee, is introduced in the Assembly in terms of Rule 279 or 297, the Speaker must refer the Bill to the JTM for classification of the Bill in terms of Joint Rule 160.
- (2) The findings of the JTM contemplated in Rule 275(c) in respect of a Bill initiated by an Assembly committee must be tabled in the Assembly with the Bill when it is introduced.
- (3) The classification of the Bill and all findings of the JTM must be —
 - (a) conveyed to the portfolio or other committee considering the Bill; and
 - (b) tabled in the Assembly.

281. Reintroduction of Bills ruled out of order by JTM

A Bill reintroduced in the Assembly in terms of Joint Rule 162 must follow the same procedure as if it were introduced for the first time, except that the steps prior to introduction as prescribed by the Assembly rules do not apply if no substantive new provisions were added to the Bill.

First and Second Reading procedures

282. When First and Second Reading procedures are applicable

- (1) Subject to Rules 283(2) and 284(2), all Bills introduced in the Assembly have a First Reading, except a Bill initiated and introduced by an Assembly committee, and a Second Reading in the Assembly after their introduction, and all Bills introduced in and as passed by the Council have a First Reading and a Second Reading in the Assembly after their referral to the Assembly.
- (2) The First Reading of a Bill consists of an introduction by the member in charge followed by a debate as provided for in these rules, the First Reading being confined to the principles of the Bill as contained in the Long Title of the Bill and as may be elaborated on in the supporting memorandum.
- (3) The Second Reading of a Bill consists of a debate on the substance of the Bill and a decision on the Bill by the Assembly.

283. Procedure when Assembly in session

- (1) If the Assembly is in session when a Bill is introduced in the Assembly or when a Bill introduced in and as passed by the Council is referred for the first time to the Assembly —
 - (a) the person in charge of the Bill must submit to the Speaker a notice of First Reading of the Bill; and
 - (b) the Speaker must table in the Assembly the Bill and the supporting memorandum and, if there is one, also the explanatory summary.
- (2) (a) Once notice has been given in terms of Subrule (1)(a), the Bill must be placed on the Order Paper for First Reading, unless the Programme Committee in accordance with Rule 210 decides otherwise in respect of a particular Bill.

- (b) The First Reading is conducted in accordance with Rule 285.
 - (c) No decision is taken by the Assembly at the conclusion of the First Reading and no amendment to a Bill is allowed on the First Reading of the Bill.
 - (d) When the First Reading has been concluded, or when the First Reading is dispensed with by decision of the Programme Committee in accordance with Rule 210, the Bill is regarded as having been read a first time.
- (3) When a Bill has been read a first time, the Speaker must refer the Bill and its annexures —
- (a) to the portfolio committee under which the subject of the Bill falls;
 - (b) by resolution of the Assembly to any other Assembly committee; or
 - (c) to a joint committee, if this is required by a decision in terms of Joint Rule 166.
- (4) If the Bill is referred to an Assembly committee, the committee must deal with the Bill in accordance with Rule 286, but if the Bill is referred to a joint committee, the Joint Rules apply.
- (5) A Bill initiated and introduced by an Assembly committee does not have a First Reading but upon introduction must be placed directly on the Order Paper for Second Reading unless the Bill is referred to a joint committee.

284. Procedure during recess

- (1) If the Assembly is in recess when a Bill is introduced in the Assembly

or when a Bill introduced in and as passed by the Council is referred for the first time to the Assembly, the Speaker must refer the Bill and its annexures —

- (a) to the portfolio committee within whose portfolio the subject of the Bill falls;
 - (b) with the concurrence of the person in charge of the Bill, to any other Assembly committee; or
 - (c) to a joint committee, if this is required by a decision in terms of Joint Rule 166.
- (2) (a) A Bill referred to a committee in terms of Subrule (1) must additionally be placed on the Order Paper for First Reading in the Assembly at an early date upon the resumption of House business, unless the Programme Committee in accordance with Rule 210 decides otherwise in respect of a particular Bill.
- (b) If the First Reading of a Bill is dispensed with in terms of Paragraph (a), the Bill is regarded as having been read a first time.
- (3) The Bill, together with its annexures, must be submitted to the members of the committee at least 14 days before the date appointed for a meeting of the committee, unless the Assembly or, if the Bill is referred to a joint committee, both Houses, are due to meet during that period.
- (4) If the Bill is referred to an Assembly committee, the committee must deal with the Bill in accordance with Rule 286, but if the Bill is referred to a joint committee, the Joint Rules apply.

285. First Reading

- (1) The debate on the First Reading of a Bill must be conducted on the principles of the Bill as contained in its Long Title.

- (2) The Programme Committee must schedule and allocate time for the debate in accordance with Rule 210.
- (3) The person in charge must be allocated 15 minutes to make an introductory speech and to reply to the debate.
- (4)
 - (a) There is no speakers' list, members being permitted to speak for no longer than three minutes upon being recognised by the presiding officer.
 - (b) No member except the person in charge of the Bill may speak more than once in the debate.
- (5) At the conclusion of the First Reading debate on the Bill, no decision on the Bill is taken by the House but the Bill is regarded as having been read a first time.

286. Process in committee

- (1) If a Bill has been published for public comment in terms of Rule 276 or 295, the Assembly committee to which the Bill is referred must give interested persons and institutions an opportunity to comment on the Bill.
- (2) If a Bill has not been published for public comment and the committee to which the Bill is referred considers public comment on the Bill to be necessary, it may by way of invitations, press statements, advertisements or in any other manner, invite the public to comment on the Bill.
- (3) A committee to which a Bill introduced by an Assembly member in his or her individual capacity has been referred must provide reasonable notice to the person in charge of the Bill before it considers the Bill.

- (4) The committee —
- (a) must inquire into the subject of the Bill and report on it to the Assembly;
 - (b) may seek the permission of the Assembly to inquire into extending the subject of the Bill;
 - (c) if the Bill amends provisions of legislation, must, if it intends to propose amendments to other provisions of that legislation, seek the permission of the Assembly to do so;
 - (d) may, or if ordered by the Speaker must, consult any other committee that has a direct interest in the substance of the Bill;
 - (e) must, if the Bill was introduced by a member in his or her individual capacity, give the relevant department in the national executive authority or executive organ of state in the national sphere of government sufficient opportunity to make submissions to the committee on the objects and particulars of the Bill;
 - (f) may, or if permitted by the Assembly to extend the subject of a Bill in accordance with Paragraph (b) or (c) must, consult the person in charge of the Bill;
 - (g) may consult the JTM on whether any amendments to the Bill proposed in the committee —
 - (i) may affect the classification of the Bill, or
 - (ii) may render the Bill constitutionally or procedurally out of order;
 - (h) may not propose an amendment that —
 - (i) affects the classification of the Bill, except as provided in Subrule (5) and Joint Rule 163, or
 - (ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;
 - (i) after due deliberation, must consider a motion of desirability on the subject matter of the Bill and, if rejected, must immediately table the Bill and its report on the Bill;
 - (j) if the motion of the desirability is adopted, must proceed to deliberate on the details of the legislation;

- (k) may recommend approval or rejection of the Bill or present with its report an amended Bill or a redraft of the Bill, provided that in the case of a redraft the subject of the Bill has not been extended without the permission of the Assembly as contemplated in Paragraphs (b) and (c);
 - (l) must report to the Assembly in accordance with Rule 288;
 - (m) may report to the Assembly on a Bill introduced in the Assembly and classified as being subject to Section 18(1) of the Traditional Leadership and Governance Framework Act, 2003, only after 30 days have passed since the referral to the National House of Traditional Leaders in terms of Rule 278; and
 - (n) if an amended Bill or a redraft of the Bill is to be presented to the Assembly, must formally adopt the final version of the Bill as it is to be presented.
- (5) The committee may propose an amendment that changes the classification of a Section 75 to a Section 76 Bill, or a Section 76 to a Section 75 Bill, only if the JTM is of the view that the Bill as amended is unlikely to lead to unmanageable procedural complications.
- (6) In the process of inquiring into a Bill, the committee must, where applicable, as far as possible apply the following separate formal stages:
- (a) Informal discussion on the principles and subject of the Bill, including —
 - (i) a briefing by the department concerned and, in the case of a member’s Bill, by the member concerned, and
 - (ii) consideration of public comments that have been received;
 - (b) adoption of a motion of desirability, relating to whether the principles of the Bill and the need for the Bill are accepted;
 - (c) invitation for further public comment and submissions on the substance of the Bill, followed by the hearing and examination of such or other oral submissions if deemed necessary;

- (d) deliberation by members, taking into consideration proposed amendments and comments and proposals received and evidence presented;
- (e) formal consideration of the Bill, clause by clause, including amendments as formally proposed; and
- (f) consideration and adoption of the committee's report and adoption of the final version of the Bill as it is to be presented to the Assembly.

287. Referral to Assembly committee if joint committee fails to report

- (1) If a Bill has been referred to a joint committee in terms of Rule 283(3)(c) or 284(1)(c) and that joint committee fails to present a report or fails to reach consensus on the Bill, the Speaker must refer the Bill and its annexures —
 - (a) to the portfolio committee within whose portfolio the subject of the Bill falls; or
 - (b) by resolution of the Assembly, to any other Assembly committee.
- (2) The committee to which the Bill is referred must deal with the Bill in accordance with Rule 286.

288. Committee's report

- (1) The Assembly committee to which a Bill is referred must table in the Assembly —
 - (a) its report;
 - (b) the Bill that has been agreed on by it, in its final amended or redrafted form as adopted by the committee where applicable, or, if it has not agreed on a Bill, the Bill as referred to it;
 - (c) the supporting memorandum which was introduced with the Bill or, if the memorandum has been amended by the committee, the amended memorandum; and

- (d) if the Bill was introduced by a member in his or her individual capacity, the views, if any, expressed on the Bill by the relevant department in the national executive authority or executive organ of state in the national sphere of government.
- (2) The committee may report to the Assembly only after the JTM has classified the Bill and has made its findings on the Bill.
- (3) In its report the committee —
- (a) must state the JTM’s classification of and findings on the Bill;
 - (b) must state whether it recommends approval of the Bill with or without amendments, a redraft of the Bill, or rejection of the Bill;
 - (c) in the case of a Bill introduced by a member in his or her individual capacity, must state the views on the Bill submitted by the relevant executive authority;
 - (d) must specify each amendment if an amended Bill (other than a redraft of the Bill) was agreed on by it, and each amendment that was considered and, for a reason other than its being out of order, was rejected by it;
 - (e) must specify each amendment rejected by the committee if a redrafted Bill was agreed on by it;
 - (f) must, if it is not a unanimous report—
 - (i) specify in which respects and why there was not consensus, and
 - (ii) in addition to the views representative of the majority in the committee, convey any views of a minority in the committee in order to facilitate debate when the report comes before the House;
 - (g) may specify such details or information about its inquiry and any representations or evidence received or taken by it as it may consider necessary for the purposes of the debate on the Bill;
 - (h) may report on any matter arising from its deliberations on the Bill but which is not necessarily related to the Bill; and

- (i) may recommend to the Assembly that any matter contained in the report be placed on the Order Paper for separate consideration either before or after the Assembly considers the Bill.

289. Explanation of report

The chairperson or other member of the committee who tables the report in the Assembly on behalf of the committee, may, if the committee has so recommended in its report, address the Assembly in order to explain the report.

290. Second Reading

- (1) All Bills placed on the Order Paper for Second Reading must be debated, unless the Programme Committee notwithstanding Rule 210 by consensus decides otherwise in respect of a particular Bill.
- (2) (a) If a Bill has been referred to an Assembly or joint committee, the debate on the Second Reading of the Bill may not commence before at least three working days have elapsed —
 - (i) since the committee’s report was tabled, or
 - (ii) if a committee member has addressed the Assembly in terms of Rule 289, since the address was delivered.
- (b) If a Bill introduced by a committee has not been referred to a joint committee in terms of Rule 283(5), the debate on the Second Reading of the Bill may not commence before at least three Assembly working days have elapsed since the Bill was introduced.
- (3) (a) The debate on the Second Reading of a Bill must be conducted on the subject of the Bill.

- (b) The debate on the Second Reading of a Bill that amends legislation must be conducted on the subject of the proposed amendments.
- (4) No motion may be moved during the debate.
- (5) The Assembly passes a Bill if it approves the Second Reading of the Bill in accordance with Sections 53(1)(a) and (c) of the Constitution, except that the Second Reading of —
 - (a) a constitution amendment Bill must be approved in accordance with Rule 299(2) or (3); and
 - (b) a Bill determining the seat of Parliament must be approved in accordance with Section 76(5) of the Constitution.
- (6) The Assembly rejects a Bill if it rejects the Second Reading of the Bill or, subject to Rule 331, fails to approve the Second Reading with the appropriate majority.

291. Amendments proposed by members before decision of Second Reading

- (1) (a) After a Bill has been placed on the Order Paper for Second Reading but before the Assembly decides on the Second Reading, a member may, subject to Subrule (4), place amendments to clauses of the Bill on the Order Paper.
- (b) A Bill that has been rejected by the committee which considered it may not be amended under this rule.
- (2) Amendments delivered to the Speaker after 12:00 on any working day may be placed on the Order Paper for the second sitting day thereafter and not earlier, unless the Speaker determines otherwise in a particular case.

- (3) (a) The following amendments are out of order and may not be proposed under this rule:
- (i) Amendments that affect the principle of the Bill and in respect of which the Assembly has not given any instruction,
 - (ii) amendments that change the classification of the Bill, except as provided for in Joint Rule 163,
 - (iii) amendments that would render the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161, and
 - (iv) amendments that are out of order for any other reason.
- (b) The Speaker's ruling on whether an amendment is out of order or in order, is final, provided that if the JTM has made a finding on the substance of the amendment, the Speaker is bound by the finding.
- (4) No amendment which has the same effect as an amendment previously rejected in the committee may be placed on the Order Paper, except when it is a Bill of which a Cabinet member or Deputy Minister is in charge and that Cabinet member or Deputy Minister places such an amendment on the Order Paper.
- (5) If an amendment has been placed on the Order Paper and the debate on the Second Reading has been concluded, the Speaker may either —
- (a) recommit the Bill for reconsideration to the committee which considered the Bill or, if it is a Bill introduced by an Assembly committee, to that committee, together with the amendment; or
 - (b) put the amendment for decision by the Assembly and then the Second Reading of the Bill as a whole, including any approved amendment.
- (6) An Assembly committee to which a Bill is recommitted must deal with the Bill in terms of Rule 292.

- (7) A Bill may not be recommitted to a committee more than once in terms of this rule.

292. Referral of amendments proposed in Assembly to Assembly committee

- (1) If a Bill is recommitted in terms of Rule 291(5) to an Assembly committee, the committee —
- (a) may consider only those clauses of the Bill in respect of which amendments have been placed on the Order Paper and any consequential amendments that have to be effected;
 - (b) may consult the JTM on whether any of the amendments —
 - (i) affects the JTM's classification of the Bill, or
 - (ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;
 - (c) must mention in its report each amendment agreed on by the committee;
 - (d) must specify in the report each amendment placed on the Order Paper by the person in charge of the Bill but rejected by the committee;
 - (e) may not agree on any amendment that —
 - (i) changes the classification of the Bill, except as provided for in Subrule (3) or Joint Rule 163, or
 - (ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161; and
 - (f) must table its report together with the Bill in the Assembly.
- (2) Subrule (1)(d) applies only if the person in charge of the Bill is a Cabinet member or a Deputy Minister.
- (3) The committee may agree on an amendment that changes the classification of a Section 75 to a Section 76 Bill, or a Section 76 to a Section 75 Bill, but only if the JTM is of the view that the Bill as amended is unlikely to lead to unmanageable procedural complications.

293. Referral to Assembly committee if joint committee fails to report

- (1) If a Bill is recommitted to a joint committee in terms of Rule 291(5), and that joint committee fails to present a report or fails to reach consensus on any amendments, the Speaker must refer the Bill and its annexures —
 - (a) to the portfolio committee within whose portfolio the subject of the Bill falls; or
 - (b) by resolution of the Assembly, to any other Assembly committee.
- (2) The committee to which the Bill is referred must deal with the Bill in terms of Rule 286.

294. Consideration of report of Assembly committee or joint committee

- (1) The report of the Assembly committee or joint committee to which a Bill has been recommitted or referred must be placed on the Order Paper for consideration of —
 - (a) the amendments agreed on by the committee; and
 - (b) any amendment specified in the report in terms of Rule 292(1)(d) or Joint Rule 170(1)(d) and which is moved in the Assembly, which motion may be moved without notice.
- (2) Before the Assembly decides on the Second Reading of the Bill, the Speaker must put the amendment or amendments to the vote.

Part 4: Specific rules applicable to constitution amendment Bills

Specific rules relating to matters in Parts 1 and 2

295. Requirements prior to introduction of constitution amendment Bill

- (1) A Cabinet member or a Deputy Minister, or a member or committee of the Assembly, intending to introduce a Bill amending the Constitution must, before introducing the Bill, comply with Section 74(5) of the Constitution.
- (2) When the person or committee intending to introduce the Bill publishes particulars of the Bill in the Gazette in accordance with Section 74(5), the publication must contain —
 - (a) a notice stating the intention to introduce the Bill; and
 - (b) an invitation to interested persons and institutions to submit written representations on the draft constitutional amendment to the person or committee intending to introduce the Bill.
- (3) If the draft Bill itself, as it is to be introduced, is published, a memorandum setting out the objects of the Bill must also be published.

296. Notice withdrawing proposed constitutional amendment

- (1) If a Cabinet member, Deputy Minister, committee or member decides not to proceed with the introduction of a Bill after Rule 295 has been complied with, the Cabinet member, Deputy Minister, committee or member must without delay inform the Speaker in writing of the decision.

- (2) The Cabinet member or Deputy Minister referred to in Subrule (1) must publish a notice in the Gazette stating that the proposed legislation has been withdrawn.
- (3) The Speaker must publish a notice in the Gazette stating that the proposed legislation has been withdrawn where a committee or member decides not to proceed with the introduction of the Bill as contemplated in Subrule (1).

297. Introduction of constitution amendment Bill

- (1) A Cabinet member or Deputy Minister or an Assembly member or committee introduces a constitution amendment Bill by submitting to the Speaker —
 - (a) a copy of the Bill, or if the Bill itself, as it is introduced, has been published in the Gazette to give effect to Section 74(5) of the Constitution, a copy of the Gazette;
 - (b) a supporting memorandum which must —
 - (i) state that the Bill is introduced as a constitution amendment Bill,
 - (ii) explain the objects of the proposed constitutional amendment,
 - (iii) give an account of the financial implications of the proposed constitutional amendment for the state,
 - (iv) contain a list of all persons and institutions that have been consulted in preparing the Bill,
 - (v) if the Bill is introduced by a Cabinet member or a Deputy Minister, include a legal opinion by a state law adviser, or a law adviser of the state department concerned, on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160, and
 - (vi) if the Bill is introduced by a committee or an Assembly member, include a legal opinion by a parliamentary

legal adviser on the classification of the Bill and any other question in respect of which the JTM is required to make a finding in terms of Joint Rule 160; and

- (c) any written comments on the Bill envisaged in Section 74(6) of the Constitution.
- (2) A constitution amendment Bill introduced by a Cabinet member or a Deputy Minister must contain on its cover page a reference to that Cabinet member or Deputy Minister as the person introducing the Bill.
- (3) A constitution amendment Bill introduced by —
- (a) an Assembly member in an individual capacity; or
 - (b) by an Assembly committee with the Assembly's permission in terms of Rule 273(3) —
 - (i) must be accompanied by a statement to that effect, and
 - (ii) contain a reference on its cover page to the name of the member or committee as the member or committee introducing the Bill.

298. Referral of constitution amendment Bill to committee

- (1) If a constitution amendment Bill is in terms of Section 74 of the Constitution required to be passed by the Assembly alone, the Bill may in terms of Rule 283(3) or 284(1) only be referred to an Assembly committee.
- (2) If a constitution amendment Bill is in terms of Section 74 required to be passed by both Houses, the Bill must in terms of Rule 283(3) or 284(1) be referred either —
- (a) to an Assembly committee; or

- (b) if this is required by a decision in terms of Joint Rule 166, to a joint committee on constitutional matters.

299. Consideration of committee's report and Bill

- (1) The Speaker must place the committee's report and the Bill presented to the Assembly in terms of Rule 288 or Joint Rule 168 on the Order Paper irrespective of whether the time period mentioned in Section 74(7) of the Constitution has expired, but the Assembly may not vote on the Second Reading of the Bill unless this time period has expired.
- (2) A constitution amendment Bill is passed by the Assembly if its Second Reading —
 - (a) is put to the vote after the expiry of the time period mentioned in Section 74(7) of the Constitution; and
 - (b) receives a supporting vote of at least two thirds of the members of the Assembly or, if it is a Bill referred to in Section 74(1), a supporting vote of at least 75 per cent of the members.
- (3) If the Bill, in addition to other constitutional amendments, contains amendments referred to in Section 74(1), the Second Reading of the Bill is approved if —
 - (a) the Bill as a whole is passed with a supporting vote of at least 75 per cent of the members; or
 - (b) the Bill, excluding the Section 74(1) amendments, is passed with a supporting vote of at least two thirds of the members and the Section 74(1) amendments are passed separately with a supporting vote of at least 75 per cent of the members.
- (4) If a Bill mentioned in Subrule (3) is passed with a supporting vote of at least two thirds of the members, but the Section 74(1)(a) amendments fail to achieve 75 per cent support —
 - (a) the Speaker, after consulting the member in charge of the Bill, may refer the Bill to an Assembly committee to delete the Section 74(1) amendments and to table an amended Bill; or

- (b) the person in charge of the Bill may withdraw the Bill if the Section 74 provisions are not severable.
- (5) When the committee resubmits the Bill as amended, the Assembly votes on the amended Bill without debate.

300. Consequences of approval or rejection of Second Reading

- (1) Joint Rule 173 applies if the Assembly approves the Second Reading of a constitution amendment Bill.
- (2) A constitution amendment Bill lapses if the Assembly rejects the Second Reading of the Bill.

Reconsideration of constitution amendment Bill if amended by Council

301. Procedure if Council amends Bill

- (1) If the Council has amended a constitution amendment Bill passed by the Assembly, the Speaker must —
 - (a) place the amended Bill on the Order Paper for debate and decision if the chairperson of the portfolio committee concerned or other relevant Assembly committee so requests; or
 - (b) refer the amended Bill to the portfolio committee concerned, or to any other appropriate Assembly committee, for a report and recommendations on the Council's amendments.
- (2) If the amended Bill is referred to a committee, the committee —
 - (a) may consult with the appropriate Council committee or chairperson of that committee;
 - (b) must confine itself to the amendments effected by the Council;
 - (c) may consult the JTM on whether any of the Council's

amendments —

- (i) changes the JTM’s classification of the Bill, or
 - (ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161;
 - (d) may not propose any amendments; and
 - (e) may state reasons if it does not support any of the Council’s amendments.
- (3) The committee must table its report and recommendations.
- (4) When the report is tabled, the Speaker must place the Bill as amended by the Council on the Order Paper for debate and decision.

302. Debate and decision

- (1) The debate in the Assembly on the amended Bill must be confined to —
- (a) the matters dealt with in the committee’s report, if there is a report; and
 - (b) the question whether the amended Bill should be passed or not.
- (2) No member may place any amendments to the Bill on the Order Paper.
- (3) If the Assembly passes the amended Bill in accordance with the procedure set out in Rules 299(2)(b) and (3) or (4), the Bill must be submitted to the President for assent.
- (4) If the Assembly rejects the Bill or fails to pass it in accordance with the said procedure, read with Rule 331, the Bill must be referred to the Mediation Committee in terms of Joint Rule 177.

303. Process if mediation successful

- (1) The Speaker must table a notice in the Assembly stating that the Assembly's version of the Bill has been agreed on by the Mediation Committee, if the Mediation Committee has agreed on the version of the Bill as originally passed by the Assembly before its rejection or amendment by the Council.
- (2) The Speaker must place a Bill agreed on by the Mediation Committee on the Order Paper for debate and decision if that Bill is —
 - (a) the Council's amended Bill which the Assembly has rejected or has failed to pass as stated in Rule 302(4); or
 - (b) a version that differs from any version of the Bill as passed by either the Assembly or the Council.
- (3) If, after consultation with the chief whips of the parties and the chairperson of the portfolio committee or other Assembly committee concerned, the Speaker is of the view that the Assembly debate on the Bill in terms of Subrule (2) may be facilitated by a report of the portfolio committee concerned or any other appropriate Assembly committee, the Speaker must first refer the Bill to the committee for a report before placing the Bill on the Order Paper.
- (4) If the Bill is referred to a committee, the committee may —
 - (a) consult with the appropriate Council committee or the chairperson of that committee; and
 - (b) not propose any amendments to the Bill.
- (5) The committee must table in the Assembly —
 - (a) the committee's report; and
 - (b) the version of the Bill as agreed on by the Mediation Committee.

- (6) The debate in the Assembly on the Bill as agreed on by the Mediation Committee must be confined —
- (a) to the matters dealt with in the committee’s report, if the Bill was referred to a committee, or to the clauses of the Bill which differ from the clauses of the Bill as originally passed by the Assembly, if the Bill was not referred to a committee; and
 - (b) to the question whether the Bill as agreed on by the Mediation Committee should be passed.
- (7) No amendments may be proposed to the Bill as agreed on by the Mediation Committee.

304. Consequences of unsuccessful mediation

A constitution amendment Bill lapses in terms of Joint Rule 180 if mediation is unsuccessful.

Part 5: Specific rules applicable to Section 75 Bills

305. Application of this part to money Bills

The rules set out in this part apply to all Section 75 Bills, as well as money Bills other than those dealt with in terms of the special procedure set out in Rule 322(2).

306. Consequences of approval or rejection of Second Reading

A Section 75 Bill —

- (a) must be referred to the Council in terms of Joint Rule 181 if the Assembly approves the Second Reading of the Bill; or
- (b) lapses if the Assembly rejects the Second Reading of the Bill.

Reconsideration of Section 75 Bills if Council rejects or passes subject to amendments

307. Referral of Bill to Assembly committee

- (1) If the Council rejects a Section 75 Bill referred to it in terms of Joint Rule 181 or passes the Bill subject to amendments, the Speaker must refer the Bill and any amendments proposed by the Council to the portfolio committee concerned or to any other appropriate Assembly committee for —
 - (a) a report on the Council’s rejection of the Bill or on the amendments proposed by the Council; and
 - (b) recommendations on whether the Bill should be passed again with or without any amendments, or whether it should not be proceeded with.

- (2) The committee to which the Bill is referred —
 - (a) may consult with the appropriate Council committee or the chairperson of that committee;
 - (b) may not propose any amendment which is not strictly relevant either to the Council’s rejection of the Bill or to the amendments proposed by it;
 - (c) may consult the JTM on whether any of the Council’s amendment proposals or any amendments proposed in the committee —
 - (i) will change the JTM’s classification of the Bill, or
 - (ii) will render the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161; and
 - (d) may not propose any amendment that would —
 - (i) change the classification of the Bill, or
 - (ii) render the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161.

308. Committee's report

- (1) The committee to which the Bill is referred must table in the Assembly —
 - (a) the committee's report and recommendations;
 - (b) the Council's proposed amendments, if the Council has passed the Bill subject to amendments; and
 - (c) an amended Bill, if the committee, in view of the Council's rejection of the Bill or its amendment proposals, has agreed to amend the Bill previously passed by the Assembly.

- (2) When the report is tabled, the Speaker must place the Bill on the Order Paper for debate and decision.

309. Debate and decision

- (1) The debate in the Assembly on the committee's report and the Bill must be confined to —
 - (a) the matters dealt with in the report;
 - (b) the question whether the Bill should be proceeded with; and
 - (c) any amendments proposed either by the Council or the committee.

- (2) No member may place any amendments to the Bill on the Order Paper.

- (3) The Assembly may recommit the Bill or any amendment proposal to the committee for reconsideration and a further report and recommendation before it decides on the Bill.

- (4) The Assembly may either —
 - (a) pass the original Bill again;
 - (b) pass any amended Bill proposed by the committee;
 - (c) pass the original Bill incorporating any amendments proposed by the committee or any amendments proposed by the Council which were rejected by the committee; or
 - (d) decide not to proceed with the Bill.
- (5) If Subrule (4)(c) applies, the Assembly must first decide on each amendment proposal of the Council, then on each amendment proposal of the committee and then on the Bill as a whole, incorporating any amendment proposals agreed to by the Assembly.
- (6) A Bill passed by the Assembly in accordance with this rule and Sections 53(1)(a) and (c) of the Constitution must be submitted to the President for assent.
- (7) If the Assembly decides not to proceed with the Bill, the Bill lapses.

Part 6: Specific rules applicable to Section 76(1) Bills introduced in Assembly

310. Consequences of approval or rejection of Second Reading

A Section 76(1) Bill —

- (a) must be referred to the Council in terms of Joint Rule 184(1) if the Assembly approves the Second Reading of the Bill; or
- (b) lapses if the Assembly rejects the Second Reading of the Bill.

Reconsideration of Section 76(1) Bills if amended by Council

311. Bill to be placed on Order Paper or referred to portfolio committee

- (1) If the Council amends a Bill referred to it in terms of Joint Rule 184(1), the Speaker must —
 - (a) place the Bill on the Order Paper for debate and decision if the chairperson of the portfolio committee concerned or other relevant Assembly committee so requests, provided that any debate must be confined to the Council’s amendments; or
 - (b) submit the amended Bill to the portfolio committee concerned or any other appropriate Assembly committee for a report and recommendations on the Council’s amendments.

- (2) The committee to which the Council’s amended Bill is referred —
 - (a) may consult the appropriate Council committee or the chairperson of that committee;
 - (b) may not propose any further amendments to the Bill; and
 - (c) may consult the JTM on whether any of the Council’s amendments —
 - (i) changes the JTM’s classification of the Bill, or
 - (ii) renders the Bill constitutionally or procedurally out of order within the meaning of Joint Rule 161.

312. Committee’s report

- (1) The committee to which the Council’s amended Bill is referred must table in the Assembly —
 - (a) its report and recommendations; and
 - (b) the Council’s amended Bill.

- (2) When the report is tabled, the Speaker must place the report and the Council's amended Bill on the Order Paper for debate and decision.

313. Debate and decision

- (1) The debate on the report and the Council's amended Bill must be confined to —
 - (a) the matters dealt with in the report; and
 - (b) the question whether the amended Bill should be passed or not.
- (2) No amendments may be proposed to the Council's amended Bill.
- (3) If the Assembly passes the Council's amended Bill in accordance with Sections 53(1)(a) and (c) of the Constitution, the Speaker must without delay submit the Bill to the President for assent.
- (4) If the Assembly refuses to pass the Council's amended Bill, the Bill must be referred to the Mediation Committee in terms of Joint Rule 186.

Process after mediation

314. Process if mediation successful

- (1) The Speaker must table a notice in the Assembly stating that the Assembly's version of the Bill has been agreed on by the Mediation Committee, if the Mediation Committee has agreed on the version of the Bill as originally passed by the Assembly before its rejection or amendment by the Council.

- (2) The Speaker must place a Bill agreed on by the Mediation Committee on the Order Paper for debate and decision if that Bill is —
 - (a) the Council's amended Bill which the Assembly has refused to pass as stated in Rule 313(4); or
 - (b) a version that differs from any version of the Bill as passed by either the Assembly or the Council.

- (3) If, after consultation with the chief whips of the parties and the chairperson of the portfolio committee or other Assembly committee concerned, the Speaker is of the view that the Assembly debate on the Bill in terms of Subrule (2) may be facilitated by a report of the portfolio committee concerned or any other appropriate Assembly committee, the Speaker must first refer the Bill to the committee for a report before placing the Bill on the Order Paper.

- (4) If the Bill is referred to a committee, the committee may —
 - (a) consult with the appropriate Council committee or the chairperson of that committee; and
 - (b) may not propose any amendments to the Bill.

- (5) The committee must table in the Assembly —
 - (a) the committee's report; and
 - (b) the version of the Bill as agreed on by the Mediation Committee.

- (6) The debate in the Assembly on the Bill as agreed on by the Mediation Committee must be confined —
 - (a) to the matters dealt with in the committee's report, if the Bill was referred to a committee, or to the clauses of the Bill which differ from the clauses of the Bill as originally passed by the Assembly, if the Bill was not referred to a committee; and
 - (b) to the question whether the Bill as agreed on by the Mediation Committee should be passed.

- (7) No amendments may be proposed to the Bill as agreed on by the Mediation Committee.

315. Process if mediation unsuccessful

- (1) The Speaker, at the request of the person in charge of the Bill, must place the version of the Bill as originally passed by the Assembly before its rejection or amendment by the Council, on the Order Paper for debate and decision in terms of Section 76(1)(e), (i) or (j) of the Constitution if —
 - (a) the Mediation Committee is unable to agree within 30 days of the Bill’s referral to it;
 - (b) the Assembly refuses to pass the version of the Bill agreed on by the Mediation Committee and considered by the Assembly in terms of Rule 314; or
 - (c) the Mediation Committee has agreed on the version of the Bill as originally passed by the Assembly, and the Council refuses to pass this version.
- (2) If the Assembly passes a version of the Bill as described in Rule 314(2)(b) and the Council refuses to pass this version of the Bill, the Speaker, at the request of the person in charge of the Bill, must place this version on the Order Paper for debate and decision in terms of Section 76(1)(i) of the Constitution.
- (3) Unless the Assembly decides not to proceed with a Bill placed on the Order Paper in terms of Subrule (1) or (2), the Bill must be put to the vote and, if passed with a supporting vote of at least two thirds of the members, be submitted to the President for assent.

Part 7: Specific rules applicable to Section 76(2) Bills introduced in the Council

316. Powers of committee to which Bill is referred

If a Section 76(2) Bill as passed by the Council is referred to an Assembly committee in terms of Rule 283 or 284, the committee may —

- (a) consult with the appropriate Council committee or the chairperson of that committee on the contents of the Bill and any amendments to the Bill that are being considered by the Assembly committee; and
- (b) recommend that any time limit for the Assembly's consideration of the Bill be extended.

317. Consequences of approval or rejection of Second Reading

A Section 76(2) Bill must be referred to —

- (a) the President in terms of Joint Rule 185(2)(a) if the Assembly approves the Second Reading of the Bill as passed by the Council;
- (b) the Council in terms of Joint Rule 185(2)(b) if the Assembly amends the Bill as passed by the Council; or
- (c) the Mediation Committee in terms of Joint Rule 186(2)(a) if the Assembly rejects the Second Reading of the Bill as passed by the Council.

Process after mediation

318. Process if mediation successful

- (1) The Speaker must table a notice in the Assembly stating that the Assembly's version has been agreed on by the Mediation Committee

if the Mediation Committee has agreed on the Bill as amended by the Assembly and as referred to the Council in terms of Rule 317(b).

- (2) The Speaker must place a Bill agreed on by the Mediation Committee on the Order Paper for debate and decision if that Bill is —
 - (a) the version as passed by the Council and which the Assembly has either amended or rejected as stated in Rule 317(b) or (c);
or
 - (b) a version that differs from any version of the Bill as passed by either the Assembly or the Council.

- (3) If, after consultation with the chief whips of the parties and the chairperson of the portfolio committee or other Assembly committee concerned, the Speaker is of the view that the Assembly debate on the Bill in terms of Subrule (2) may be facilitated by a report of the portfolio committee concerned or any other appropriate Assembly committee, the Speaker must first refer the Bill to the committee for a report before placing the Bill on the Order Paper.

- (4) If the Bill is referred to a committee, the committee may —
 - (a) consult with the appropriate Council committee or the chairperson of that committee; and
 - (b) not propose any amendments to the Bill.

- (5) The committee must table in the Assembly —
 - (a) the committee's report; and
 - (b) the version of the Bill as agreed on by the Mediation Committee.

- (6) The debate in the Assembly on the Bill agreed on by the Mediation Committee must be confined —
 - (a) to the matters dealt with in the committee's report, if the Bill was referred to a committee; and

- (b) to the question whether the Bill as agreed on by the Mediation Committee should be passed.

319. Consequences of unsuccessful mediation

A Section 76(2) Bill lapses in terms of Joint Rule 190 if mediation is unsuccessful.²

Part 8: Specific rules applicable to money Bills

320. Contents of money Bills

In terms of Section 77(1) of the Constitution a money Bill may not deal with any other matter except a subordinate matter incidental to the appropriation of money or the imposition of taxes, levies or duties.

321. Introduction of money Bills

- (1) Only the Cabinet member responsible for national financial matters may introduce a money Bill.
- (2) The responsible Minister must introduce a money Bill by following either the ordinary procedure set out in Rule 279 or the special procedure set out in Rule 322(2), but if it is a Bill appropriating money for the ordinary annual services of the government or imposing taxes, levies or duties for this purpose, the special procedure must be followed; provided that the Minister consults the Speaker when exercising a choice in terms of this rule.

2. If mediation between the Houses on a Section 76(1) Bill fails, the Bill can still be passed if the Assembly can muster a two-thirds majority. This deadlock-breaking mechanism is not available when the Bill is a Section 76(2) Bill, i.e. where the Bill has been introduced in the Council. In terms of the Constitution, a Section 76(2) Bill lapses if mediation fails.

322. Procedure applicable to money Bills

- (1) If the ordinary procedure is followed, the Bill in all respects must be dealt with in the Assembly as if it were an ordinary Section 75 Bill, subject to any legislation envisaged in Section 77(2) of the Constitution.
- (2) If the special procedure is followed, Parts 2, 3 and 4 of this chapter do not apply and the Bill must be dealt with in the Assembly in accordance with the following specific rules.

323. Special introductory procedure

- (1) The Minister in charge of the Bill must deliver an introductory speech in the Assembly on the appointed day.
- (2) After having delivered the introductory speech, the Minister must introduce the Bill by tabling it and any accompanying schedule and papers in the Assembly.

324. Bill placed on Order Paper for First Reading

- (1) After introduction of the Bill in terms of Rule 323, the Speaker must place the Bill on the Order Paper for First Reading.
- (2) The First Reading of the Bill may be considered only after the report of the committee to which it was referred in terms of Rule 325 has been presented to the Assembly.
- (3) If the Assembly rejects the First Reading of the Bill, it rejects the Bill.

325. Referral of Bill to Assembly committee

- (1) On the day on which the Bill is introduced, the Speaker must, unless legislation provides otherwise, refer the Bill, and any accompanying schedule and papers and the Minister's introductory speech to the committee on public finance for consideration and report.
- (2) The committee may confer with the corresponding committee of the Council.
- (3) The committee must —
 - (a) conduct joint public hearings with the corresponding committee of the Council on the fiscal framework and revenue proposals if submitted with the Bill as is required in Section 8(2) of the Money Bills Amendment Procedure and Related Matters Act, 2009; and
 - (b) report on the fiscal framework and revenue proposals if submitted with the Bill within 16 days after the tabling of the framework and proposals.
- (4) Unless legislation provides otherwise, no amendment to a Bill or any accompanying schedule or papers may be moved while the committee is considering the Bill, schedule and papers.

326. Consideration of schedule to appropriation Bill

When the First Reading of an appropriation Bill which has a schedule has been approved, the votes in the schedule must be discussed.

327. Supplementary estimates in main appropriation Bill

When the debate on the schedule to a main appropriation Bill has been concluded, those votes in respect of which supplementary amounts are to be requested, must be placed on the Order Paper for discussion.

328. Approval of votes and schedule

The Assembly must first decide on the separate votes in the schedule to an appropriation Bill (in the case of a main appropriation Bill, when the debate on supplementary amounts has been concluded) and thereafter on the schedule.

329. Second Reading of money Bill

- (1) When the schedule to an appropriation Bill has been approved, the Bill must be placed on the Order Paper for Second Reading.
- (2) When the First Reading of a money Bill which has no schedule has been approved, the Bill must be placed on the Order Paper for Second Reading.

330. Money Bill rejected or passed subject to amendments by Council

- (1) If a money Bill that has been rejected, or passed subject to amendments, by the Council is referred back to the Assembly for reconsideration in terms of Section 75(1)(c) of the Constitution, the Bill may be given precedence over other orders of the day on the day on which it is received from the Council, and a motion to that effect may be moved without prior notice by the Minister in charge of the Bill.
- (2) The Assembly must consider any amendments proposed by the Council and no further amendments may be considered unless moved as permitted by the Money Bills Amendment Procedure and Related Matters Act, 2009 by the Minister in charge of the Bill, who may do so without prior notice.
- (3) The debate on the reconsideration of the Bill, including the consideration of any amendment, may not continue for more than one hour, excluding the reply of the Minister in charge of the Bill, during which time a member may be restricted to one speech not exceeding

five minutes in duration, except the Minister, who may be allowed more than one such speech.

Part 9: General

331. Second vote on Bill rejected through absence of members

- (1) Should a Bill that requires a special majority in the Assembly fail to obtain the required majority when the Bill is put to the vote, the Speaker may, within seven working days after the vote was taken, put the Bill to the vote again, but only if the Chief Whip and the most senior whip of one or more parties which together with the majority party command at least the required majority in the Assembly —
 - (a) request such a second vote; and
 - (b) persuade the Speaker that the Bill failed to obtain the required majority because of the absence of party members.
- (2) The Bill is considered as having been rejected if it again fails to obtain the required majority.

332. Same Bill may not be introduced more than once

When a Bill has been passed or has been rejected during a session in any year, no Bill of the same substance may be introduced in the Assembly in that year except by leave of the Assembly or where otherwise provided in these rules.

333. Lapsing of Bills on last sitting day of annual session or term of Assembly or when Assembly is dissolved

- (1) All Bills introduced in the Assembly and which on the last sitting day of a session of the Assembly appear on the Order Paper for First or Second Reading, lapse at the end of that day unless the Assembly decides otherwise.

- (2) All Bills before the Assembly or any Assembly committee on the last sitting day of a term of the Assembly or when the Assembly is dissolved, lapse at the end of that day.

334. Withdrawal of Bill

The person in charge of a Bill introduced in the Assembly may withdraw the Bill at any time before the Second Reading of the Bill is decided.

335. Discrepancies in versions of Bill

- (1) If any discrepancy in meaning is found between the versions of any Bill in the different official languages after such Bill has been passed by the Assembly but before it is presented to the President for assent, the Speaker must report such discrepancy to the Assembly.
- (2) If the Assembly agrees to an amendment referred to in Subrule (1), the Assembly must be regarded as having agreed to the Second Reading of the Bill as amended.

CHAPTER 14

PROCESS FOR WRITTEN INSTRUMENTS OTHER THAN LEGISLATION

Part 1: General

336. Application

This chapter applies to all written instruments received by the Assembly, other than draft legislation, that have to be formally dealt with in the parliamentary process.

337. Tabling of written instruments in the Assembly

The Speaker must table the following instruments without delay, or if the Assembly is in recess, on its first day when the Assembly resumes its sittings:

- (a) all reports and other written instruments submitted by a member of the national executive or in terms of legislation for tabling in the Assembly;
- (b) all requests, applications and other written submissions made to the Assembly in terms of legislation to activate a parliamentary process prescribed by such legislation;
- (c) all international agreements submitted to the Assembly in terms of Section 231 of the Constitution;
- (d) all special petitions and other petitions of a general nature; and
- (e) any other written instrument required to be tabled in terms of these rules.

338. Referral of written instruments to committees

- (1) Except where these rules or the Joint Rules provide otherwise in a specific case, the Speaker must without delay refer to an appropriate committee —
 - (a) all written instruments tabled or that must be tabled in the Assembly in terms of Rule 337;
 - (b) all reports and other written instruments tabled in the Assembly by a member of the national executive; and
 - (c) any other instrument that must in terms of these rules or the Joint Rules be referred to a committee.
- (2) If there is doubt as to which committee is the appropriate committee, the Speaker, in consultation with the Chief Whip, must decide the issue subject to these rules and any directives of the Rules Committee or a resolution of the Assembly.
- (3) If a matter is referred to two or more committees, the referral may be accompanied by an instruction —
 - (a) whether the committees must confer; and
 - (b) which of them must report, if a report is required, or whether they must report jointly.
- (4) When referring a written instrument to a committee or committees, the Speaker may, where appropriate, direct that a report thereon be submitted to the House within a specified timeframe.

339. Consideration of matter by committees

A committee must deal with an instrument referred to it in terms of Rule 338 in accordance with any applicable procedures prescribed by these rules or the Joint Rules.

340. Reporting by committees

- (1) A committee must report on a matter referred to it if —
 - (a) required by a provision of these rules or the Joint Rules; or
 - (b) the Speaker so instructs.
- (2) If a committee is not required in terms of Subrule (1) to report on a matter referred to it, it may nevertheless submit such a report if it so desires.
- (3) A committee must report on any written instrument referred to it in accordance with Rule 166.

Part 2: International agreements

341. Submission to Parliament for approval

- (1) When the Assembly's approval is to be sought for an international agreement in terms of Section 231(2) of the Constitution, a copy of the agreement must be submitted to the Speaker together with an explanatory memorandum.
- (2) The explanatory memorandum must —
 - (a) briefly set out the history, objectives and implications of the agreement;
 - (b) include a legal opinion by a state law adviser as to whether the agreement is consistent with the domestic law of the Republic, including the Constitution, with the international obligations of the Republic and with international law in general;
 - (c) state whether the agreement contains any self-executing provision that will become law in the Republic in terms of Section 231(4) of the Constitution upon the approval of the agreement by Parliament;

- (d) give an account of the projected financial and other costs of the agreement for the state; and
- (e) contain all other information needed by the Assembly in order to take an informed decision.

342. Tabling and referral to committee

- (1) The Speaker must —
 - (a) table the agreement and explanatory memorandum in the Assembly; and
 - (b) refer the matter for consideration and report —
 - (i) to the portfolio committee under which the subject of the agreement falls, or
 - (ii) by resolution of the Assembly to any other Assembly committee.
- (2) The committee —
 - (a) must enquire into the subject of the agreement with a view to recommending approval or rejection of the agreement;
 - (b) may, or if ordered by the Speaker must, consult the portfolio committee responsible for overseeing international relations and any other Assembly committee that has a direct interest in the substance of the agreement; and
 - (c) must report to the Assembly in accordance with Rule 166.
- (3) In its report the committee must state whether it recommends approval or rejection of the agreement.
- (4) The committee's report must be placed on the Order Paper for decision.

343. Submission to Parliament for information

An international agreement of a technical, administrative or executive nature, or an agreement which does not require either ratification or accession, and which must be tabled in the Assembly in terms of Section 231(3) of the Constitution, must be referred by the Speaker for information —

- (a) to the portfolio committee under which the subject of the agreement falls; or
- (b) by resolution of the Assembly to any other Assembly committee.

Part 3: Petitions

344. Form of petitions

Petitions must be in the form prescribed by the Speaker in accordance with guidelines determined by the Rules Committee.

345. Language of petitions

A petition must be in one of the official languages.

346. Signing of petitions

- (1) Unless the Speaker decides otherwise, every petition must be signed by the petitioners themselves.
- (2) Persons unable to write must make their marks on the petition in the presence of two witnesses, who must sign the petition in that capacity.

347. Lodging

- (1) A petition must be lodged by a member with the Secretary for approval and tabling by the Speaker, and must be signed at the beginning thereof by the member.
- (2) A member may not lodge a petition on his or her own behalf, but such a petition may be lodged by another member.

348. Approval by Speaker

Each petition must be deposited for at least one day with the Secretary, who must submit it to the Speaker for approval before it is tabled in the Assembly.

349. Tabling

If a petition complies with these rules and the guidelines determined by the Rules Committee, the Speaker must approve it and table it in the Assembly without delay.

350. Referral of petitions to committees

After tabling a petition in the Assembly, the Speaker must —

- (a) if it is a special petition, refer the petition to the committee on public finance; or
- (b) if it is a petition of a general nature, refer the petition to the relevant portfolio committee or other appropriate committee.

CHAPTER 15 MISCELLANEOUS

Part 1: Lapsing of business before Assembly

351. Lapsing of business on last sitting day of annual session or term of Assembly or when Assembly is dissolved

- (1) All motions and all other business, other than Bills, on the Order Paper on the last sitting day of an annual session of the Assembly, lapse at the end of that day.
- (2) All business before the Assembly or any Assembly committee on the last sitting day of a term of the Assembly or when the Assembly is dissolved, lapse at the end of that day.

Part 2: Executive government

352. Communication of appointment of Cabinet members and Deputy Ministers and their assigned powers and functions

- (1) The Leader of Government Business must inform the Speaker in writing without delay of —
 - (a) the appointment by the President of the Deputy President, other Cabinet members and Deputy Ministers in terms of Sections 91 and 93 of the Constitution when such appointments are made or changed; and
 - (b) the details of the powers and functions formally assigned, or delegated, to each at the time of appointment or subsequently.
- (2) Upon receipt of a communication in terms of Subrule (1), the Speaker must table it without delay.

353. Resolutions affecting executive government

- (1) Resolutions of the House affecting the executive government must be communicated to the President of the Republic or other relevant executive authority and to the Leader of Government Business by the Speaker.
- (2) The Secretary must send a copy of the Speaker's letter to the Director-General in The Presidency.

354. Consent in respect of state-owned land or property

The House may not proceed upon any Bill, motion or proposal affecting state-owned land or property³ and of which a member other than a Minister is in charge, unless the President of the Republic has given his or her consent that, as far as the state's interests are concerned, the House may take such decision in regard thereto as it thinks fit.

Part 3: Abuse of Privilege

355. Abuse of privilege

- (1) The Assembly may make a finding that a breach or abuse of the privilege provided for in Sections 45(2) and 58 of the Constitution, or as set out in Rule 63 of these rules, is contempt of Parliament as envisaged by Section 13(d) of the Powers and Privileges Act, in accordance with Subrule (2).
- (2) The Assembly may make a finding in terms of Subrule (1) only if the Powers and Privileges Committee has decided that a specified act constitutes contempt of Parliament and has reported accordingly to the House.

3. See State Land Disposal Act, 1961.

356. Fines

The amount of a fine that can be imposed under the Powers and Privileges Act for each of the offences mentioned therein, and for each offence referred to in these rules or any resolution of the Assembly, must be determined in every case by a resolution of the Assembly, but such fine may not exceed the amounts provided in the Act.

357. Recovery of fines

All fines must be recovered by the Secretary and paid into Parliament's bank account.

358. Fines remitted

A fine or portion thereof may be remitted by resolution of the Assembly.

359. Request to have response recorded by persons other than members

The Secretary must refer to the Speaker any written request to have a response recorded by a person, other than a member, regarding a statement or remark made by an Assembly member, a Cabinet member or a witness in or before the Assembly, a committee or other forum of the Assembly, or in or before a joint sitting of the Houses or a joint committee.

Part 4: Witnesses

360. Summoning of witnesses

Any person may be summonsed to appear before the House or a

committee or other forum of the House in accordance with Sections 14 to 17 of the Powers and Privileges Act and these rules.

361. Attendance of witnesses detained in prison

If a witness, whose attendance before the House or a committee or other forum thereof is required, is being detained in any prison, the person in charge of such prison may be ordered to bring the witness in safe custody for examination as often as his or her attendance is deemed necessary, and on the instruction of the Speaker the Secretary may issue his or her warrant accordingly.

Part 5: Office of Secretary and records of the Assembly

362. Records of National Assembly

The records of the National Assembly include —

- (a) the Journals of the National Assembly;
- (b) the Official Report of the Debates of the National Assembly (Hansard);
- (c) the Order Paper, Question Paper and other papers produced under the authority of the House or the Speaker;
- (d) documents officially before, or emanating from, a committee or subcommittee or other forum, excluding internally produced preliminary working drafts;
- (e) papers tabled in the National Assembly; and
- (f) official correspondence.

363. Minutes of Proceedings of National Assembly

The Minutes of Proceedings of the National Assembly and mini-plenary sessions must be recorded by the Secretary and, after having been perused by the Speaker, must be signed by the Secretary, printed and supplied to members.

364. Journals of National Assembly

The Journals of the National Assembly comprise —

- (a) the official minutes of the House and its committees and other forums, including the document entitled Announcements, Tablings and Committee Reports; and
- (b) any transcripts and recordings made by order of the House or any of its committees or other forums.

365. Custody of papers

The Secretary has custody of all records and other papers of the National Assembly, and he or she may neither remove nor permit to be removed any such records or other papers beyond the precincts of this House without the leave of the Speaker.

366. Access to tabled papers

Tabled papers are open to all members and to the public, unless otherwise ordered by the Speaker or by resolution of the House in respect of a particular paper, or part thereof, and subject to Rule 189 in respect of papers officially before or emanating from a committee or subcommittee or other forum.

367. General duties of Secretary

The Secretary is responsible for the regulation of all matters connected with the business of the National Assembly, subject to such directions as he or she may receive from the Speaker or the House.

SCHEDULE

PROCEDURE TO BE FOLLOWED IN THE INVESTIGATION AND DETERMINATION OF ALLEGATIONS OF MISCONDUCT AND CONTEMPT OF PARLIAMENT

Notification to member

1. A member charged with misconduct or contempt must receive written notice of all allegations and charges against him or her. The notification must be delivered to the member at least five working days before the hearing. The notice must also clearly indicate the date, time and venue of the hearing, that the member is entitled to be assisted by a fellow member and that the member may request the committee to allow legal representation by a person who is not a member.
2. If it is not possible to serve the notice personally on the member, the Sheriff may be requested to serve such notice.

Outside legal representation

3. In complex cases or cases involving complicated evidence or legal issues, and where the committee is of the view that such legal representation might be essential for a fair hearing, the committee may allow the member charged to be represented by a legal practitioner who is not a member.

Explanation by member

4. If the member wishes to give an explanation after receiving the notice, he or she may do so either verbally or in writing. Such explanation may also be presented at the hearing.

Initiator

5. The committee must nominate a member or a person who is duly qualified, but who is not a member of the committee, to act as the initiator for the duration of the hearing. The initiator presents the evidence regarding the allegations and may cross-examine the member and any witness giving evidence on behalf of the member. At the conclusion of the hearing, the initiator may address the committee on the evidence presented before it and may also propose a penalty to be recommended by the committee in its report.

Plea to charge

6. The initiator must put the charge(s) to the member and the chairperson must request the member to plead to the charge(s). If the member so wishes, he or she can also give a plea explanation. If the member refuses to enter a plea, the chairperson must enter a plea of not guilty.

Hearing

7. The member has a right to be present at the hearing. The committee, initiator and the member may call witnesses and these witnesses may be questioned by the chairperson, initiator, the member or the legal representative, either directly or through the fellow member. Members of the committee may also put questions to the member, but only through the chairperson or with the permission of the chairperson. After all the witnesses have been called, the member or fellow member may sum up the evidence and make a presentation to the committee.
8. If after receiving the notice the member fails, without just cause, to attend the hearing, the committee may proceed in the absence of the member.

Penalty

9. If the committee finds the member guilty of misconduct or contempt, the member, fellow member or legal representative must be given an opportunity to present mitigating factors to the committee before the committee reports to the House. Such representation may be verbal or in writing. The initiator may also address the committee on aggravating or other factors.

Suspension of member

10. In order to facilitate an investigation in terms of Section 12 of the Act against a member in circumstances where there is a possibility that the member may interfere with evidence or witnesses or in circumstances where the allegations are of a very serious nature, the Speaker may request the House to suspend the member. Such suspension may be with or without remuneration and may not be for longer than 14 days. A member who has been suspended must leave the parliamentary precincts, and may not, during the period of suspension, without the permission of the Speaker –
 - (a) enter the precincts for whatever purpose; or
 - (b) participate in any activity of Parliament or any committee.
11. Before the Speaker requests the House to suspend the member, the member must be informed in writing of the request and must be afforded an opportunity to give reasons within a reasonable period why he or she should not be suspended.
12. After the House has resolved to suspend the member, the Speaker must inform the member in writing of the suspension and the period of its operation prior to it taking effect.

APPENDIX A

POLICY FOR ATTENDANCE OF MEMBERS OF PARLIAMENT DURING PLENARY AND MEETINGS OF PARLIAMENTARY COMMITTEES AND FORUMS

(As agreed to by the Joint Rules Committee on 5 March 2014)

(RULES 35 TO 40)

1. Definitions

In this policy, unless the context indicates otherwise —

“Assembly” means the National Assembly;

“attendance” refers to the presence of a member at a plenary, extended public committee, sectoral parliament, a meeting of a parliamentary committee, a recognised parliamentary forum or on an approved oversight activity;

“Council” means the National Council of Provinces;

“Chief Whip” means the Chief Whip of the Majority Party in the National Assembly;

“Chief Whip of the Council” refers to the Chief Whip of the NCOP, as elected in terms of Rule 21(1) of the rules of the NCOP or acting in that capacity;

“committee” refers to all committees of the Assembly and the Council, joint committees, ad hoc committees, standing committees, multiparty whips’ forums and their task teams, provincial whips’ forum, internal committees and recognised parliamentary forums;

“Family member” refers to a relative by blood, marriage, adoption, fostering, traditional kinship or a life partner (including guardian, grandparent and in-laws) of a member or a person who stands in a bona fide domestic or household relationship with the member, including situations in which some dependency or support role for the member is implied;

“Formal institution of education or training” is an institution registered or accredited with the Department of Education, Council on Higher Education or the South African Qualifications Authority (SAQA);

“member” with reference to —

- (a) the Assembly, means a member of the Assembly; and
- (b) the Council, means a permanent delegate to the Council.

For the purposes of this policy, the term “member” excludes members of the Cabinet and Deputy Ministers and special delegates of the Council, members of provincial legislatures and representatives of Salga;

“parliamentary business or work” refers to parliamentary activities sanctioned in terms of the Constitution, the programme of Parliament, an instruction of the Presiding Officers or a decision of a House or its committees or party work sanctioned by the political party or a member and which is related to the work of Parliament;

“party whip” refers to a member appointed by his or her party or recognised as such;

“party leader” refers to a member appointed by his or her party or recognised as such;

“party work” refers to activities sanctioned by the political party of a member;

“private business” refers to any work done, either for remuneration or not, by a member that does not relate to his or her responsibilities as a member but excludes political party work;

“primary caregiver” in the context of this policy refers to a spouse or life partner who takes primary responsibility for an adopted child under the age of two years or a child born from a surrogacy agreement;

“provincial whip” refers to a member designated in terms of Rule 173(1)(c) of the NCOP;

“recess” with reference to —

- (a) a House, means a period determined as a recess by the Programme Committee of the House, or by resolution of the House, during which the business of the House is interrupted; or
- (b) both Houses, means a period determined as a recess by the Joint Programme Committee, or by resolutions adopted in the Houses, during which the business of both Houses is interrupted;

“session” refers to periods that the Assembly or Council are convened for plenary and periods set aside for meetings of parliamentary committees and forums, as well as formal oversight activities of Parliament or its committees and forums, in terms of the programme of a House or the joint programme of Parliament;

“sitting day” refers to a day on which the Assembly or the Council sits in plenary and includes committee meetings;

“spouse” means a spouse or partner in a marriage or civil union partnership in accordance with the Marriage Act, 1961 (Act No 25 of 1961), Recognition of Customary Marriages Act, 1998 (Act No 120 of 1998) or the Civil Union Act, 2006 (Act No 17 of 2006);

“three-line whip” refers to instructions issued by the chief whip of a political party or his or her representative or instructions issued by the Chief Whip of the Council to attend to the business of the House, including plenary sessions and meetings of committees;

“working day” in terms of parliamentary work means any day of the week except —

- (a) Saturday and Sunday; and
- (b) a public holiday in terms of the Public Holidays Act, 1994 (Act 36 of 1994), and, if such a public holiday falls on a Sunday, also the Monday.

2. Rationale for policy and minimum standards for attendance

- (1) Section 47(3)(b) of the Constitution provides that a person loses membership of the Assembly if that person is “...absent from the Assembly without permission in circumstances for which the rules and orders of the Assembly prescribe loss of membership”. Section 62(4) (e) of the Constitution provides that a person ceases to be a member if that person “is absent from the National Council of Provinces without permission in circumstances for which the rules and orders of the Council prescribe loss of office as a permanent delegate.
- (2) Rules 35 to 40 of the Assembly rules provides for instances where a member wants to be absent from sittings of the House or its committees for 15 or more consecutive sitting days, i.e. a member will need the Assembly’s or committee’s approval. It does not, however, provide for loss of membership or punitive measures should such approval not be sought or granted.

[See updated measures in Part 3 of Chapter 3 of Rules of the National Assembly]

- (3) In terms of Rule 25 of the Council a person ceases to be a Permanent

Delegate of the Council if that person is voluntarily and without leave absent from the Council for 15 consecutive sitting days. Furthermore, a Permanent Delegate seeking leave to be absent from the Council for 15 or more consecutive sitting days must apply for such leave from the Council.

- (4) The Remuneration of Public Office Bearers Act, 1998 provides in Section 3(5) that the payment of salaries and allowances of members "...is subject to the rules and orders of the National Assembly and the National Council of Provinces". The Act therefore provides a legal basis for which deductions from members' salaries for unauthorised absences from parliamentary work may be made to the extent that relevant rules are in place.
- (5) It is accepted that political parties are responsible for managing members' leave and that a member's absence from Parliament should be controlled by the political party which the member represents. However, each member has a dual responsibility – towards their political party and towards Parliament as an institution.
- (6) While it is emphasised that plenary sittings and committee meetings are the first priority of members, the nature of their duties is such that it is essential that members are entitled to be away from Parliament, with permission, to attend to their responsibilities to voters, their constituency, their party, interest groups and to represent Parliament at workshops, seminars and on local and overseas visits.
- (7) The multiplicity of activities in which members are engaged makes it necessary for a simple yet effective policy to control the attendance of members when Parliament is in session. This policy would therefore apply during parliamentary sessions and any official activity, but not to recess periods for which holiday leave would be applicable.
- (8) This policy will not apply to instances where a House has, by resolution, imposed a sanction on a member in terms of the suspension of the member's privileges and right to a seat in parliamentary debates or committees.

- (9) While in the National Assembly political parties and in the Council the Chief Whip of the Council after consultation with political parties regulate the leave of their members, it is done against certain minimum standards that are required in terms of attendance of members at plenary and committee meetings. The ensuring of attendance at plenary and committee meetings continues to be a principal function for political parties. Whips from the various political parties should be responsible for ensuring adequate representation at all plenary and other official activities of Parliament.
- (10) As a general principle political parties in the Assembly and the Chief Whip of the Council in the Council have an obligation to ensure that —
- (a) Parliament is able to function by taking decisions as required; and
 - (b) members are present at committee, forum and plenary meetings and that failure to do so may result in sanction being imposed on a member. However, a collective decision by a political party to break quorum by withholding their participation at such meeting is excluded from this general provision.
- (11) It should be borne in mind that in the Assembly political parties and in the Council the Chief Whip of the Council after consultation with political parties largely regulate the leave of their members for up to 15 days. However, according to the rules of the Assembly and the Council, after 15 or more consecutive days, the leave of the House must be obtained to condone further absence.
- (12) Attendance in Parliament includes the obligation to fulfill the duties imposed upon members by the Constitution and the Rules of the House. A member cannot excuse himself or herself from attending a plenary session or committee meeting when attendance is made compulsory by standing or other orders. Therefore, Parliament should have an enforceable attendance policy which allows for non-attendance by members as specified in the rules.

- (13) Minimum standards regarding absence should be set to allow Parliament to impose sanctions for members as contemplated in the Constitution.
- (14) In this regard the provisions of the Constitution (Sections 53 and 65) which provide respectively the quorum requirements for decisions to be taken by the Assembly and Council may be used to provide a minimum standard for attendance in terms of plenary sessions.
- (15) The Constitution also requires special majorities for decisions on the following:
- (a) Extension of states of emergency;
 - (b) amendments to the Constitution;
 - (c) a question to be decided in terms of Section 75 of the Constitution in the Council;
 - (d) Section 76 Bill rejected by the Council;
 - (e) Bills changing the seat of Parliament;
 - (f) removal of the President;
 - (g) motions of no confidence in the President or Cabinet;
 - (h) removal of judges;
 - (i) appointment and removal of members of Human Rights Commission, Commission for Gender Equality, Electoral Commission, Auditor-General and Public Protector;
 - (j) appointment and removal of certain members of the Public Service Commission, and
 - (k) appointment of inspector to monitor the intelligence services.
- (16) When decisions of this nature are to be taken, a “three-line whip” approach should be applicable, which would involve a strict instruction to attend and vote issued by the respective political parties in the case of the Assembly or Chief Whip of the Council in the case of the Council.

- (17) Committees play a vital role in the parliamentary process and assist the respective houses in performing their constitutional functions. Committees may be appointed to deal with two main areas of work: the work of Parliament (legislation and oversight) and Parliament's internal arrangements and procedures. While committees may proceed with their business regardless of a quorum being present, they do require a quorum before any decision can be taken. In Assembly committees, a quorum would be the majority of members of the committee, while in Council committees a quorum is dependent on the matter on which a decision is being taken, i.e. in certain instances it will be based on the number of members of the committee but in the case of matters that impact on the provinces decisions are taken on the basis of provincial mandates.
- (18) If there is a conflict between this policy, rules and standing orders of the Houses, the rules and standing order of the Council and the Assembly, respectively, shall prevail.

3. Purpose of the policy

The purpose of this policy is to —

- (1) Provide minimum standards for attendance of members in the business or activities of Parliament, including plenary sittings, committee meetings, study tours, workshops, parliamentary forums or any other parliamentary activity sanctioned by Presiding Officers or a House or its committees;
- (2) define the different categories of leave of absence for members;
- (3) provide an equitable and consistent application of leave for members;
- (4) provide guidelines for consequences of unauthorised absence; and
- (5) provide a mechanism for recourse for grievances in respect of the application of this policy.

4. Scope of application

- (1) The policy applies to members of the Assembly and members of the Council.
- (2) The policy applies to the attendance and absence of members of Parliament during parliamentary sessions.

5. Categories of leave

The following categories of leave are provided for:

- (1) Family responsibility leave is granted to a member on the grounds of illness of his/her child, illness of his/her spouse or life partner, illness of his/her extended family or death of his/her spouse, adopted child, grandchild, sister, brother or a member of the extended family. A member is entitled to 5 (five) working days family responsibility leave annually, provided that a sick certificate or death certificate is provided.
- (2) Compassionate leave is granted to a member in exceptional circumstance where the member's Family Responsibility leave has been exhausted, but he or she still requires additional leave. This leave is limited to 5 (five) working days annually.
- (3) Maternity leave is granted for 4 (four) consecutive months. A member may commence maternity leave at any time from four weeks before the expected date of birth, unless otherwise agreed. A member who has had a miscarriage during the third trimester of pregnancy or bears a stillborn child is entitled to maternity leave for six weeks after the miscarriage or stillbirth.
- (4) Parental/adoption leave is granted for 4 (four) consecutive months to the primary caregiver in a civil union or civil marriage in the event

of the adoption of a child under the age of 2 years upon receipt of an adoption order from the Children’s Court. This leave will also be granted to the primary caregiver of a child born from a surrogacy agreement on receipt of a birth certificate.

- (5) Spousal leave is granted to an individual partner, who is not the primary caregiver, in a civil union or civil marriage following the birth or adoption of a child under the age of 2 years. A member is entitled to 3 (three) weeks spousal leave provided that a birth certificate or adoption order from the Children’s Court is provided.
- (6) Political party business leave may be granted to a member on request from his or her political party in order to engage in political work outside the precincts of Parliament. A member must clearly specify in writing the number of days required and present communication from the leadership of the member’s party confirming that the member requires party political leave. This leave is limited to 30 (thirty) working days annually, however should the member be absent for 15 or more sitting days the approval of the house will be required.
- (7) Private business leave may be granted to enable a member to conduct his/her private business. A member is entitled to 5 (five) working days private business leave annually, provided that the business interests are approved by the political party and declared to Parliament in terms of the Code of Ethics.
- (8) Study leave is granted to a member who is registered as a student of a formal institution of education or training or a member who is registered for a course with a formal institution of education or training. A member is entitled to 2 (two) working days leave for preparation for an exam and 1 (one) day for writing of an exam upon providing proof of the date of the examination.
- (9) Cultural or religious leave may be granted to a member on request. A member is entitled to 2 (two) days cultural or religious leave annually.

- (10) Sick leave is granted due to the illness or injury of a member. A member applying for sick leave must ensure that the application for leave is accompanied by a medical certificate if the member is absent for more than 2 (two) days. A member is entitled to 15 (fifteen) working days sick leave annually. Where sick leave is not taken in a year it may be transferred to the next year in a 3-year cycle.
- (11) Special leave may be granted when a member requests, on approval of the political party, for extraordinary purposes or incidents not limited to appearing before a court, traditional initiation, cultural training, to undertake special research or attend block study classes, to attend a workshop, seminar or conference either locally or internationally. The member must state the purpose and the number of days required. This leave is limited to 5 (five) working days annually.

6. Procedure for granting leave

- (1) All applications for absence from the Assembly must be approved by the whip designated by the political party.
- (2) In the case of the Council, after obtaining approval from his or her political party, a member must also inform the relevant Provincial Whip and the Chief Whip of the Council who will where applicable, based on the work of the Council, consult with the member or his/her party leadership to approve or reject the leave.
- (3) If a member is not able to apply for leave him/herself another member or representative of his/her party may do so.
- (4) Should the reasons provided by the member or his or her representative when applying for leave be found to not warrant the granting of the specified number of days, this will be communicated to the member, the political party whip and in the case of a member of the Council to the Provincial Whip and the Chief Whip of that member's political party.

- (5) Should a member fall ill during the leave period, the member may have the leave credited from the first day of the member falling ill provided that a medical certificate is provided.

7. Period of leave

- (1) The period for which leave may be granted, other than maternity leave and parental/adoption leave, may not exceed 15 (fifteen) consecutive sitting days of either the Assembly or the Council.
- (2) If a member is absent for more than 15 consecutive sitting days a motion must be tabled stating the reason for absence and the period of continued absence.
- (3) The House will then need to agree to this motion for the leave to be granted.
- (4) Should the House not agree to the motion granting leave, reasons for such decision must be provided to the member and his/her political party.

8. Sanctions in respect of absences

- (1) If a member is absent for 15 or more consecutive sitting days of the Assembly or the Council, without authorisation, the member loses his/her seat.
- (2) If a member is absent from 3 consecutive meetings of a committee to which he/she is appointed as a full member, outside of a sanctioned absence agreed to by the member's political party, a sanction may be applied to the member by either the Assembly or the Council to the effect of a fine of R1000 for each day of absence. The rules must provide for such a monetary sanction to be imposed.

- (3) In the case of the Council if a member is absent during a “three-line whip” without being on authorised leave in terms of this policy sanctions may be applied to the member by the Council.
- (4) This policy does not replace any procedures established by any of the Houses to be followed in the investigation and determination of allegations of misconduct and contempt of Parliament.

9. Record of leave applications

- (1) All political parties in the Assembly must keep proper records of the leave of their members. However, it is the responsibility of the member or political party concerned to inform the Chairperson of a committee or duty whip of their absence from a committee meeting or sitting of the House.
- (2) In the Council leave records must be kept by the Chief Whip of the Council.
- (3) In the event of sanctions in respect of absence, documents must be submitted to Parliament’s administration prior to any sanctions being affected.
- (4) The Tables of the respective Houses should receive in advance the relevant documents of a motion for extension of leave and before any administrative action can be taken in terms of the loss of a member’s seat.
- (5) Attendance records of members should be published annually by Parliament in the Announcements, Tablings and Committee Reports document.

10. Recourse for grievances in respect of the application of the policy

- (1) Any member who feels aggrieved by the sanction imposed upon him/her in terms of this policy may lodge a formal appeal to the Speaker of the Assembly or the Chairperson of the Council.
- (2) If the Speaker or the Chairperson is unable to resolve an appeal by a member, they may, establish or make use of an existing multi-party committee to consider instances where a member is aggrieved by a sanction imposed.
- (3) The committee should report its findings to the House to which the member belongs.

11. Communication of the policy

In the Assembly each party, and in the Council the Chief Whip of the Council, must ensure that this policy is communicated to all members on the day of its signing or at least 10 days after a member is sworn in as a member.

APPENDIX B

SPECIAL MAJORITIES REQUIRED IN TERMS OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (RULE 101)

When the Constitution requires a decision to be taken by special majority, then in all cases, even where there is consensus on the question, a vote count must be conducted to record whether a sufficient number of members are in favour of the question.

Part 1: General Matters

1. States of emergency (Section 37(2)(b))

The Assembly may extend a declaration of a state of emergency for no more than three months at a time.

The first extension must be by a resolution adopted with a supporting vote of a majority of the members of the Assembly (minimum 201 ayes).

Any subsequent extension must be by a resolution adopted with a supporting vote of at least 60 per cent of the members of the Assembly (minimum 240 ayes).

[Note: A resolution on the extension of a state of emergency may only be taken after a public debate in the Assembly.]

2. Bills amending the Constitution (Section 74)

Sections 1 and 74(1) of the Constitution may be amended by a Bill passed by the National Assembly with a supporting vote of at least 75 per cent of its members (minimum 300 ayes).

Any other provision of the Constitution may be amended by a Bill passed by the National Assembly with a supporting vote of at least two thirds of its members (minimum 267 ayes).

3. Ordinary Bills affecting provinces not agreed on by Mediation Committee or rejected by the Council (Section 76)

If the Mediation Committee is unable to agree within 30 days of a Bill introduced in accordance with Section 76 being referred to it, the Bill lapses unless the Assembly again passes the Bill, but with a supporting vote of at least two thirds of its members (minimum 267 ayes).

If the Mediation Committee agrees on the Bill as passed by the Assembly, or if the Mediation Committee agrees on another version of the Bill and it is not passed by the Council, the Bill lapses unless the Assembly passes the Bill with a supporting vote of at least two thirds of its members (minimum 267 ayes).

4. Bill changing the seat of Parliament (Section 76(5))

A supporting vote of the majority of Assembly members is needed to amend Section 42(6) of the Constitution, changing the seat of Parliament (minimum 201 ayes).

5. Motion of no confidence in the President of the Republic or Cabinet (Section 102)

A supporting vote of a majority of members of the Assembly is needed to pass a motion of no confidence in the President of the Republic or the Cabinet (minimum 201 ayes).

Part 2: Appointment of office-bearers or their removal from office

6. Removal of the President of the Republic (Section 89)

The National Assembly, by a resolution adopted with a supporting vote of at least two thirds of its members, may remove the President from office on grounds outlined in Section 89 of the Constitution (minimum 267 ayes).

7. Removal of judges (Section 177)

A judge may be removed from office only if the Judicial Service Commission has made a finding in terms of Section 177 of the Constitution and the National Assembly calls for that judge to be removed by a resolution adopted with a supporting vote of at least two thirds of its members (minimum 267 ayes).

8. Appointment of Public Protector and Auditor-General (Section 193(5))

A resolution for the recommendation of candidates for appointment as Public Protector or Auditor-General must be adopted with a supporting vote of at least 60 per cent of the members of the Assembly (minimum 240 ayes).

9. Removal from office of Public Protector and Auditor-General (Section 194(2))

A resolution of the National Assembly for the removal from office of the Public Protector or Auditor-General must be adopted with a supporting vote of at least two thirds of the members of the Assembly (minimum 267 ayes).

10. Appointment of Inspector-General of Intelligence (Section 210)

The President, as head of the national executive, must appoint an inspector to ensure civilian monitoring of the intelligence services and the appointment must be approved by a resolution adopted by the National Assembly with a supporting vote of at least two thirds of its members (minimum 267 ayes).

11. Appointment and removal of members of the Electoral Commission, Commission for Gender Equality and South African Human Rights Commission (Sections 193(5) and 194)

Recommendations for the appointment or removal of members of the Electoral Commission, Commission for Gender Equality and Human Rights Commission must be approved by a resolution adopted with a supporting vote of a majority of the members of the Assembly (minimum 201 ayes).

12. Appointment of members of Public Service Commission (Section 196(8))

Recommendations for the appointment of five members of the Public Service Commission must be approved by a resolution of the Assembly adopted with a supporting vote of a majority of its members (minimum 201 ayes).

APPENDIX C

STANDARD OPERATING PROCEDURES:

REMOVAL OF MEMBER FROM CHAMBER AND PRECINCTS (RULE 73)

- (1) If a member refuses to leave the Chamber, the presiding officer asks the Serjeant-at-Arms to remove the member from the Chamber.
- (2) The Serjeant-at-Arms approaches the member(s) to explain in a respectful manner that the instruction of the presiding officer must be complied with and that failure to do so can constitute a grave offence and have serious implications, including that the member(s) may need to be physically removed from the Chamber.
- (3) If the member still refuses to leave, the Serjeant-at-Arms indicates to the presiding officer that the member refuses to comply, whereupon the presiding officer informs the House that the Parliamentary Protection Services are to be called upon to assist.
- (4) The Parliamentary Protection Services personnel enter the Chamber upon the instruction of the presiding officer, and proceed to remove the member(s) concerned under the direction of the Serjeant-at-Arms.
- (5) Members of the public in the gallery who participate in disorderly conduct will be removed by the security services.

**POWERS, PRIVILEGES AND IMMUNITIES OF PARLIAMENT AND PROVINCIAL
LEGISLATURES ACT
NO. 4 OF 2004**

[ASSENTED TO 31 MAY, 2004]
[DATE OF COMMENCEMENT: 7 JUNE, 2004]

(English text signed by the President)

This Act has been updated to *Government Gazette* 42443 dated 6 May, 2019.

as amended by

Powers, Privileges and Immunities of Parliament and Provincial Legislatures Amendment Act, No. 9 of 2019

ACT

To define and declare certain powers, privileges and immunities of Parliament, provincial legislatures, members of the National Assembly, delegates to the National Council of Provinces and members of provincial legislatures; and to provide for incidental matters.

WHEREAS the Constitution of the Republic of South Africa, 1996, sets out certain powers, privileges and immunities of Parliament and provincial legislatures and their members;

AND WHEREAS sections 58 (2), 71 (2) and 117 (2) of the Constitution provide that other privileges and immunities of the respective legislatures and their members may be prescribed by national legislation;

AND WHEREAS it is considered essential to provide for such further privileges and immunities in order to protect the authority, independence and dignity of the legislatures and their members and to enable them to carry out their constitutional functions;

AND WHEREAS it is expedient to regulate certain other incidental matters relating to the functioning of Parliament and provincial legislatures:

ARRANGEMENT OF SECTIONS

CHAPTER 1
DEFINITIONS

1. Definitions

CHAPTER 2
PRECINCTS OF PARLIAMENT

2. Description of precincts of Parliament
3. Control over precincts of Parliament
4. Presence of security services in precincts of Parliament
5. Execution of process and arrest of persons within precincts of Parliament

CHAPTER 3
PRIVILEGES, IMMUNITIES, INDEPENDENCE AND PROTECTION OF MEMBERS AND PARLIAMENT

6. Freedom of speech in joint sittings
7. Prohibited acts in respect of Parliament and members
8. Improper influence of members
9. Attendance of members before court
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11. Persons creating disturbance

CHAPTER 4
DISCIPLINARY ACTION AGAINST MEMBERS FOR CONTEMPT OF PARLIAMENT

12. Disciplinary action against members for contempt
13. Conduct constituting contempt

CHAPTER 5

WITNESSES

14. Summoning of witnesses
15. Examination of witnesses
16. Privilege of witnesses
17. Offences relating to witnesses

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PUBLICATIONS AND BROADCASTING

18. Protection in respect of publications
19. Unauthorised publishing
20. Admissibility of journals as evidence
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CHAPTER 7

GENERAL

22. Liability for acts done under authority of Parliament
23. Civil proceedings against Parliament
24. Duty of criminal courts in respect of members
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CHAPTER 8
PROVINCIAL LEGISLATURES

28. Application of Act to provincial legislatures
- 28A. Control over precincts of provincial legislature
29. Civil proceedings against provincial legislatures
30. Duty of criminal courts in respect of members of provincial legislatures

CHAPTER 9

REPEAL OF LEGISLATION AND SHORT TITLE

31. Repeal of laws
32. Short title
- Schedule Laws repealed

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

CHAPTER 1
DEFINITIONS

1. Definitions.—In this Act, unless the context indicates otherwise—

“**Chairperson**” means the Chairperson of the National Council of Provinces or, when applicable, the office-bearer acting as Chairperson of the Council;

“**committee**” means a committee or subcommittee consisting of members and established in terms of the standing rules or legislation, including a joint committee;

“**disturbance**” means any act which interferes with or disrupts or which is likely to interfere with or disrupt the proceedings of Parliament or a House or committee but does not include an act committed by a member in the exercise of his or her privilege contemplated in sections 58 (1) and 71 (1) of the Constitution;

[Defintion of “disturbance” substituted by s. 1 of Act No. 9 of 2019.]

“**House**” means the National Assembly or the National Council of Provinces, as the case requires;

“**joint committee**” means a committee consisting of members of both Houses of Parliament;

“**joint rules**” means the rules referred to in section 45 of the Constitution;

“**journals**” means any recording of the proceedings of Parliament or a House or committee, including minutes, transcripts and tape recordings;

“**member**”, in relation to—

- (a) the National Assembly, means a member of the Assembly, and includes a Minister or Deputy Minister who is not such a member;
- (b) the National Council of Provinces, means—
 - (i) a permanent delegate to the Council; or

- (ii) a special delegate to the Council, while acting as a special delegate, and includes the Deputy President, a Minister and a Deputy Minister;

"Parliament" means the National Assembly and the National Council of Provinces;

"precincts", means the precincts of Parliament referred to in section 2;

"provincial legislature" means a provincial legislature referred to in section 104 of the Constitution;

"Secretary" means the Secretary to Parliament;

"security services" means the security services referred to in section 199 of the Constitution;

"Speaker" means the Speaker of the National Assembly or, when applicable, the office-bearer acting as Speaker;

"staff member" means the Secretary or any other person employed or contracted by Parliament, whether in a permanent or temporary capacity;

"standing rules" means the rules made by the National Assembly or the National Council of Provinces under section 57 or 70 of the Constitution, as well as the joint rules;

"the Constitution" means the Constitution of the Republic of South Africa, 1996.

CHAPTER 2 PRECINCTS OF PARLIAMENT

2. Description of precincts of Parliament.—(1) The precincts of Parliament is the area of land and every building or part of a building under Parliament's control, including—

- (a) the chambers in which the proceedings of the Houses are conducted and the galleries and lobbies of the chambers;
- (b) every part of the buildings in which the chambers are situated, and every forecourt, yard, garden, enclosure or open space appurtenant thereto;
- (c) committee rooms and other meeting places provided or used primarily for Parliament's purposes; and
- (d) every other building or part of a building provided or used in connection with the proceedings of Parliament, while so used.

(2) In so far as it may be necessary for the achievement of the objects of this Act in a case where a House or committee convenes beyond the seat of Parliament, this Act applies as if the premises where the House or committee is sitting were within the precincts of Parliament.

3. Control over precincts of Parliament.—The Speaker and the Chairperson, subject to this Act, the standing rules and resolutions of the Houses, exercise joint control and authority over the precincts on behalf of Parliament.

4. Presence of security services in precincts of Parliament.—(1) Members of the security services may—

- (a) enter upon, or remain in, the precincts for the purpose of performing any policing function; or
- (b) perform any policing function in the precincts,

only with the permission and under the authority of the Speaker or the Chairperson.

(2) When there is immediate danger to the life or safety of any person or damage to any property, members of the security services may without obtaining such permission enter upon and take action in the precincts in so far as it is necessary to avert that danger. Any such action must as soon as possible be reported to the Speaker and the Chairperson.

5. Execution of process and arrest of persons within precincts of Parliament.—A person may not within the precincts—

- (a) execute or serve or tender for service any summons, subpoena or other process issued by a court; or
- (b) except as authorised by section 4 or 11, arrest another person,

without the express permission of, or in accordance with the directives of, the Speaker or the Chairperson or a person authorised by the Speaker or the Chairperson.

CHAPTER 3 PRIVILEGES, IMMUNITIES, INDEPENDENCE AND PROTECTION OF MEMBERS AND PARLIAMENT

6. Freedom of speech in joint sittings.—The President and members have the same privileges and immunities in a joint sitting of the National Assembly and the National Council of Provinces as they have before the Assembly or

7. Prohibited acts in respect of Parliament and members.—A person may not—

- (a) improperly interfere with or impede the exercise or performance by Parliament or a House or committee of its authority or functions;
- (b) improperly interfere with the performance by a member of his or her functions as a member;
- (c) threaten or obstruct a member proceeding to or going from a meeting of Parliament or a House or committee;
- (d) assault or threaten a member, or deprive a member of any benefit, on account of the member's conduct in Parliament or a House or committee;
- (e) while Parliament or a House or committee is meeting, create or take part in any disturbance within the precincts; or
- (f) fail or refuse to comply with a lawful instruction by a duly authorised staff member regarding—
 - (i) his or her presence at a particular meeting in the precincts; or
 - (ii) the possession of any article, including a firearm, in the precincts or any part thereof.

[Para. (f) substituted by s. 2 of Act No. 9 of 2019.]

8. Improper influence of members.—(1) A person may not by fraud, intimidation, force, insult or threat of any kind, or by the offer or promise of any inducement or benefit of any kind, or by any other improper means—

- (a) influence a member in the performance of the member's functions as a member;
- (b) induce a member to be absent from Parliament or a House or committee; or
- (c) attempt to compel a member to declare himself or herself in favour of or against anything pending before or proposed or expected to be submitted to Parliament or a House or committee.

(2) A member may not ask for, receive or accept any fee, compensation, gift, reward, favour or benefit, for the member or another person, for or in respect of—

- (a) voting in a particular manner, or not voting, on any matter before a House or committee;
- (b) promoting or opposing anything pending before or proposed or expected to be submitted to a House or committee; or
- (c) making a representation to a House or committee.

9. Attendance of members before court.—(1) When a member is required to attend a court as a witness in any civil or criminal proceedings, or as a defendant in any civil proceedings, the Speaker or the Chairperson or a person designated by the Speaker or Chairperson may issue a certificate stating that the member is required to attend to business in Parliament.

(2) Such a certificate is sufficient proof that the member is in attendance on Parliament, and the member shall be absolved from attending the court pending completion of that business.

10. Giving evidence of proceedings.—(1) No member or staff member may give evidence in any court or place outside Parliament regarding the contents of the journals or the evidence given before, or any document submitted to, Parliament or a House or committee, without first having obtained the leave of the Houses or the House concerned.

(2) During a recess or adjournment of a House the Speaker or the Chairperson or a person designated by the Speaker or Chairperson may give such leave.

11. Persons creating disturbance.—A person, other than a member, who creates or takes part in any disturbance in the precincts while Parliament or a House or committee is meeting, may be arrested and removed from the precincts, on the order of the Speaker or the Chairperson or a person designated by the Speaker or Chairperson, by a staff member or a member of the security services.

[S. 11 substituted by s. 3 of Act No. 9 of 2019.]

CHAPTER 4
DISCIPLINARY ACTION AGAINST MEMBERS FOR CONTEMPT OF PARLIAMENT

12. Disciplinary action against members for contempt.—(1) Subject to this Act, a House has all the powers which are necessary for enquiring into and pronouncing upon any act or matter declared by or under section 13 to be contempt of Parliament by a member, and taking the disciplinary action provided therefore.

(2) A House must appoint a standing committee to deal with all enquiries referred to in subsection (1).

(3) Before a House may take any disciplinary action against a member in terms of subsection (1), the standing committee must—

- (a) enquire into the matter in accordance with a procedure that is reasonable and procedurally fair; and
- (b) table a report on its findings and recommendations in the House.

(4) The fact that the standing committee is enquiring into a matter or that a House has taken disciplinary action against a member does not preclude criminal investigation or proceedings against the member in connection with the matter concerned.

(5) When a House finds a member guilty of contempt, the House may, in addition to any other penalty to which the member may be liable under this Act or any other law, impose any one or more of the following penalties:

- (a) A formal warning;
- (b) a reprimand;
- (c) an order to apologise to Parliament or the House or any person, in a manner determined by the House;
- (d) the withholding, for a specified period, of the member's right to the use or enjoyment of any specified facility provided to members by Parliament;
- (e) the removal, or the suspension for a specified period, of the member from any parliamentary position occupied by the member;
- (f) a fine not exceeding the equivalent of one month's salary and allowances payable to the member concerned by virtue of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998); or
[Para. (f) amended by s. 4 of Act No. 9 of 2019.]
- (g) the suspension of the member, with or without remuneration, for a period not exceeding 30 days, whether or not the House or any of its committees is scheduled to meet during that period.

(6) When a House finds a member guilty of contempt, the House may, where appropriate, instead of or in addition to the imposition of a penalty under subsection (5), refer the matter to the National Director of Public Prosecutions.

(7) A fine payable under subsection (5) (f) may be recovered—

- (a) by deducting instalments from the members' salary, as specified by the House in imposing the fine; or
- (b) if not so recovered, by means of civil action in a competent court.

(8) All fines under subsection (5) (f) which are paid or recovered must be paid into Parliament's bank account.

(9) A member may not be suspended under subsection (5) (g) unless the House has found that—

- (a) the member is guilty of a serious or repeated contempt; and
- (b) none of the other penalties set out in subsection (5) will be sufficient.

(10) A member who has been suspended under subsection (5) (g) must leave the precincts, and may not, during the period of suspension, without the written permission of the Speaker or the Chairperson—

- (a) enter the precincts for whatever purpose; or
- (b) participate in any activity of Parliament or any committee.

(11) Despite the Remuneration of Public Office Bearers Act, 1998, a member who has been suspended without remuneration under subsection (5) (g) is not entitled to any salary or allowances under that Act for the period of suspension.

(12) Except as provided in the Constitution, a House does not have the power to terminate a member's membership of the House.

(13) This section does not affect the power of a person presiding at a meeting of a House or a committee, or a joint meeting of the Houses, to maintain order and discipline in the meeting.

13. Conduct constituting contempt.—A member is guilty of contempt of Parliament if the member—

- (a) contravenes section 7, 8, 10, 19, 21 (1) or 26;
- (b) commits an act mentioned in section 17 (1) (a), (b) or (c) or (2) (a), (b), (c), (d) or (e);
- (c) wilfully fails or refuses to obey any rule, order or resolution of a House or the Houses; or
- (d) commits an act which in terms of the standing rules constitutes—
 - (i) contempt of Parliament; or
 - (ii) a breach or abuse of parliamentary privilege.

CHAPTER 5
WITNESSES

14. Summoning of witnesses.—(1) A joint committee may—

- (a) summons any person to appear before it to give evidence on oath or affirmation, or to produce documents; or
- (b) require any person or institution to report to it.

(2) A summons in terms of subsection (1), or section 56 (a) or 69 (a) of the Constitution, to appear before a House or committee to give evidence or to produce documents² must be issued by the Secretary on the instructions of—

- (a) the Speaker or the Chairperson; or
- (b) the chairperson of the committee concerned, acting in accordance with a resolution of the committee and with the concurrence of the Speaker or the Chairperson.

(3) The summons must state—

- (a) the name of the person summonsed;
- (b) the name or designation of the person who must serve the summons;
- (c) the time, place and venue at which the person summonsed is required to appear;
- (d) the subject of the enquiry;
- (e) the purpose for which the evidence of that person is required; and
- (f) a description of the document, if any, which that person is required to produce.

(4) The summons must be served by the sheriff, or by a person designated by the Secretary, by delivering a copy of the summons—

- (a) to the person mentioned in the summons; or
- (b) at that person's usual or last known place of residence or of employment or business, to a person apparently over the age of 18 years and apparently residing or employed there.

(5) A return by the person who served the summons that service thereof has been effected in accordance with subsection (4) is *prima facie* proof of the service.

(6) A person summonsed in terms of this section or requested by a House or committee to attend a meeting of the House or committee, is entitled to be paid an amount for his or her expenses, as approved by the Speaker or Chairperson in accordance with the standing rules.

15. Examination of witnesses.—When a House or committee requires that anything be verified or otherwise ascertained by the oral examination of a witness, the person presiding at the enquiry may—

- (a) call upon and administer an oath to, or accept an affirmation from, any person present at the enquiry who was or could have been summonsed in terms of section 14; and
- (b) examine that person, or request the person to produce any document in the person's possession or custody or under his or her control which may have a bearing on the subject of the enquiry, subject to any limitation provided for in the standing rules with regard to the type of subject matter about which a witness may be questioned or the type of document that a witness may be requested to produce.

16. Privilege of witnesses.—(1) Subject to subsection (2), the law regarding privilege as applicable to a witness summonsed to give evidence or to produce a document before the High Court of South Africa applies to the examination of a person in terms of section 15.

(2) A person who is being examined under oath or affirmation in terms of section 15 may be required to answer any question put to him or her in connection with the subject of the enquiry, and to produce any document that he or she is requested to produce under that section, despite the fact that the answer or the document would incriminate him or her or would tend to expose him or her to criminal or civil proceedings, or damages.

(3) Evidence given under oath or affirmation by a person before a House or committee may not be used against that person in any court or place outside Parliament, except in criminal proceedings where the person concerned stands trial on a charge of perjury or a charge contemplated in section 17 (1) (c) or (2) (d) or (e).

17. Offences relating to witnesses.—(1) A person who—

- (a) has been duly summonsed in terms of section 14 and who fails, without sufficient cause—
 - (i) to attend at the time and place specified in the summons; or
 - (ii) to remain in attendance until excused from further attendance by the person presiding at the

enquiry;

- (b) when called upon under section 15 (a), refuses to be sworn in or to make an affirmation as a witness; or
- (c) fails, without sufficient cause—
 - (i) to answer fully and satisfactorily all questions lawfully put to him or her under section 15 (b); or
 - (ii) to produce any document in his or her possession or custody or under his or her control which he or she has been required to produce under section 15 (b),

commits an offence and is liable to a fine or to imprisonment for a period not exceeding 12 months or to both the fine and the imprisonment.

(2) A person who—

- (a) threatens or obstructs another person in respect of evidence to be given before a House or committee;
- (b) induces another person—
 - (i) to refrain from giving evidence to or producing a document before a House or committee; or
 - (ii) to give false evidence before a House or committee;
- (c) assaults or penalises or threatens another person, or deprives that person of any benefit, on account of the giving or proposed giving of evidence before a House or committee;
- (d) with intent to deceive a House or committee, produces to the House or committee any false, untrue, fabricated or falsified document; or
- (e) whether or not during examination under section 15, wilfully furnishes a House or committee with information, or makes a statement before it, which is false or misleading,

commits an offence and is liable to a fine or to imprisonment for a period not exceeding two years or to both the fine and imprisonment.

(3) Subject to section 13 (b), subsections (1) and (2) do not apply to a member.

CHAPTER 6 PUBLICATIONS AND BROADCASTING

18. Protection in respect of publications.—(1) No person is liable to civil or criminal proceedings in respect of the publication of any report, paper or minutes of Parliament or a House or committee by order or under the authority of the Houses, or the House or committee concerned.

(2) No member or staff member is liable to civil or criminal proceedings in respect of the publication to a member of a document that has been submitted to or is before Parliament or a House or committee.

19. Unauthorised publishing.—No person may wilfully publish—

- (a) any document if the publication of that document is prohibited by or in terms of the standing rules or an order or a resolution of a House;
- (b) any document purporting that it has been published under the authority of Parliament, a House, a committee, the Speaker or the Chairperson, while it has not been published under such authority; or
- (c) any document purporting that it is a verbatim account of proceedings of Parliament or a House or committee, while it is not such an account.

20. Admissibility of journals as evidence.—In any proceedings before a court or any other tribunal in which the proceedings of Parliament or a House are relevant, a copy of the journals printed or purporting to have been printed by order of the Houses or the House concerned or the Speaker or Chairperson, is admissible as evidence of the journals without any proof being given that the copy was so printed.

21. Broadcasting of proceedings.—(1) No person may broadcast or televise or otherwise transmit by electronic means the proceedings of Parliament or of a House or committee, or any part of those proceedings, except by order or under the authority of the Houses or the House concerned, and in accordance with the conditions, if any, determined by the Speaker or Chairperson in terms of the standing rules.

(2) No person is liable to civil or criminal proceedings in respect of the broadcasting, televising or electronic transmission of proceedings of Parliament or a House or committee if it has been authorised under subsection (1) and complies with the conditions, if any, determined under that subsection.

22. Liability for acts done under authority of Parliament.—No person is liable for damages or otherwise for any act done in good faith in terms of this Act, or under the authority of a House or committee and within the legal powers of the House or committee, or under any order or summons issued by virtue of those powers.

[S. 22 substituted by s. 5 of Act No. 9 of 2019.]

23. Civil proceedings against Parliament.—(1) In any civil proceedings against Parliament or a House or committee, the State Liability Act, 1957 (Act No. 20 of 1957), applies, with the necessary changes.

(2) For the purposes of subsection (1), where appropriate, a reference in the State Liability Act, 1957, to the Minister of a department must, where the proceedings are against—

(a) Parliament or a House, be construed as a reference to the Speaker or the Chairperson, or to both the Speaker and the Chairperson, as the case requires; or

[Para. (a) amended by s. 6 of Act No. 9 of 2019.]

(b) a committee, be construed as a reference to the chairperson of the committee.

24. Duty of criminal courts in respect of members.—When a member of the National Assembly or a permanent delegate to the National Council of Provinces has been convicted of an offence and sentenced to more than 12 months' imprisonment without the option of a fine—

(a) the registrar or clerk of the court sentencing that member or that permanent delegate must in writing inform the Speaker or the Chairperson, as the case requires, of the nature of the offence and the sentence imposed; and

[Para. (a) substituted by s. 7 of Act No. 9 of 2019.]

(b) if an appeal is noted against the conviction or sentence, the registrar or clerk of the court hearing the appeal must in writing inform the Speaker or the Chairperson, as the case requires, of the noting of the appeal and of the outcome thereof.

25. Protection of members of public.—(1) A person, other than a member, who feels aggrieved by a statement or remark made by a member or a witness in or before a House or committee about that person, may submit a written request to the Secretary to have a response recorded.

(2) The committee referred to in section 12 (2) must, subject to the standing rules, consider the request and, if approved, publish the response of the aggrieved person in the appropriate parliamentary paper.

[Sub-s. (2) substituted by s. 8 of Act No. 9 of 2019.]

26. Hindering or obstructing staff members.—A person may not hinder or obstruct a staff member in the execution of the staff member's duties or while the staff member is proceeding to or going from Parliament or a House or committee in the course of or in connection with his or her duties.

27. Offences.—(1) A person, including a member, who contravenes section 7 or 8 (1) commits an offence and is liable to a fine or to imprisonment for a period not exceeding three years or to both the fine and the imprisonment.

(2) A person, including a member, who contravenes section 19, 21 (1) or 26 commits an offence and is liable to a fine or to imprisonment for a period not exceeding 12 months or to both the fine and the imprisonment.

(3) A member who contravenes section 8 (2) commits an offence and is liable to a fine or to imprisonment for a period not exceeding 15 years or to both the fine and the imprisonment.

CHAPTER 8 PROVINCIAL LEGISLATURES

28. Application of Act to provincial legislatures.—(1) Sections 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 25, 26, and 27 apply, with the necessary changes, to provincial legislatures as well.

(2) In such application, a reference in those sections to—

(a) Parliament or a House, must be construed as a reference to the provincial legislature concerned;

(b) a committee, must be construed as a reference to a committee of the provincial legislature;

(c) the Speaker or the Chairperson, must be construed as a reference to the Speaker of the provincial legislature;

(d) a member, must be construed—

(i) as a reference to a member of the provincial legislature; and

(ii) except in sections 12 and 13, as including a permanent delegate of the province to the National Council of Provinces;

- (e) the Secretary, must be construed as a reference to the Secretary of the provincial legislature;
- (f) standing rules, must be construed as a reference to the rules made by the provincial legislature in terms of section 116 of the Constitution; and
[Para. (f) amended by s. 9 (a) of Act No. 9 of 2019,]
- (g) disturbance, must be construed as excluding an act committed by a member of a provincial legislature or the province's permanent delegate to the National Council of Provinces in the exercise of his or her privilege contemplated in section 117 (1) of the Constitution.
[Para. (g) added by s. 9 (b) of Act No. 9 of 2019.]

(3) For the purposes of section 12 (2), a provincial legislature may choose to either appoint a standing committee or establish an *ad hoc* committee.
[Sub-s. (3) added by s. 9 (c) of Act No. 9 of 2019.]

28A. Control over precincts of provincial legislature.—The Speaker of a provincial legislature, subject to this Act and that legislature's rules and resolutions, exercises control and authority over the precincts on behalf of that legislature.
[S. 28A inserted by s. 10 of Act No. 9 of 2019.]

29. Civil proceedings against provincial legislatures.—(1) In any civil proceedings against a provincial legislature or any of its committees, the State Liability Act, 1957 (Act No. 20 of 1957), applies, with the necessary changes.

(2) For the purposes of subsection (1), where appropriate, a reference in the State Liability Act, 1957, to the Minister of a department must, where the proceedings are against—

- (a) a provincial legislature, be construed as a reference to the Speaker of the legislature; or
[Para. (a) amended by s. 11 of Act No. 9 of 2019.]
- (b) a committee of a provincial legislature, be construed as a reference to the chairperson of the committee.

30. Duty of criminal courts in respect of members of provincial legislatures.—When a member of a provincial legislature has been convicted of an offence and sentenced to more than 12 months' imprisonment without the option of a fine—

- (a) the registrar or clerk of the court sentencing that member must in writing inform the Speaker of the provincial legislature of the nature of the offence and the sentence imposed; and
[Para. (a) substituted by s. 12 of Act No. 9 of 2019.]
- (b) if an appeal is noted against the conviction or sentence, the registrar or clerk of the court hearing the appeal must in writing inform the Speaker concerned of the noting of the appeal and of the outcome thereof.

CHAPTER 9 REPEAL OF LEGISLATION AND SHORT TITLE

31. Repeal of laws.—The laws mentioned in the Schedule are repealed to the extent specified in the third column.

32. Short title.—This Act is called the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004.

[S. 32 substituted by s. 12 of Act No. 9 of 2019.]

Schedule LAWS REPEALED

(Section 31)

<i>No. and year of law</i>	<i>Short title</i>	<i>Extent of repeal</i>
Act No. 91 of 1963	Powers and Privileges of Parliament Act, 1963	The whole, except sections 31 and 39
Act No. 62 of 1967	Powers and Privileges of Parliament Amendment Act, 1967	The whole
Act No. 33 of 1974	Parliamentary Service Act, 1974	Sections 13, 14, 15, 16, 17 and 18

Act No. 95 of 1984	Powers and Privileges of Parliament Amendment Act, 1984	The whole
Act No. 99 of 1985	Powers and Privileges of Parliament and the Constitution Amendment Act, 1985	The whole
Act No. 98 of 1992	Powers and Privileges of Parliament Amendment Act. 1992	The whole

Footnotes

1. In terms of the Constitution, the following persons have freedom of speech in the respective Houses and committees:
 - (a) National Assembly and its committees: Cabinet members, Deputy Ministers and members of the Assembly (section 58 (1)).
 - (b) National Council of Provinces and its committees: Cabinet members, Deputy Ministers, delegates to the Council, officials in the national executive or a provincial executive referred to in section 66 (2) of the Constitution, and the local government representatives referred to in section 67 of the Constitution (section 71 (1)).
 - (c) Joint committees: Cabinet members, members of the National Assembly and delegates to the National Council of Provinces (section 45 (2)).

Sections 58 (1) and 71 (1) of the Constitution provide that the persons who have freedom of speech in the respective Houses and committees in terms of those sections are not liable to civil or criminal proceedings, arrest, imprisonment or damages for—

 - (i) anything that they have said in, produced before or submitted to the relevant House or any of its committees; or
 - (ii) anything revealed as a result of anything that they have said in, produced before or submitted to the House or any of its committees.
2. In terms of sections 56 (a) and 69 (a) of the Constitution, the respective Houses of Parliament or any of their committees may summons any person to appear before them to give evidence on oath or affirmation or to produce documents.

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TAKE 1163 - STARTS AT 14:01

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 14:02.

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

The SPEAKER

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START OF DAY

The SPEAKER: Hon Members, order! Hon member, in the interest of safety, for all present in the Chamber, please, keep your masks on and sit in your designated area. Thank you.

APPROPRIATION BILL

Debate on Vote No 1 - The Presidency:

The PRESIDENT: Speaker of the National Assembly; Deputy President of the Republic, David Dabede Mabuza; Ministers and Deputy Ministers; hon members and fellow South Africans, ...

Mr A MATUMBA: Order, Chair.

The SPEAKER: Yes, point of order. Hon members, order! Order!
From all sides, order!

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Mr A MATUMBA: Chair, on a point of order: My order is on ...
Speaker, my order is, today, we cannot find ourselves ...
[Interjections.]

The SPEAKER: What are you saying? Get closer to the mic.
Order, hon members. Please! You may be seated, Mr President.

Mr A MATUMBA: Chair, my order is on ... [Interjections.]
Speaker, my order is on the President. He is currently
suffering from acquired intellectual ... [Interjections.]

The SPEAKER: Please, take your seat [Interjections.] That
is not a point of order. Take your seat! [Interjections.] That
is not a point of order. Hon Mafumba, that is not a point of
order! Take your seat!

Mr A MATUMBA: Speaker, I have not finished, but you are saying
that I must take my seat. [Interjections.]

The SPEAKER: Hon Mafumba, take your seat! [Interjections.]

Ms P P MAKHUBELE-MARILELE: ... is insulting us as the ANC.
[Interjections.] He cannot insult the President. If he has

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something to say, let him say what he wants to say in a respectful manner. [Interjections.]

The SPEAKER: Hon member, take your seat! There is no point of order! [Interjections.]

Ms P P MAKHUBELE-MARILELE: You are the one who is suffering from whatever you are accusing the President of suffering from. The President is not suffering from anything.

[Interjections.] We are also calling an order on you.

[Interjections.]

Mr A MATUMBA: Speaker, you must give me ...

Ms P P MAKHUBELE-MARILELE: You are not given anything. You have already insulted us. You are not given anything. You have already insulted the President. What is he suffering from?

[Interjections.]

Mr A MATUMBA: Speaker, you must make a ruling, after I have addressed you. [Interjections.] I have not addressed you, but you are already making a ruling.

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Ms P P MAKHUBELE-MARILELE: You don't need to be given a ruling. You are unruly.

Mr A MATUMBA: You are making a ruling on what?

[Interjections.]

The SPEAKER: Mr Matumba, please, take your seat.

[Interjections.]

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Speaker, the programme of Parliament is very clear. Today, we are dealing with Vote 1, the Budget Vote on the Presidency. The programme was adopted by the Programming Committee this morning. So, nothing has changed and we will not allow anything to be done, other than the Budget Vote on the Presidency. I thank you.

The SPEAKER: Mr President, you may proceed with you Budget Vote Speech.

Mr A MATUMBA: Order, Chair. My order is allowed! It is Matumba, not Mafumba.

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The SPEAKER: Hon Matumba, what is the point of order?

[Interjections.]

Mr A MATUMBA: My order is clear. Let me raise my order. My order is clear. [Interjections.] My order is clear.

The SPEAKER: Hon members on the virtual platform, stop it, please. [Interjections.]

Mr A MATUMBA: Speaker, my order is on the risk of this Parliament. I am saying, if the President is to address us, he will infect us with acquired intellectual intelligence deficiency syndrome. So, ... [Interjections.]

The SPEAKER: Hon Matumba, take your seat! [Interjections.]

Mr B A RADEBE: Hon Speaker, I am rising on the Rule on a point of order: We have already taken a decision around this matter. So, I request that your decision be respected and that we continue.

Mr J S MALEMA: Speaker, on a point of order: I don't think we are going to run this Parliament like that, because you don't

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give a speaker an opportunity to express himself and then he gives you the point ... [Interjections.] ... which he is rising on. He gets interrupted and then you allow that. Can you allow the speaker to make his point and make a ruling ... [Interjections.]

The SPEAKER: Hon Malema, hon Rosina Machwene, will you please mute your microphones. Please. Hon members, those who have not been given the opportunity to take the floor, will you please mute your mics. [Interjections.] Hon member, will you please take a seat!

Mr W T LETSIE: Speaker, no, we have raised our hands on the platform. Hon Malema just rises and you recognise him. You don't recognise us and we have raised our hands on the platform. [Interjections.]

The SPEAKER: Hon member, I am sorry. Hon Matumba had his hand up in the Chamber here. I am now recognising hon Phiri. Sit down, hon Matumba, please.

Mr A MATUMBA: But I am still on the floor, Chair.

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The SPEAKER: You are not on the floor.

Mr A MATUMBA: I am still on the floor. We cannot have a person ... [Interjection.] We cannot have a person who is not loyal to his own country to ... [Interjection.] Can you rule on that? Can a man who is not loyal to ... [Interjection.] It cannot be possible. [Interjections.]

The SPEAKER: Hon members! Can you please mute the members on the virtual platform? [Interjection.]

Mr A MATUMBA: Speaker, that is my order. You cannot have a man who is not loyal to his country to address that country. [Interjection.] take money to the bank, a man who fire his own employee ...

Mr J S MALEMA: Madam Speaker, we are muted here. We don't hear anything. [Interjection.] We are muted! We are muted! We cannot hear anything. [Interjection.] We are muted!

Mr X NQOLA: Speaker, we are completely out of the House. We cannot hear anything and we are muted ...

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Mr W T LETSIE: Yes, can ICT people please assist us? We cannot hear.

Mr J S MALEMA: Can we be allowed to speak? We are muted here.

Mr V ZUNGULA: In fact, they must go back and start from scratch. We cannot hear anything.

Mr J S MALEMA: We never heard anything. Can you protect us?
[Interjections.]

The SPEAKER: ... within which to sort out the problem, so that those who are on the virtual platform are able to follow the proceedings. [Interjections.]

An HONOURAL MEMBER: This is not your house. You will speak at your house. We are all equal here, whether one came late and the other one came earlier. We are all equal.

The SPEAKER: ICT, are we okay now? [Interjections.]

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An HONOURAL MEMBER: You can do that to the rest of the ANC people who do not have a mask. You cannot instruct me. Who are you to instruct me?

An HONOURAL MEMBER: Put on your mask first, put on your mask.

The SPEAKER: I'm told that the system is still being tested, hon members. Patience, please. [Interjections.] Hon members, we will now proceed with the debate and I want to caution all members, please, if you have not ... Even if you have raised your hands, if you have not been given an opportunity to speak, please, wait until you are given that opportunity. This applies to everybody, including those who are on the virtual platform. Hon members, I do have people here who are checking how many hands we have on the virtual platform. May I now allow Mr President to continue with his Vote.

Mr J S MALEMA: On a point of order: I was on the floor and I was rudely interrupted and what followed after that, I could not hear, because we were muted on the platform. We are members of this ... [Interjections.] We must also be taken into confidence with what transpired when we were muted.

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The SPEAKER: Hon Malema, may I plead with you who are the leader of a political party, that you do not just barge in, you raise your hand and you draw my attention to you and then we give you the opportunity to speak. Don't just shout from the virtual platform. It is incorrect.

Mr J S MALEMA: Hon Speaker, I was on the platform.

The SPEAKER: For the sake of the decorum of the House, I plead with you, I plead with you. Now, I recognise you.

Mr J S MALEMA: Hon Speaker, hon Matumba stood up on a point of order. He was rudely interrupted and I will ask that he be given an opportunity to present his point of order and then you make a ruling, because at the point you were making a ruling, we were muted and we were not able to follow the proceedings. That is where I come from. Thank you.

Mr B A RADEBE: Hon Speaker, I am rising on Rule 92(8): It says that once the Speaker has made a ruling on a matter, it is done. You gave the other member a chance to raise his point of order and he did raise it and you made a ruling. So, I

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request, let us respect your ruling. If he has an objection to the ruling, they know where to go to. Thank you.

Mr W T I MAFANYA: Chair, on a point of order: What was the ruling? What was the ruling? On what? On what? On was the ruling.

The SPEAKER: Hon Mafanya, remove your mask and then you can speak. I am sorry.

Mr W T I MAFANYA: Chair, ...

The SPEAKER: I actually read my ruling. I actually said, hon member, that I am using Rule 92 and I went on and I read that Rule and I went on to say that there is not a transgression here and that there was a Programming Committee this morning, which finalised the programme. It was presented to all Chief Whips and this matter has been standing on the agenda or programme of Parliament. So, today, we are dealing with the budget of the Presidency. And I have invited the President to take the floor and address Parliament. Hon Mafanya, will you please now that I have clarified the matter to you, take your seat.

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Mr W T I MAFANYA: Chair, on a point of order: I want to put it on record that the President... A charge has been opened against the President. [Interjections.]

The SPEAKER: No, hon ... [Interjections.] Thank you very much.
Hon Mafanya, ...

Mr W T I MAFANYA: There is a case of criminality that has been opened against the President, and ...

The SPEAKER: ... I have asked you to desist from this unbecoming behaviour.

Mr W T I MAFANYA: ... and yet today, you want us to
[Interjections.] ... the law, to address us.

The SPEAKER: Yes, hon Gungubele, but I don't want to be delayed, because the hon member is not ready to take his seat.

The MINISTER IN THE PRESIDENCY: Hon Speaker, I thought if one were to remember what hon Pandor said, I think that it is logical, if somebody keep being irrelevant, and the second one repeats the same irrelevance, we request the Speaker with

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precision, to actually give those people the penalty they deserve. I cannot explain what it is, because that member is repeating an issue on which you have made a ruling. I think we would request your indulgence ... [Interjections.]

The SPEAKER: Thank you very much. Hon Gungubele, I want to follow every step to the letter, so that when I finally have to throw people out, no one will say, I did not give them the opportunity to speak.

IsiXhosa:

Uuabona, Mathunywa.

English:

Hon Mafanya, do you still have a point of order?

[Interjections.] If you don't, thank you very much. I now invite the President to take the ... [Interjections.] I am not allowing anyone ...

The SPEAKER ... Mr President, please take the floor

Ms E N NTLANGWINI / SRC 13/6/22 /// LN (Xho) 13/6/22 TAKE ENDS

AT 14:22

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TAKE 1164 - STARTS AT 14:22

C/W: The SPEAKER ... Mr President, please take the floor.

Ms E N NTLANGWINI: On a point of order, Speaker.

Mr W T I MAFANYA: Order, Madam Speaker.

Ms E N NTLANGWINI: On a point of order, Speaker.

Mr W T I MAFANYA: Order, Madam Speaker.

Ms E N NTLANGWINI: On a point of order, Speaker.

The SPEAKER: Hon Ntlangwini, point of order?

Ms E N NTLANGWINI: Thank you very much, Speaker. Speaker, we can't be addressed by a money launderer and a criminal.

The SPEAKER: No hon ...

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Ms E N NTLANGWINI: We can't be addressed ...

The SPEAKER: Please hon member, withdraw that.

Ms E N NTLANGWINI: We can't be addressed by a person that ...

The SPEAKER: Hon member?

Ms E N NTLANGWINI: The President is accused of serious crimes.
We can't be addressed by a person like this.

The SPEAKER: Hon member, withdraw that!

Ms E N NTLANGWINI: This is an honourable House. We can't be
addressed by a person with such huge accusations behind him.

The SPEAKER: Will you please withdraw that?

An HON MEMBER: Order Chair!

The SPEAKER: Now, I warn you! I warn you! I said you should
withdraw that statement. I said withdraw ... [Inaudible.]

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Ms E N NTLANGWINI: Hon Speaker, we can't be addressed by a person who has such serious accusations behind him. How do you allow that?

An HON MEMBER: Point of order, Chair.

Ms E N NTLANGWINI: You are supposed to protect this House.

The SPEAKER: Hon Ntlangwini, desist from this ...

Ms E N NTLANGWINI: You are supposed to protect us and protect this House.

The SPEAKER: I have warned you. Will you please desist from this behaviour? Now, hon Ntlangwini, I have requested you to withdraw.

Ms E N NTLANGWINI: Hon Speaker, I ... The deputy president of the EFF wants to speak on the virtual platform and you are not noting him. You are not noting him.

The SPEAKER: Hon Ntlangwini?

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Mr N F SHIVAMBU: On a point of order.

Ms E N NTLANGWINI: He has been calling points of order for the longest ... [Inaudible.] [Interjections.]

The SPEAKER: Hon Ntlangwini, withdraw that statement.

Mr N F SHIVAMBU: On a point of order, Speaker.

The SPEAKER: Yes, point of order?

Mr N F SHIVAMBU: The point of order is that there is not going to be any withdrawal for referring to Cyril Ramaphosa as a money launderer. That is a fact which has not ... [Inaudible.] ... disproven.

The SPEAKER: Thank you very much. Hon Ntlangwini?

Mr N F SHIVAMBU: ... [Inaudible.] ... there is no withdrawal that is going to take place because he is accused of serious crimes and we cannot be intimidated by you, by anyone. We have a right here in Parliament to raise an issue of a President who is accused of serious crimes. So we can never just

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withdraw things that are true. What are we if we are just going to be made to withdraw things that are true?

The SPEAKER: Hon Ntlangwini? Hon Ntlangwini? May I ... Hon Shivambu? Will you please mute hon Shivambu. Please mute hon Shivambu. Please mute hon Shivambu.

Hon Ntlangwini, I have requested you to withdraw the statement you made and you are refusing. I've requested you twice to withdraw and you are refusing to withdraw. Now I am warning you, hon member. Please ...

Mr A MATUMBA: Order, Chair. Order, Chair. It's a political statement. She can't withdraw a political statement. Chair, she can't withdraw a political statement.

The SPEAKER: Sit!

Mr A MATUMBA: We are here. We are politicians and we must make political statements. [Interjections.]

The SPEAKER: Hon members! Now, hon ...

Mr A MATUMBA: So, it's a political statement that the President is a money launderer. He laundered 60 million on his farm. It's clear he is a money launderer.

The SPEAKER: Hon Ntlangwini, you are refusing to withdraw. Will you please leave the Chamber? Will you please leave the Chamber?

Mr A MATUMBA: The President is here. Let him answer for himself.

Ms J TSHABALALA: Point of order. Point of order.

Mr A MATUMBA: President, did you launder money? Let him answer. He's there. He's seated.

Ms E N NTLANGWINI: What must I withdraw? You didn't say what I must withdraw.

The SPEAKER: That which you said.

Ms E N NTLANGWINI: What must I withdraw?

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Mr A MATUMBA: President Cyril Ramaphosa, did you launder 60 million on your farm? [Interjections.]

Ms P P MAKHUBELE-MARILELE: Floyd, your name is also mentioned in the murder of Gardee's child. Why are you speaking here in Parliament? [Interjections.]

An HON MEMBER: They must be chased out. They must just leave.

The SPEAKER: ... [Inaudible.] ... will you please leave the Chamber? [Interjections.]

Mr J S MALEMA: Repeat it outside.

An HON MEMBER: We are not going anywhere. [Interjections.]

An HON MEMBER: We are not going anywhere. [Interjections.]

Mr K CEZA: We are not going anywhere. No-one is going to leave the House here. [Interjections.]

Ms H O MKHALIPHI: [Inaudible.]

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Ms C C S MOTSEPE: No-one is going anywhere.

An HON MEMBER: Leave! Leave! [Interjections.]

An HON MEMBER: The kidnapper must go! [Interjections.]

Ms J TSHABALALA: Hon Speaker, thank you for recognising me. I
rise ...

The SPEAKER: Serjeant-at-arms, please remove the members.
Serjeant-at-arms, I requested hon Ntlangwini and hon Matumba
to leave the House and they are refusing. Remove them!
[Applause.] Remove them from the House!

An HON MEMBER: Madam Speaker? Madam Speaker?

Mr A MATUMBA: She didn't speak to us. I didn't hear her ...
[Inaudible.] ... She must say it to us, then we can leave. No,
I didn't hear her. I didn't hear her. I didn't hear that.

Speaker, our members of the EFF on the platform are muted.
[Interjections.]

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Mr S TAMBO: On a point of order. On a point of order, Speaker.
[Interjections.]

Ms H O MKHALIPHI: We have raised our hands on the platform,
Speaker. Can we be recognised please? [Interjections.]

Mr J S MALEMA: Speaker, on a point of order. [Interjections.]

An HON MEMBER: You won't be recognised. Just get out!

The MINISTER OF AGRICULTURE, LAND REFORM AND RURAL
DEVELOPMENT: Hon Speaker?

The SPEAKER: Hon Didiza, will you please give me an
opportunity to get these members out first?

Mr J S MALEMA: No, it doesn't work that way. [Interjections.]
Hon Speaker, it doesn't ... [Inaudible.] ... You are ejecting
the wrong people. [Interjections.] Speaker, you can't treat
members as a group. [Interjections.] Speaker, you can't
address members as a group. You are going to have to address
them one by one. [Inaudible.] [Interjections.]

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The SPEAKER: Hon Ntlangwini and hon Matumba ... [Inaudible.]
[Interjections.]

Ms H O MKHALIPHI: You must tell Ramaphosa to leave, not
Members of Parliament. Tell Ramaphosa. [Interjections.]

The SPEAKER: Hon Ntlangwini! No hon ... Hon members! Hon
Ntlangwini ... [Inaudible.] [Interjections.] ... given you an
opportunity, together with hon Matumba ... [Inaudible.]

Mr P G MOTOKA: Mr buffalo must leave the House. Mr buffalo.

An HON MEMBER: Speaker? Speaker?

Ms C C S MOTSEPE: Ramaphosa must also leave the House.

An HON MEMBER: Speaker, on a point of order.

An HON MEMBER: You yourself must leave the House.

[Interjections.]

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Mr J S MALEMA: Speaker, you can't remove members as a group.
[Interjections.] Speaker, you have to explain to each and every member what ... [Inaudible.]

The SPEAKER: ... [Inaudible.] ... comply with the directives of the Chair.

An HON MEMBER: You can't even explain. [Interjections.]

Ms H O MKHALIPHI: You want the Members of Parliament to be beaten? [Interjections.] Your hands are dirty, like Baleka.

The SPEAKER: Your conduct is now directly impeding the ability of the House ... [Inaudible.] [Interjections.]

Ms P P MAKHUBELE-MARILELE: Shivambu, your name is out there. They are saying that you are involved in the murder of Gardee's child. [Interjections.]

An HON MEMBER: Speaker, on a point of order. [Interjections.] Can you recognise me? Speaker, can you recognise me?

Mr N F SHIVAMBU: On a point of order. [Interjections.]

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An HON MEMBER: Speaker, the deputy president is calling a point of order. [Interjections.]

An HON MEMBER: Those bouncers have no right to touch our members. They have no right to touch our members.

Ms H O MKHALIPHI: Natasha, moer [beat] those idiots! Moer them! Moer them! [Interjections.]

An HON MEMBER: Speaker, you are removing the wrong people. You are supposed to remove the kidnapper. [Interjections.]

An HON MEMBER: Take them out! We want to proceed with the ... House! [Interjections.]

An HON MEMBER: You will never proceed. You will never. [Interjections.]

The MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT: Thank you very much, hon Speaker. Hon Speaker, on a point of order.

Mr N F SHIVAMBU: On a point of order.

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The SPEAKER: Yes, hon Didiza, on a point of order? Sorry, hon members, the sound is really not good. I can hardly hear ...
[Inaudible.] [Interjections.]

The MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT: Hon Speaker ... [Inaudible.] ... you made a ruling that hon Ntlangwini must leave the House. As she resisted, she actually made a statement which is unparliamentary. She said, we cannot be addressed by a criminal and ... [Inaudible.] [Interjections.]

An HON MEMBER: Yes, Ramaphosa is a criminal! [Interjections.]

The SPEAKER: Thank you, hon Didiza.

An HON MEMBER: We are absolutely fed up with your criminality.

The SPEAKER: Unfortunately, I did not hear that. Therefore, I will have to go back to Hansard and come back to give a ruling. Hon Tshabalala?

An HON MEMBER: On a point of order, Speaker. [Interjections.]

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Ms J TSHABALALA: Hon Speaker, I will also rise on that order that ... can we have control over the virtual platform. Those are not recognised to speak on the virtual platform clearly ... because it is distracting the House. Can it be muted?

An HON MEMBER: Wena, mrs daisy, please! [Interjections.]

Ms J TSHABALALA: ... [Inaudible.] That's what I'm talking about, Speaker. Can that be muted? [Interjections.]

[Inaudible.] ... on this issue ... [Inaudible.]

[Interjections.] ... on the same matter ... [Inaudible.]

[Interjections.]

The SPEAKER: Hon members on the virtual platform, once more I appeal to you not to just barge in and speak. I really want to make an appeal.

An HON MEMBER: Speaker, can you please recognise me?

Mr J S MALEMA: Our hands are up, Speaker.

The SPEAKER: Equally, I want to make an appeal to everybody in the Chamber. Hon members ... [Inaudible.]

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An HON MEMBER: Can you recognise us on the platform? Our hands are up. [Interjections.]

The SPEAKER: ... [Inaudible.] ... people can't hear my instruction. Thank you very much, hon members. Hon Malema, what's your point of order? [Interjections.]

Mr J S MALEMA: Hon Speaker, it is unacceptable for you to call security on members ...

An HON MEMBER: Julius, you are not recognised. You are not special. Keep quiet. [Interjections.]

Mr J S MALEMA: But I am recognised. What do you mean? [Interjections.] The Speaker said hon Malema. Speaker, you cannot call security on hon member Matumba because you have not followed the same procedure you followed with hon Ntlangwini. You cannot treat them as a group. [Interjections.]

The SPEAKER: ... [Inaudible.] ... both of them, and both of them are out now. [Inaudible.] ... an instruction from me ... [Inaudible.] ... not once or twice but thrice, and I've now issued a directive that he should leave the House.

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Ms P P MAKHUBELE-MARILELE: Can the President come and address the nation please?

The SPEAKER: Hon members, I will now mute anyone who conducts himself or herself in a manner which is unbecoming. I will now mute your ... [Inaudible.]

Ms N V MENTE: Our hands are up, Speaker.

An HON MEMBER: Speaker, my hand is up.

The SPEAKER: Hon member ... Mr President ... [Interjections.]
Hon Malema, you have raised your point and I've responded to you. [Interjections.]

Mr J S MALEMA: Hon Speaker, it's not me. I don't know why you are calling my name. I didn't say anything. Why are you calling my name? I didn't say anything. [Interjections.]

The SPEAKER: Yes, Mafanya. Hon member.

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Mr W T I MAFANYA: The two comrades that you just told to go out ... not represent themselves. We have a constituency that we have to look after.

The SPEAKER: Yes?

Mr W T I MAFANYA: Secondly, our mandate ...

The SPEAKER: This is not a point of order, hon member.

Mr W T I MAFANYA: Yes, our mandate is to have clean governance.

The SPEAKER: Please tell me what your point of order is.

An HON MEMBER: Let him finish, Speaker. Don't panic.

Mr W T I MAFANYA: There are allegations ... [Inaudible.] ... against the President. [Interjections.]

The SPEAKER: What is your point of order? [Interjections.]

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Mr W T I MAFANYA: [Inaudible.] [Interjections.] ... the President.

An HON MEMBER: Which Rule is this? [Interjections.]

Mr T V MASHELE: On a point of order, Chair.

The SPEAKER: Take your seat. Take your seat.

An HON MEMBER: You are out of order.

An HON MEMBER: Ask which Rule is this.

Mr T V MASHELE: Okay. Thank you very much, Chair. I'm rising on Rule 92, read in line with Rule 66. Any member who rises here must quote the Rule that he wants to present. The common sense that we are presented with here cannot go on. Can you please make a ruling that anyone who disrupts the House ... order them to go out so that the President can proceed with ... [Inaudible.] [Interjections.]

The SPEAKER: Hon Nqola from the virtual platform?

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Mr X NQOLA: Thank you very much, hon Speaker. There have been many members here who were out of order, such that they deliberately misled this House. The members that were taken out were given time to echo their order and you ruled on that. So, I don't know why we should continue doing this chaos. I wanted to raise that, Speaker ... [Inaudible.]

The SPEAKER: Thank you, hon Nqola. Hon Phiri?

An HON MEMBER: On a point of order, Speaker?

An HON MEMBER: Why are you only recognising ANC Members of Parliament here? [Interjections.] My hand has been up for a long time and you are not recognising me.

An HON MEMBER: We have been trying to rise on points of order and you are ignoring us.

The SPEAKER: Hon Phiri, I now recognise you.

An HON MEMBER: Can I be recognised, Speaker? [Interjections.]

The SPEAKER: Hon Phiri, I now recognise you.

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Ms C M PHIRI: Thank you, hon Speaker. Allow me to speak in Venda mixed with Sotho as they are all official languages. Speaker, I want to start by appreciating you for taking Matumba out. You have done well. I applaud you for dealing with Matumba.

Ms N K F HLONYANE: What point is that? What point of order is that? [Interjections.]

Mr V PAMBO: Praise singing is not a point of order. Stop being a cheerleader, wena man! Yassus! [Interjections.]

The SPEAKER: [Inaudible.] ... I recognise hon Letsie. Hon Letsie?

Mr S TAMBO: Speaker, you are only recognising ANC speakers and you are out of order. I've been raising a point of order here. You are recognising ANC members in sequence. What is that?

Mr W T LETSIE: Thank you very much. No, you must raise your hand.

Mr S TAMBO: I have been raising my hand. You are out of order, Speaker.

The SPEAKER: Hon Letsie? Hon Shivambu?

Mr W T LETSIE: No, it's me Speaker. You have not ...

[Inaudible.]

Mr V PAMBO: Now there's a zombie floating on our screens. No, you are not recognised there.

Mr W T LETSIE: No, I am recognised ... [Inaudible.] Speaker?

Mr N F SHIVAMBU: On a point of order, Speaker.

The SPEAKER: Hon Shivambu, you are recognised.

Mr W T LETSIE: Speaker, I did not waiver my hand.

The SPEAKER: But I have you on the list here. Thank you.

Mr W T LETSIE: Yes, you recognised me and hon Tambo spoke.

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The SPEAKER: Thank you very much. Hon Makhubele?

Mr W T LETSIE: No, hon Speaker?

Mr S TAMBO: Speaker, you are recognising ANC speakers in sequence and ignoring the EFF. Why? [Interjections.]

Ms P P MAKHUBELE-MARILELE: Hon Makhubele here. Thank you, Speaker. [Interjections.]

The SPEAKER: Hon Letsie?

Mr W T LETSIE: Thank you very much, Speaker. I said that there are members who are raising their hands on the platform and you are not recognising us when we raise them to the point where some members ... Speaker ... get agitated and speak before ... So, please rectify that part. My point of order is that members ... hon Malema and hon Shivambu just rise without being recognised and you recognise them. Can we please show consistency in recognising those who are raising their hands ... [Inaudible.]

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Ms O M C MAOTWE: Hey, chief, you've got nothing to say, wena man. Sit down!

Mr W T LETSIE: Can the Table assist you when that happens so that we don't agitate members and assist these ones ...

[Inaudible.]

Mr T M LANGA: What is the point of order?

An HON MEMBER: What did he say there?

An HON MEMBER: Did he say anything? [Interjections]

The SPEAKER: Thank you, hon Letsie. Hon Shivambu followed by hon Makhubele.

Mr N F SHIVAMBU: Thank you very much, Speaker. During the interventions there was one ANC member here who said we are murderers. They are mistaking us for their President who killed workers in Marikana. We don't kill people in the EFF ... [Inaudible.] [Interjections.] It's your President who kills people. You in the ANC ... [Inaudible.] ... everyday ... [Inaudible.] I'm calling a point of order to say you must make

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the member who said that, withdraw that statement.

[Interjections.] Can you please make that person who said that, withdraw that? [Interjections.] Today the message is very clear, that we cannot be addressed by a money launderer. [Interjections.] We cannot be addressed by a criminal. We cannot be addressed by a money launderer, a kidnapper who tortures people.

Ms N P MAHLO: Who are you? Who are you, wena? [Interjections.]

Ms C M PHIRI: Venda Building Society, VBS, Shivambu heist.

[Interjections.]

The SPEAKER: Hon Shivambu, can you please withdraw? Hon Shivambu, you are requested to withdraw. Hon Shivambu, we are now throwing you out of the system. Will you please do that?

Mr N F SHIVAMBU: But you can't throw me out for telling the truth! [Inaudible.] [Interjections.]

The SPEAKER: Hon Makhubele, will you please ...

Interjections.]

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Mr J S MALEMA: On a point of order, Speaker.

The SPEAKER: Will you please make sure that you remove hon Shivambu. Hon Makhubele?

Ms P P MAKHUBELE-MARILELE: Thank you, hon Speaker.

Mr J S MALEMA: Hon Speaker, on a point of order. Hon Speaker, on a point of order.

The SPEAKER: There is no point of order, hon Malema. I'm not allowing you to speak.

Mr J S MALEMA: The issue of hon Shivambu was ruled on by the court.

The SPEAKER: You've been speaking. I'm not allowing you, hon member. [Interjections.] Hon members ... Will you please mute ...

Mr J S MALEMA: The issue of hon Shivambu was ruled on by the court ... that we can call Cyril Ramaphosa a murderer. There

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is a court ruling on that. [Interjections.] [Inaudible.]

There's a court ruling on that matter.

The SPEAKER: I said will you please mute the people on the virtual platform.

An HON MEMBER: Why? Why? What did we do?

Ms H O MKHALIPHI: But you can't mute all of us. We want to speak here. We have raised our hands here, Speaker.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: I'm rising on a point of procedure. The Chief Whips in the Programming Committee adopted this programme and the item for today, which is about the Budget Vote on the Presidency. The Constitution of this country protects all of us. Sitting here, we are 14 parties. Hon Speaker, we cannot allow ... to be held at ransom by one party. Can we as the 13 parties be protected? We didn't go anywhere to caucus that we want to disrupt the House. We are here to execute our mandate as Members of Parliament ... all of us ... all 13 parties. Can we be protected? The one party that doesn't want to be part of the proceedings must be thrown out.

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The SPEAKER: Thank you, hon Deputy Chief Whip.

Ms D R DIREKO: Order Speaker. I have an order, Speaker.

The SPEAKER: Hon members, may I address you? I'm addressing you now. Will you wait?

The principle that the privilege of freedom of speech ...
[Interjections.] ... may be ... What's wrong with you? I am addressing you. I am addressing you. No, don't scream across. Hon member? [Interjections.] Hon Mafela ... Hon Tafeni? Yes, thank you. Thank you, hon member. Order, hon member! Hon Zulu, please.

... the principle of the privilege of freedom of speech may be limited only by the Rules was confirmed in the *Democratic Alliance v The Speaker of the National Assembly and others* ZACC 8, where the Constitutional Court found that the privilege of freedom of speech, "can never go so far as to give members a licence so to disrupt the proceedings of Parliament that it may be hamstrung and incapacitated from conducting its business." According to the Court, this would detract from the very reason for the existence of Parliament.

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Hon members, this which I have just read ... I'm addressing what is happening right now in this Chamber and I am saying to you, will you please stop raising points of order which have no sense.

Ms N TAFENI: Hon Chair?

The SPEAKER: Yes, speak.

Ms N TAFENI: c/w Enkosi, Speaker ... / TH (12/6/2022) / TAKE
ENDS AT 14:46

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TAKE 1165 - STARTS AT 14:46

The SPEAKER

IsiXhosa:

Nksz N TAFENI: Enkosi Somlomo.

The SPEAKER: Thank you.

IsiXhosa:

Nksz N TAFENI: Somlomo, njengoko siwuthanda uMzantsi Afrika, singabemi boMzantsi Afrika, ndicinga ukuba noko umntu xa kusaphandwa ngaye akanalo ilungelo lokuba ...[Uwele-wele.] Awunakuthathwa kusini na lo mba unikwe omnye umntu?

The SPEAKER: Hon member, sit down. Sit down!

IsiXhosa:

Ms N TAFENI: Kuba kusaphandwa ngaye kodwa nifuna ukumnika ithuba lokuthetha, kuba kutheni? Xa siza kubonakala singenasidima eMzantsi Afrika ...[Uwele-wele.]

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The SPEAKER: Sit down hon member. Hon Papo, followed by hon Dyantyi.

IsiXhosa:

Nksz N TAFENI: Endaweni yokuba lo mntu asuke abe ehlala phaya ecaleni

The SPEAKER: Sit down hon member.

Mr A H M PAPO: Speaker!

The SPEAKER: Yes, hon member!

IsiXhosa:

Nksz N TAFENI: Uthule ke wena, wangxola usekwa-A.

Mr A H M PAPO: the same member - you made a ruling on that matter. The same member is actually repeating what you threw those other members out of the House for. Secondly, member Shivambu on the virtual platform opened the microphone and started addressing and made unparliamentary statements ...[Interjections.]

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IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: Ayisiso isiphakamiso songwanqwado esi uthetha ngaso wena; ...

English:

... it is not a point of order.

Mr A H M PAPO: You correctly removed him from the platform. My plea is that, defiance of the ruling you have made empowers you to remove any member on the virtual platform and in the House, because you can't have a situation where a ruling of a Speaker is defied in the House, is defied on the virtual platform.

Actually, it is even easier on the virtual platform to remove defiant members there. I am appealing to the Table and yourself to monitor that space. Remove any member who defies your ruling you have made, that the only matter we are addressing today is the Budget Vote on the Presidency. Please hon Speaker.

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The SPEAKER: Thank you very much hon Papo. Hon Dyantyi followed by hon Skwatsha. Hon Dyantyi.

Mr Q R DYANTYI: Thank you hon Speaker.

Mr S TAMBO: Hon Speaker, I have had my hand up for 40 minutes. You are not recognising the House. You are treating this House as if it is only physical. You said virtual is part of the House. Why are we now being muted like this?

The SPEAKER: Table will you please make sure that you mute everybody ...[Interjections] ... sensitise me about ...[Inaudible] ... please. [Interjections]

Mr S TAMBO: On a point of order. Point of order!

IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: Hayi wena Tambo, ...

English:

... relax.

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Ms H O MKHALIPHI: But, how are we going to speak when you mute ...[Interjections.]

Mr S TAMBO: On a point of order! You are excluding the majority of the House which are on the virtual platform. How do you do that?

Mr Q R DYANTYI: Thank you hon Speaker. Following up on the intervention made by hon Papo, I want to draw your attention hon Speaker ...[Interjections.]

Mr P G MOTEKA: Our hands are up.

Mr Q R DYANTYI: ... on both Rule 92 and 70 because as we have started here, quite a number of Rules have been broken. You have read to the House Rule 92. I want to refer you to Rule 92, section 6 and 9. Section 6 says, no point of order may be raised in response to a considered ruling which you have made not once. Section 9 says, members may not disrupt proceedings by raising points of orders that do not comply with this. Rule 70 attends to the fact that; these members have been made - hon Tafeni as well as hon ... I forgot his name ...

[Interjections]

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An HON MEMBER: Help him, Mafanya.

Mr Q R DYANTYI: ... have consistently repeated the same on the same ruling that you have made. When you speak, in the middle of your ruling they interrupt you. I urge you, hon Speaker to just be firm, you are well empowered in the Rules. Even if it means one by one, we will deal with that. We are here for that.

The SPEAKER: Thank you hon Dyantyi.

Ms N TAFENI: Speaker!

Mr W T I MAFANYA: Point of order! Point of order Speaker, that is intimidation.

The SPEAKER: Hon ... what's ...

Mr W T I MAFANYA: That is plain intimidation whether you say you see, but it is intimidation. Secondly, ...[Interjections.]

The SPEAKER: Hon Tafeni and hon Mafanya!

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Mr W T I MAFANYA: Yes.

The SPEAKER: May I address you!

Ms N TAFENI: But it is a point of order Speaker.

The SPEAKER: Hon Tafeni and hon Mafanya, Rule 92 provides amongst others, I repeat that, a member may raise a point of order at any time during the proceedings of the House, in terms of the procedure prescribed in Rule 66. A point of order is only allowed if it calls attention to a transgression of a Rule or an accepted parliamentary practise.

Now, I want to proceed by saying, the Constitutional Court ruled that, the privilege of freedom of speech can never go as far as to give members a licence to disrupt the proceedings. Now, you are disrupting the proceedings. Hon Tafeni, and hon Mafanya, I did give you an opportunity to speak and I am now ruling that, your points of order are not in line with what I have just read. Thank you very much.

Ms N TAFENI: Hon Speaker, the EFF members on virtual are muted, all of them ...

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Isixhosa:

... ngoko ndicela ... [Ngokungavakaliyo]...

English:

... all of us.

The SPEAKER: Hon Tafeni!

Ms N TAFENI: Speaker!

The SPEAKER: Hon Tafeni, I warn you. [Interjections] I warn you hon Tafeni. Serjeant-at-arms will you please proceed to help assist ... [Interjections.]

Ms N TAFENI: Unmute those members that are not ... [Inaudible.]

The SPEAKER: Assist hon Tafeni.

Mr W T I MAFANYA: On a point of order Chair! Madam Speaker!

The SPEAKER: Hon ...

Mr W T I MAFANYA: It seems you are going to remove all of us. I want to put this thing on record. Madam Speaker, I want to put this on record. The country is where ...[Interjections.]

The SPEAKER: Hon Mafanya!

Mr S TAMBO: On a point of order Speaker!

Mr X NQOLA: What point are you rising on?

Mr W T I MAFANYA: ... because of the actions of the ruling party. They even defended President Zuma ...[Interjections.]

Ms H O MKHALIPHI: But Speaker she is raising a relevant point there; you can't mute us on the platform. Why are you ...[Interjections.]

Mr P M P MODISE: Which Rule are you rising on?

Mr S TAMBO: You have muted the majority of Parliament on the virtual platform, you are out of order. How do you do that?

Ms H O MKHALIPHI: But you are worse than Baleka now.

[Interjections]

The SPEAKER: Hon Mafanya!

Ms H O MKHALIPHI: Why are you removing ...[Interjections.]

The SPEAKER: Hon Mafanya, why are you disregarding the ruling of the Chair? [Interjections]

Mr S TAMBO: You have muted Parliament. [Interjections]

IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: Sikhutshelwa ni?

English:

We want to know.

IsiXhosa:

Sikhutshelwa ni emsebenzini? [Uwele-wele]

An HON MEMBER: You don't even recognise the hands of ...[Inaudible][Interjections]

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An HON MEMBER: You want to speak amongst yourselves.

[Inaudible] ... this thing about, it is not about you.

Mr S TAMBO: On a point of order Speaker, we are on the virtual platform it is not about you. This thing is about South Africans.

The SPEAKER: Now I read to you Rule 70 which says ...

[Interjections.]

An HON MEMBER: We have raised our hands, unmute us.

The SPEAKER: ... if the presiding officer is of the view that, a member is deliberately contravening a provision of the Rules, ... [Interjections.]

Mr S TAMBO: On a point of order Speaker! On a point of order Speaker! On a point of order Speaker! On virtual platform, there is a point of order

The SPEAKER: ... or that the member is disregarding the authority of the Chair, ... [Interjections] ... or that a member is ... [Inaudible] ... disorderly. [Interjections]

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Mr S TAMBO: There is a point of order Speaker.

The SPEAKER: He or she may order the member to leave the Chamber immediately for the remainder of the day's sitting.

[Interjections]

Mr S TAMBO: There is a point of order on the virtual platform. Point of order Speaker.

The SPEAKER: I have given you the opportunity. I have warned you, not once, I have warned you twice. May you now leave the Chamber. [Interjections]

An HON MEMBER: Point of order! What is this ...[Inaudible.]

Ms N V MENTE: [Inaudible] ...like that. You can't be throwing out people like that. what did they do wrong?

Mr W T I MAFANYA: Thank you Madam Speaker. Can you bring the bouncers to come and pick me up?

The SPEAKER: Hon Mafanya, will you please leave the Chamber. [Interjections]

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IsiZulu:

Nk M S KHAWULA: Nimatasatasa nidlala ngabantu nina lapho.
Nidlala amasela.

An HON MEMBER: Speaker, will you please recognise us here.

Ms N P SONTI: Please recognise us.

The SPEAKER: Serjeant-at-arms, please assist him to leave the
Chamber.

An HON MEMBER: Speaker, on a point of order! [Inaudible]
...cancelled from the house.

An HON MEMBER: Which Rule?

An HON MEMBER: Speaker!

An HON MEMBER: Order!

An HON MEMBER: Rule 69.

Ms N P SONTI: Speaker! Speaker!

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Mr J S MALEMA: You must not go Mafanya, it is not her House.

[Interjections]

An HON MEMBER: Speaker! Speaker!

An HON MEMBER: That Speaker is not helpful.

Ms N P SONTI: Speaker!

An HON MEMBER: We are doing exactly what we did to Zuma. That is your *modus operandi*.

IsiZulu:

Nk M S KHAWULA: Imali engaka eniyintshontshile isigelekeqe ...

[Akuzwakali.] ... nezingane zaso.

An HON MEMBER: You are protecting the status quo, that's a dangerous thing about you. You are dangerous. You are an in-house ... [Inaudible.] That is the worst position ...

The SPEAKER: I am informed that the member refuses to leave the House. I have given you an opportunity to comply with the directives of the Chair as assisted by the Serjeant-at-arms as

this conduct is now directly impeding on the ability of the House to conduct its business. I now call upon the Parliamentary Protection Services in terms of rule 73(2) to assist the Serjeant-at-arms to remove the hon member from the House.

An HON MEMBER: Do that to Ramaphosa too.

An HON MEMBER: A suspected thief must also go. Ramaphosa must ... [Inaudible.]

Ms N P SONTI: Speaker!

An HON MEMBER: Speaker on a point of order.

IsiXhosa:

Ms N P SONTI: Ewe makathethe u ...

English:

... national chairperson.

An HON MEMBER: On a point of order Speaker!

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Mr J S MALEMA: Can I address you Speaker?

IsiZulu:

Nk M S KHAWULA: Ziyakhala manje. Zikhala ngempela-ke manje.

Mr J S MALEMA: Hon Speaker, can I address you?

Ms N P SONTI: Mazikhale, mazikhale.

An HON MEMBER: On what Rule are you ... [Interjections.]

IsiZulu:

Nk M S KHAWULA: Ehe! Ziyakhala impela-ke manje kuMongameli wenu. Nganitshela. Niloku nithi, thuma mina, thuma mina, nimthumela khona ukuthi ayontshontsha. Ziykhala manje

Ms N P SONTI: Mazikhale.

Mr J S MALEMA: Speaker, can I make you work easier?

IsiZulu:

Nk M S KHAWULA: Zikhala ngempela-ke manje.

An HON MEMBER: On what Rule hon Malema? [Interjections]

An HON MEMBER: Rule 69, Rule 69. [Interjections.]

The SPEAKER: Thank you hon members. Hon members, order!

[Interjections.] hon members ... [Interjections.] I will give you an opportunity, but if your point of order is not ...

[Interjections]

IsiXhosa:

Nksz N P SONTI: Khawunike umongameli wam athethe Somlomo.

Khawumnike, khawumnike.

The SPEAKER: ... in line with what we are doing, I will not allow you to proceed.

Mr J S MALEMA: Let me help you, it's hon Malema here.

The SPEAKER: Hon Mente!

Ms N V MENTE: Yes, Speaker!

The SPEAKER: Hon Mente!

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Ms N V MENTE: Yes, Speaker, the president needs to speak.
Please give it to him.

The SPEAKER: Hon Mkhaliphi!

Mr J S MALEMA: Speaker, can I say something please.

The SPEAKER: Hon Mkhaliphi!

Ms H O MKHALIPHI: But, give the president the platform, you
know the protocol.

The SPEAKER: I have a list of hands before me.

Ms H O MKHALIPHI: No, leave the list, give the president.

The SPEAKER: Hon Hlonyane!

Ms N V MENTE: You are speaking to the members of the EFF, we
are telling you that, instead of Mente speaking, allow the hon
Julius Malema to speak.

The SPEAKER: Hon Maotwe!

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An HON MEMBER: This is not a house of EFF.

IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: Hayi suka wena thula.

Ms O M C MAOTWE: This is not the way of doing things Speaker, we said give it to the president. You can't be calling me, give it to the president.

The SPEAKER: Hon Tambo!

Mr J S MALEMA: Hon Speaker, it's hon Malema here.

The SPEAKER: Hon Montwedi! [Interjections]

Ms O M C MAOTWE: What is that, that you are doing?

[Interjections.]

The SPEAKER: Lastly hon Malema. Hon Malema!

An HON MEMBER: If you mute them ... [Inaudible] ... Speaker ... [Inaudible.]

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Mr J S MALEMA: Thank you hon Speaker. I want to take this opportunity to announce that we are not going to be listening to money launderer, a murderer of Marikana and the way you have conducted yourself ...[Interjections.]

The SPEAKER: You are out of order hon member. Withdraw hon member! Hon Malema, will you withdraw that! Withdraw what you just said.

Mr J S MALEMA: We are walking out of this Parliament. We will not listen to a money launderer ...[Interjections.] You are repeating what you have done with Zuma. Go on ...[Inaudible] ...one day for protecting a criminal ...he is a money launderer; he is a torturer, a murderer ... [Interjections] he ... [Inaudible] money and keeps money under the mattress. We are not going to listen.

IsiZulu:

Nk M S KHAWULA: Ziyakhala-ke manje.

The SPEAKER: Hon Papo!

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IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: Hamba Julius.

Mr A H M PAPO: I was going to request you hon Speaker
...[Interjections.]

IsiXhosa:

Akukho Julius ngumongameli wethu lo.

ILUNGU ELIHLONIPHEKILEYO: Ungubani wena, ufuna ntoni? [Uwele-
wele]

Ms H O MKHALIPHI: But Speaker, ... [Interjections] The
President of the EFF has not finished, he is still speaking.
[Interjections] Why do you do that?

The SPEAKER: Hon members, may I just indicate to all of you
that, I am not taking any more hands.

Ms H O MKHALIPHI: Don't be a dictator.

The SPEAKER: I have been patient enough.

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Ms H O MKHALIPHI: That is against the rules, you can't just do that. [Interjections] Don't be a dictator here by protecting a ... [Inaudible] ... who is a money launderer.

The SPEAKER: Hon members, it is important to say this here and now that, the President is here to present his Vote of ... [Interjections]

Ms H O MKHALIPHI: What President? The one... [Interjections]

IsiXhosa:

Ilungu elihloniphekileyo: Asinaye uMongameli.

The SPEAKER: In fact, the DA and the ... [Inaudible] ... have actually submitted questions for written reply to the President. [Interjections.] These questions are being processed by the Questions Office. The questions are on the matter they are raising now on allegations about the President. That process must be allowed to run its course.

An HON MEMBER: Ramaphosa has hidden the money under the mattress. [Interjections]

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An HON MEMBER: There is a hand Speaker! [Interjections]

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

Mr J S MALEMA: Ramaphosa will not speak here.

The SPEAKER: Order hon members, I will not ...[Inaudible] ...
any more hands.

Ms H O MKHALIPHI: You are worse than Baleka, Mapisa Nqakula,
you are worse than Baleka. ...[Interjections] ... who is
looting the state coffers ... [Interjections.]

IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: URamaphosa lisela qha. uRamaphosa yi
...

English:

... money launderer.

An HON MEMBER: Point of order Speaker, we need to speak here.

An HON MEMBER: Ramaphosa is a money launderer.

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An HON MEMBER: Nosiviwe you are behaving like Mbethe.

IsiXhosa:

ILUNGU ELIHLONIPHEKILEYO: Ngumbulali uRamaphosa ...[Uwele-
wele.]

An Hon MEMBER: We are leaving Speaker! We are leaving.

[Interjections]

The PRESIDENT OF THE REPUBLIC / ND (Eng & Xho) 10/06/2022 /
VW// (Zul) 13/06/2022 / TAKE ENDS AT 15:02

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TAKE 1166 - STARTS AT 15:02

C/W: An Hon MEMBER: We are leaving Speaker! We are leaving

The PRESIDENT OF THE REPUBLIC: Hon Speaker of the National
Assembly, hon members ... [Interjections.]

Ms H O MKHALIPHI: On a point of order.

An HON MEMBER: We are not going to allow ...

Ms H O MKHALIPHI: On a point of order. Where is our money?

An HON MEMBER: Please, recognise us.

The PRESIDENT OF THE REPUBLIC: ... as this Sixth
Administration as well as this Parliament ... [Interjections.]

An HON MEMBER: Please recognise us.

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An HON MEMBER: Where is the money? [Interjections.]

The PRESIDENT OF THE REPUBLIC: ... every South African ...
[Interjections] ... and woman and child ... [Interjections.]

Ms H O MKHALIPHI: Speaker, what you are doing right now ...
[Interjections.]

An HON MEMBER: On a point of order. [Interjections.]

Ms H O MKHALIPHI: You are in breach of parliamentary Rules.

The PRESIDENT OF THE REPUBLIC: ... greatest disservice ...
[Interjections.]

An HON MEMBER: Ramaphosa, the thug. [Interjections.]

Ms H O MKHALIPHI: You must go to jail, Ramaphosa.
[Interjections.] You cannot mute, you have no right to mute us
and pretend like we are not talking here on the platform.
[Interjections.]

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The SPEAKER: There was a long list I recognised.

[Interjections.]

An HON MEMBER: Speaker. Call bouncers.

The SPEAKER: ... express themselves ... [Interjections.] ... I
will not recognise them. [Interjections.]

Mr N L S KWANKWA: No, no, I just want guidance ...

[Interjections.] ... from the virtual platform.

[Interjections.]

An HON MEMBER: On a point of order, Speaker.

Mr N L S KWANKWA: ... the response that the President ...

[Interjections.] ... because we won't be able to hear what the
President ... [Interjections.]

The SPEAKER: We have not switched off the debate, they can
hear.

An HON MEMBER: On a point of order.

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The SPEAKER: People will raise their hand on the platform.

An HON MEMBER: Please allow us to speak.

The SPEAKER: We will now proceed. We will listen to the President and allow him to finish his speech. [Interjections.]

An HON MEMBER: My hand is up. [Interjections.]

An HON MEMBER: This is not Phala Phala. [Interjections.]

An HON MEMBER: Speaker, the hand of the national spokesperson, hon Tambo has had her hand up for more than 40 minutes.

[Interjections.] ... You are selective and emotional.

[Interjections.]

An HON MEMBER: He is a money launderer.

An HON MEMBER: Call the bouncers.

The CHIEF WHIP OF THE OPPOSITION: [Inaudible.]

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The SPEAKER: Thank you, hon Mazzone. Hon members, table staff, I have directed you to mute all the people who are on the platform. Only allow them to raise their hands, but not to when they are not recognised. That does not affect the people who are in the Chamber. The people in the Chamber, there is no way we have muted you. It is not true. I have pleaded with you, as hon members, as leaders of society that you allow the President to present his Budget Vote. If you feel strongly about raising issues with him, you'll have an opportunity this afternoon to raise those issues when you debate his speech. That's what I am saying. That is my ruling, hon members. I will not allow anyone from now onwards until the President finishes. No one will be allowed to raise a point of order because unfortunately the points of order are frivolous. Thank you very much, hon members. You may proceed, hon Mr President.

The PRESIDENT OF THE REPUBLIC: ... [Laughter] ... I don't know about that. Thank you, hon Speaker, as I was saying, the people of our country must come first in everything that we do. The greatest disservice we can do to our people at this difficult time in the life of our nation is to become distracted from the task that is at hand. The challenges that we face as a country are many. We are still in the grip of a

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devastating pandemic that has caused over 100 000 reported deaths in our country.

Poverty, unemployment and underdevelopment continues to cast a heavy cloud and these are preventing many of our people from leading lives of dignity and better lives.

In recent times, we are having to deal with another problem, which is the rising costs of living. Cost of fuel has gone up, food, utilities like water, and electricity has made it increasingly difficult for the majority of our people to get by and to pay their bills and also to feed their children and families.

We continue to count the cost of last year's July unrests in parts of the country and the human and economic impact of recent floods in KwaZulu-Natal and Eastern Cape and the North West as well. These are the issues that we are seized with as government because they are the bread and butter issues that have always mattered the most to our people.

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As a great revolutionary, Amilcar Cabral, once reminded the liberation movements of post independent Africa. He said:

Always bear in mind that the people are not fighting for ideas, for the things in anyone's head. They are fighting to win material benefits, to live better and in peace, to see their lives go forward, to guarantee the future of their children ...

What the people of South Africa want above all is to see their quality of life improving. They do not care about the political squabbles, the competition between political parties, the intrigues, the plots and the rivalries, they are least concerned about that. They want better basic services, they want jobs and opportunities to better themselves and to better the lives of their families. They want to live, they want to study, and they want to work in environments free of crime and violence.

Amidst our challenges, there is cause for optimism that is looming on the horizon. The economy is beginning to show positive signs of recovery. These signs may not be sufficient to lift all boats. I presented this Presidency Budget Vote in

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a week that Statistics SA announced that in the first quarter of 2022, our economy grew by 1,9%. Clearly, we all know that that is not sufficient. We want to see a much higher growth rate for our economy. The growth that we have however experienced in recent quarters has brought the economy to prepandemic levels much sooner than analysts had expected. We all know that we want to see a much higher level of growth.

Real gross domestic product, GDP, is slightly higher than what it was before the pandemic. This recovery is consistent across most of the major sectors of the economy such as manufacturing, trade, utilities, finance, personal services, mining, as well as agriculture. Our trade figures show further evidence of economic recovery if we care to look at indicators like that.

In 2021, we posted the largest trade surplus on record of R448 billion, the highest that we have posted since 1987. Last week, the latest Quarterly Labour Force Survey was released showing that the number of unemployed people in the country dropped in the first three months of 2022. I will however be pleased when I see these Quarterly Labour Force Surveys indicating a much higher level of employment creation. What

they showed translates to 370 000 jobs created between the last quarter of 2021 and the first quarter of this year. We all want to see a much bigger number of people getting into employment.

Madam Speaker, I also presented this Budget Vote in the year that the Fourth South African Investment Conference raised investment pledges to the value of R332 billion. These are pledges. We have seen some of these pledges being realised into real investment. We do forever have hope that a number of these pledges will turn into real investments. I have been to places where I have seen how companies that make pledges in various conferences that we have held have turned them into real investment.

Thus brings us within reach of the target that we set in 2018 of attracting R1,2 trillion in investment over a five-year period. The outcome of the conference showed renewed business, investor confidence in our economy and in our reform process. I would argue that many of these businesses who have come to these investment conferences would not be declaring their intentions to invest further or to invest in greenfield

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projects if they did not have confidence that we have embarked on a reform process that can make their investments viable.

In recent weeks, there has also been encouraging progress by law enforcement authorities in pursuing cases from state capture era. We all read about some of these initiatives that they are making. These rare the green shoots of recovery and also of progress. These are the signs that we are on the right track. Many people may argue that we are not, but I can definitely say that the country is beginning to move in the right direction. This should give us hope and confidence to forge ahead. We are not standing in one place, we are moving forward.

Hon members, since the Sixth Administration took office in 2019, we have been seized with restoring state capacity and with forging whole of society partnerships with business, labour and civil society on the actions that are needed to rebuild our economy. Building a capable state and restoring integrity and professionalism in the public service has been our foremost priority. What we have sought to do over the past four years was to locate The Presidency at the centre of an integrated government - a government working together across

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all the various structures that are in our state. From these centre, we have been leading the drive to reconstruct the nation's economy in a manner that is inclusive and a manner that leaves no one behind.

In this year' state of the nation address, I outlined our key priorities for the year that lies ahead. These priorities are to grow the economy and to create jobs, to fight corruption, make communities safer, build better lives for all our people and make government work for the people of our country. We have been doing all these whilst working to ensure a swift recovery from COVID-19 pandemic and mitigating the impact of the recent floods that we have experienced.

At the heart of our growth strategy is a bold and far-reaching economy reform agenda. These reforms are being driven by the relevant government departments as well as agencies and supported by Operation Vulindlela, which is an initiative in The Presidency and our Treasury. These reforms aim to achieve an affordable and reliable supply of electricity and efficient trade transport, amongst other things. They aim to achieve long-term water security for our country and our people, cheaper mobile data for all South Africans and a visa regime

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that will facilitate ... [Interjections.] ... tourism and investment. [Interjections.]

Ms B MATHULELWA: Hon Speaker, on a point of order.

The SPEAKER: Hon member, you have just stepped in, and I have just made a ruling that I will not allow anyone to make a point of order because we have taken an hour ...

Ms B MATHULELWA: But our members in the platform are muted, Speaker.

The SPEAKER: Everybody is muted.

Ms B MATHULELWA: Please, unmute them.

The SPEAKER: Thank you. [Interjections.]

Ms B MATHULELWA: Because you have muted our members. They are participating. Unmute them. There is no problem. Your ruling is right but just unmute them on the platform.

The SPEAKER: Hon member, switch off your microphone.

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Ms B MATHULELWA: Unmute our members on the platform.

The SPEAKER: Please, switch off your microphone.

Ms B MATHULELWA: Are you going to unmute them?

The SPEAKER: Switch off.

Ms B MATHULELWA: Are you going to unmute them?

The SPEAKER: Serjeant-at-arms ... I am now warning you.

Ms B MATHULELWA: Serjeant-at-arms for what? You are ruling from the air, no ruling like that ...

The SPEAKER: Hon member, Mathulelwa ...

Ms B MATHULELWA: I will sit here. No Serjeant-at-arms will come to me.

The SPEAKER: Serjeant-at-arms.

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Ms B MATHULELWA: He must never come to me. You must unmute our members on the virtual platform, hon Speaker. And we are not going to be addressed by a criminal. We are not going to be addressed by a money launderer. We are not going to be addressed by a criminal.

The SPEAKER: Hon member, will you please withdraw that?

Ms B MATHULELWA: I am not leaving. What are you going to do?

The SPEAKER: Please withdraw that, hon member? Thank you very much. Serjeant-at-arms, will you please remove the member from the House?

Ms B MATHULELWA: Unmute our members first.

IsiXhosa:

Asihlelanga kwakho apha. Wena ulawula njee utyhatyhiwe awukwazi nokuba ukhe ukhankanye umthetho owusebenzisayo ukuwisa isigwebo.

Ms B MATHULELWA: ... Serjeant-at-arms for what? Is the Serjeant-at-arms a Member of Parliament? I can't leave the

Chamber before they unmute our members on the virtual platform. We are attending ...

The SPEAKER: Thank you very much ...

Ms B MATHULELWA: This is our Parliament, not for Serjeant-at-arms. This one is ours.

IsiXhosa:

Akukhotsotsi wemali oza kuthetha nathi apha.

The SPEAKER: Hon member, I have given you a further opportunity ... [Interjections.]

Ms B MATHULELWA: There is no opportunity like this. This one is not an opportunity.

The SPEAKER: ... to comply with the directive of ...
[Interjections.]

Ms B MATHULELWA: Give me a real opportunity.

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The SPEAKER: ... assisted by the Serjeant-at-arms as this conduct is now directly impeding the ability of the House to conduct its business. [Interjections.]

Ms B MATHULELWA: You must first call the Serjeant-at-arms to remove the criminal first. The money launderer. I am not a criminal.

IsiXhosa:

Mna apha andililo isela, kwaye zange ndibulale bantu eMarikana. Andinguye umbulali mna. Khuphani umbalali kuqala. Ndiyacela Mongameli ukuba kuphume wena endaweni yam.

The SPEAKER: Protection services you are taking too long. Please remove the member from the House. [Interjections.]

Ms B MATHULELWA: I excuse you for what?

The SPEAKER: Thank you very much, hon members. Hon members, may I just address ... Serjeant-at-arms, when you reported to me that they are refusing to leave the House. When I say now you may remove them, the Parliament protection service must move with speed, because what I have observed now is that they

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take too long to come in and do what they are expected to do.
And that delays the House. Mr President, you may continue with
your speech.

The PRESIDENT OF THE REPUBLIC / AR [12/06/2022] / LN - [Xho -
13/06/2022] / TAKE ENDS AT 15:24

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TAKE 1167 - STARTS AT 15:24

The SPEAKER

The PRESIDENT: Thank you, hon Speaker. These reforms aimed on the long-term basis to ensure that there is water security in our country, there's cheaper mobile data for all South Africans and that our visa regime which has been raised repeatedly by various people, business and otherwise facilitates tourism as well as investment. We are firmly on track to implement the reforms that we outlined in the state of the nation address, and reforms that have been highlighted and even requested by a number of stakeholders in our economy. Reforms that are necessary to inject growth in our economy. In March, the long-awaited spectrum auction was completed to expand access to the internet and to reduce the cost of data, for the first time in more than a decade. This was a difficult and complex process. Therefore, we are grateful to all those who have involved who made this possible. It took us a decade when it should have taken us much shorter.

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In April, Bid Window 6 of the renewable energy procurement programme was opened for 2 600 megawatts of solar and wind power. The first three risk mitigation projects have signed their power purchase agreements. These projects represent some of the largest hybrid solar and battery storage projects in the world, and they are happening here in South Africa. The Electricity Regulation Amendment Bill that provides for the establishment of a separate transmission company and a competitive market for electricity has been published for comment, and we are now working to table the final version in Parliament in the coming months. We initiated this believing that it will enhance the better generation of electricity and the transmission thereof and we will see much better electricity availability in our country. In April, Transnet made 16 slots on its network available to private rail operators as the first step towards ensuring third party access to some of the country's freight lines. This will enable greater efficiency and support our export industries. This in the end will be the private sector and the public sector working together and making sure that we do have a competitive transport line system.

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The Department of Water and Sanitation is hard at work to clear the backlog of water use license applications by June 2022. To date, it has finalised 897 applications and will clear the remaining 546 applications by the end of this month. These applications had accumulated over a number of years. Therefore, the reform process that we have embarked upon is clearing all these backlogs and making sure that our water regulation system works much better. Through this we will be able to unlock levers of the economy to enable growth to follow. We are on the cusp of a fundamental transformation in the electricity sector, which is undergoing the most significant reform process in our country's history. Once these changes are implemented, we will have multiple generators competing to supply electricity at the lowest cost to the consumer and selling power directly to consumers. We will unleash new public and private sector investment in generation at a massive scale. In the short term, however, we are seized with the need to get as much new generation capacity onto the grid as possible, but also as quickly as possible. The current electricity shortfall is estimated at up to 6 000 megawatts.

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We will soon be introducing extra measures to bring new capacity online. We will work to close the electricity gap in six ways: Firstly, we will improve the performance of existing power stations and ensure that additional units at Medupi and Kusile come online according to schedule; secondly, we will ensure that projects from existing procurement, including Bid Window 5, are able to reach close and connect to the grid as quickly as possible; thirdly, we will accelerate private sector investment in generation under 100 megawatts; fourthly, we will enable Eskom to purchase surplus power from existing power producers without too many regulations that stop this from happening; fifthly, we will support municipalities to procure power independently without much regulation standing in their way; and sixthly, we will encourage households and businesses to invest in small-scale solar power installations themselves to feed energy that they are not using to the grid as well.

Hon Speaker, work is already underway in each of these areas. There is co-ordination with all relevant departments, with Eskom and the private sector to accelerate embedded generation projects that are already on the way to being implemented. We have already simplified the registration process by removing

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the requirement of a power purchase agreement for registration. We also shortened the timeframes for environmental authorisation, and increased Eskom's capacity to process grid connection applications. All these impediments were standing in the way of enabling those who want to generate energy to move ahead with their projects. Now, the reform process has taken out all those impediments and we are now going to move forward with greater speed and greater determination. The first two embedded generation projects under 100 megawatts were successfully registered two weeks ago, and a further 16 projects were registered by the regulator this very week. A total of 68 projects are now in development, and a combined capacity of over 5 000 megawatts that will begin to connect to the grid over the next few months is also what we look forward. Alongside these immediate interventions, the Department of Mineral Resources and Energy will drive the process of reviewing and updating our Integrated Resource Plan for 2019, to ensure that it remains relevant in the light of the electricity shortfall and our climate change commitments. This is work that is already underway.

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When the sixth administration commenced its work, we said that forging social compacts across society would be critical to addressing our developmental challenges. Unless, we said, we consistently strive to achieve broad consensus in the direction in which we want to take the country, we will run the risk of our efforts becoming stalled and even becoming diverted. Since 2018, the Presidency has established a number of processes to forge consensus on the broader economic recovery, the Fourth Industrial Revolution, the reform of our state-owned enterprises, climate change as well as corruption. We also sought to engage at the Presidency level with important role-players in our country such as traditional leaders to address their specific challenges, including the issue of land. We also sought to engage with religious leaders to address the various issues that were brought to the table. Deputy President has led this process, and will report further on the work that he has been doing. Deputy President has also been engaged and has been delegated to deal with the long-standing challenges that an important community in our country has raised over and over, and these are former liberation combatants, the people who fought for the liberation of our country regarding the problems that they've continued to

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experience. The Deputy President may well touch on this as he speaks.

Bringing together key stakeholders with varying ranges of expertise ultimately enhances the capacity of the state. This continues to aid the policy-making process in our country. It ensures that all of society is involved in our country's development and ensures that those who are able to make a contribution also feel part of the process of building our nation. An example of how this is being done effectively is through the Presidential Climate Change Commission, which is currently finalising a Just Transition Framework that will guide our transition to a low-carbon, inclusive, climate resilient economy as well as society. Now, we have brought a whole range of key role-players who are making a contribution on our climate change ambitions.

In tandem, the Presidential Climate Finance Task Team that I established earlier this year is working at an expert level on the agreement that will take forward the Just Energy Transition Partnership which was concluded between South Africa and governments of France, Germany, the United States, US, the United Kingdom, as well as the European Union last

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year. These are important processes that bring together, I would say, the brain power of our nation collectively both in government, in the private sector and labour, and a number of other key role-players. This partnership will mobilise climate finance to enable transition to a low-carbon economy while supporting affected workers and communities. The work that they are doing will finally be brought to Parliament so that we as the important key law-makers will be able to examine precisely what they have been working on.

Our focus will be on supporting a just transition in the electricity and automotive sectors as well as the development of our green hydrogen sector which in many ways is beckoning, is calling us to embrace it and to get involved in a much more proactive manner. The work of the Presidential state-owned entity, SOE, Council is also far advanced. The council has as its members, people from labour, from business, from government, from academia and many other sectors in our country. The council has developed criteria to determine which SOEs should be considered strategic and which are critical for the future development of our country. It has also assessed 17 SOEs and will complete the remaining assessments by July of this year. The broader context of the reform process is to

improve the overall business operating environment and to improve our country's competitiveness as an investment destination. To this end, we have finalised the bounce-back loan scheme, which gives additional funding to businesses to grow the economy and also to create jobs.

In March, the employee tax incentive was expanded to make it easier for employers to hire more young people. You may recall that this initiative has been hugely successful in creating jobs for young people, for first time workseekers and many companies are now expected to participate in this in larger numbers as it has proven to be very efficient scheme, indeed. As part of our drive to create new generation of black industrialists, to create jobs and to transform the economy, last year government approved R2,5 billion in new support to about 180 black industrialists in the form of loans as well as grants. Over the next three years a further R21 billion has been committed to support black industrialists and an additional R25 billion to support black, women, youth and worker-owned enterprises.

Policy certainty in the mining sector has been bolstered by the publication of the long-awaited Mining Exploration

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Strategy. The infrastructure office continues with its work of oversight and co-ordination over a number of catalytic infrastructure projects and seeking to ensure that bankable projects come to life and that we speed up the process of ensuring that infrastructure projects do actually get implemented. These include the bridge building process in the rural areas. This also include rural roads, social infrastructure, bulk water installations and others. To address onerous bureaucracy that often impedes businesses from growing, the red tape reduction team, that I spoke about during state of the nation address, is working with other departments in government to identify priority interventions as well to remove obstacles to growth. In many ways the bureaucracy, the red tape has been what is holding back the growth of small and medium enterprises, and more broadly our economy as well. These initiatives take a collaborative and supportive approach, because ultimately it is the departments and not the Presidency that implement policy. We are seeing more and more collaborative work in various government departments. The mentality of doing things on their own sake as departments is beginning to whittle away as departments now see that the best way to achieve success is to work collaboratively with others.

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One of the tasks of government is to devise innovative solutions to address joblessness, particularly in a climate where there is a shortage of employment opportunities at a time when the private sector is not creating enough jobs at scale. During the past two years, we have overseen an expansion of public employment that is unprecedented in speed, scale, and innovation and granted this started during coronavirus disease, Covid. Covid created an opportunity for innovation and an opportunity for better co-ordination amongst government departments. The Presidential Employment Stimulus has enabled the rapid expansion of public employment and provided much-needed relief to mitigate the effects of the Covid-19 pandemic. To date, the Presidential Employment Stimulus has created 879 000 opportunities, and largely to young people, to women in a variety of areas. Of the participants across both phases, 84% are youth and 62% are women.

These programmes, which range from work such as waste collection to small-scale farming, have provided work and an income for hundreds of thousands of people in both urban and rural areas. The programme has provided livelihood support to people working in the arts and culture space as part of our

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commitments to support recovery and this vital sector of our economy and our society. It is a great boost for food security and agricultural reform, around 65 000 small-scale farmers have received input vouchers to buy seeds, fertilisers and equipment. I'm told that this has freed many thousands of hectares from just lying fallow to being hectares of land where there is agricultural activity. The latest programme to be launched through the employment stimulus is the Social Employment Fund, which has started to recruit some 50 000 participants in community safety, food and nutrition, digital inclusion, sports, arts, and recreation.

A further 50 000 participants will be recruited for the revitalised National Youth Service, of which more than 7 000 have already started work. Though much has been achieved and done, it is clear that we do need to do more. Working together with the private sector we should be able to do much more. With the Special Covid-19 Social Relief of Distress Grant extended until the end of March 2023, as government we continue to explore what sustainable social protection measures can be implemented to support society's most vulnerable people. We are working in earnest to conclude our negotiations on a social compact, as stated during the state

of the nation address. The discussions that we are having with social partners are dealing with difficult issues. Issues that need to be addressed that have wide-ranging implications for our economy. We are hoping to build a new consensus that pairs economic reform with measures to support employment and expand social protection as well. We are determined that the social compact that we are seeking to build will be substantial as well as meaningful, and that it should make a real and lasting difference in the trajectory of our economy as well.

Hon members, our experience with the Covid-19 pandemic has shown how much can be achieved when all of society works together to achieve a common goal. Thanks to this collaborative effort we were able to mitigate the pandemic's worst effects on human health as well as livelihoods. We are one of those countries that we are able to navigate our way through the pandemic rather well we could have done better, but we do rank amongst those countries that did lot better others. To date, approximately half of all adult South Africans have received at least one Covid-19 vaccine dose, and our priority is to increase the rate of vaccination to protect our people against possible new waves in the future. There has been vaccine hesitancy across our country and, indeed, cross

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our continent, but we remain hopeful that more and more of our people will be willing to get vaccinated. However, I do once again want to encourage our people to vaccinate against Covid-19, to wear masks and to follow all the preventative measures. Over the past three years, we have been at the forefront of advocacy as a country for developing countries to manufacture their own vaccines in the interests of current and future health security. When we talk about vaccines we are not only talking about Covid-19 vaccines, but all types of vaccines. As we know, South Africa alongside India has co-sponsored a proposal to the World Trade Organisation for a temporary waiver of the Trade-Related Aspects of Intellectual Property Rights, Trips, agreement.

We are using our position as African Union Covid-19 Champion to encourage developed countries and international agencies who procure vaccines to purchase vaccines from African manufacturers. South Africa has been hard at work within the African Union, AU, structures to advance the cause of greater pandemic preparedness for our continent. This includes strengthening public health institutions, expanding manufacturing of medical countermeasures on the continent, establishing a fit-for-purpose health workforce on the

continent that can sustain universal health coverage, and also driving collaborative partnerships right across the continent. Even as we focus on recovery from the pandemic, we continue to work with the Department of Health and other departments towards strengthening our health systems in preparation for the National Health Insurance. As a nation, we are making progress in moving this transformative legislation to reduce inequality in access to quality health care.

As we move forward, we strive to build a capable, ethical and developmental state. In this regard, there is no room for engendering corruption. We will continue to support the work of the Investigating Directorate for the National Prosecuting Authority. We already see great progress in the work that they are doing. The Special Investigating Unit and its Special Tribunal, the Fusion Centre and all state entities involved in the fight against corruption is gaining traction. The Special Investigating Unit, SIU, is achieving a great success in its applications to the SIU Tribunal for the cancellation of contracts and the return of funds. We will be ensuring that the recommendations contained in all SIU reports are specifically and systematically processed and sent to the respective entities to which findings have been made and

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urging that they are acted upon, and that stolen funds from the state and taxpayers are recovered. The Minister in the Presidency has been reporting on this work to this House on a continuous basis. We will further speedily consider all requests for issuing of proclamations, and appointments to the Tribunal where necessary.

As we have said before, the Presidency will deliver to Parliament an implementation plan on the recommendations of the Commission of Inquiry into allegations of State Capture four months after receipt of the final report. already work has begun on the large number of recommendations that were made in the parts of the report that we have already received to date. We will only have the full measure of the work required when we receive the final report from the Chief Justice. Taking these recommendations forward requires the highest political will and commitment from all of us, the members of this House included. It also requires great courage, from all of us. In recent days we have seen those who stand to lose the most from the fight against corruption resorting to dirty tricks and intimidation in a bid to get us to back down. Now, the serious threat levelled at the director-general in the Presidency is deplorable and is

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indicative of the tricks that they want to use to discourage us from proceeding with the work that has to be done, and we condemn this. [Applause.]

It is a sign of the lengths to which these who have been responsible for state capture are prepared to go, to even threaten a woman in the way that she has been threatened. However, we will not be deterred by threats of any kind whatsoever. She remains courageous and resolute to continue doing her work. Therefore, we wish her well as she carried on with her work [Applause.] They will have to pay for their actions. We will restore the values, yes, of integrity and credibility to our government. We will take back our country from criminals. At the same time, we are giving equal attention to safety and security in our communities as well.

I want to commend the leader of the United Democratic Movement, General Bantu Holomisa, for initiating the recent meeting between the Presidency and political parties represented in Parliament to discuss safety and security issues in the country. Hon Steenhuisen who was traveling somewhere in Africa and Somaliland was also able to join this meeting virtually. It was a proactive engagement in which we

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were able to discuss the challenges and possible solutions with leaders or political parties that are represented here. Therefore, I would like to thank them for the various suggestions that they put on the table for us to act on. It is our expectation that, as Parliament, you will continue in this collaborative vein when we soon reflect on the draft National Security Strategy that is being drafted at the moment. I have committed that I'll continue to meet the leaders of political parties on a regular basis to discuss issues of security and, indeed, a number of other issues that are of common concern to all of us.

Progress has been made in building capacity within the law enforcement agencies. The appointment of a new Commissioner of Police has brought much-needed stability in the organisation. The first cohort of 12 000 new police personnel is in training at the moment, and a framework has also been developed by the SA Police Service, SAPS, for the nationwide re-establishment of community policing forums and also the establishment of specialist units that will deal with various areas of greater criminal activity. The SAPS has established disciplinary units to address these crimes of economic sabotage and extortion at construction sites by so-called business forums as well.

Partnerships between the government and the private sector to address organised crime are beginning to bear fruit. For example, the collaboration between Transnet and the Minerals Council around illegal mining and copper theft has seen an improvement in the security situation at a number of sites. A stronger, better capacitated South African Police Service is key to combating crimes of violence against women and children that continue to be a real scourge in our country.

In January this year, I signed into law three Bills as we know that will strengthen the fight against gender-based violence and afford greater protection for the survivors. Their implementation is scheduled for 31 July 2022, once the amended regulations are tabled in Parliament. The Presidency continues to receive regular reports from the Department of Women, Youth and Persons with Disabilities as well as other departments on their progress that is being made in implementing the National Strategic Plan to end gender-based violence and femicide. Putting stringent laws in place and enhancing the capacity of the police and prosecutorial services to investigate and prosecute these crimes is not enough, and we need all of society's involvement in preventing gender-based violence. If we all, as communities, act together we will be able to

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overcome gender-based violence. Community-based organisations are agents of change and play an important role in the efforts to eradicate gender-based violence, GBV, and other social ills as well. This includes the development and implementation of programmes around gender-based violence and femicide, substance abuse, teenage pregnancies, mental health, and also the lesbian, gay, bisexual, transgender, queer, and intersex, LGBTQI+, advocacy and other issues.

We will soon be convening a Social Sector Summit, together with the Department of Social Development and National Economic Development and Labour Council, Nedlac, to look at a number of ways of harnessing the important work of the social sector to propel our nation's development. Through the Presidential Working Group on Disability, we will also continue to advance interventions that are needed to promote the inclusion of persons living with disabilities across all sectors. The approval by Cabinet of the Constitutional Eighteenth Amendment Bill for public comment takes us one step further to making sign language South Africa's 12th official language. [Applause.] This is a historic development that will give effects to our Constitution's promise of equality and human dignity for all South Africans.

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Hon members, next month marks a year since the terrible unrest and violence rocked parts of our country and wiped out approximately R50 billion off our nation's economy. As the Presidency we are working with the respective departments to co-ordinate the implementation of recommendations of the Expert Panel chaired by Professor Sandy Africa. A new director general was appointed to State Security Agency earlier this year, and a number of critical vacancies have been filled, and are in the process of being filled, in the State Security Agency, SSA, Crime Intelligence and also the SAPS. 4 000 members have been earmarked to build capacity in the Public Order Policing Unit once they have undergone basic training, and for the financial year 2022-23, a further 5 000 trainees will also be recruited so that we can bolster up our public policing component. The National Security Council is receiving periodic reports from the relevant law enforcement agencies on progress with regard to implementation of the recommendations that were made by the Expert Panel. We will be reporting to the nation in due course on this process as we move on so as to infuse confidence amongst our people that security is being upgraded and so that South Africans can feel safe as well.

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As part of realising a capable state, we are on a drive to rebuild public service through promoting lifelong learning, through the improvement of the skills in the public service, and providing the necessary orientation to entrants to public service. This is happening across government departments, in every municipality, in every state-owned enterprise and every organ of state as well. We are doing this so that we can improve the capacity of the state. We are working to ensure that the Batho Pele Revitalisation Strategy is fully implemented. We have established a Public Administration Ethics, Integrity, and Disciplinary Technical Assistance Unit to improve ethical and anticorruption policy and discipline management within the public service. Public servants are being trained on ethical conduct through the National School of Government in partnership with the Financial Sector Conduct Authority. The National School of Government is rolling out a range of courses for the executive, accounting officers, senior managers, mayors, state entity board members and a number of other disciplines as well from economic governance to long range or long-term planning as well. In the state of the nation address, I said we would finalise the National Framework towards the implementation of professionalisation of the public sector.

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The revised framework proposes fundamental reforms and changes, including a stronger emphasis on merit-based recruitment and appointments, integrity testing before any individual joins the public sector, revising the tenure of heads of departments, and curriculum development for ongoing learning of public servants. This is a fundamental change to the approach that we have to professionalise in the public service. We expect this framework to be fully implemented across departments and state entities within the next year. An intrinsic part of government working for the people is making local government more responsive and more efficient. We began implementing the District Development Model in 2019, to better co-ordinate and integrate the planning and budgeting of government programmes on a district-based level. We co-ordinated much of our response to the pandemic through the District Development Model, ensuring that crucial health and social services reach the people in our communities, particularly where they live.

Most recently, we relied on the district champions that I appointed to drive vaccinations through the Vooma Vaccination weekends. I announced during the 2022, state of the nation address that I would embark on a programme of District

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Development Model Imbizos. These engagements afford communities the opportunity to raise their most pressing concerns and provides an opportunity for government to give direct updates on service delivery and to hear the complaints and the cries of our people at first hand. To date, the Presidential Imbizos have been held in North West, Free State and Mpumalanga and we intend to visit all the provinces in due course. Whilst we proceed with the Imbizo programme in the remaining six provinces, government officials will be attending to the concerns that have been made by our people which have been properly documented. Therefore, we will be resolving the issues that our people have raised and providing feedback to communities as well. These engagements have further highlighted the extent of the weaknesses of local government, and the impact that this has on the provision of basic services.

As national government, guided by our constitutional responsibilities and powers, we will continue to support municipalities to meet their obligations to the residents of the various towns and local areas so that we are able to enable them to provide services and to help an engender the process of growing the economies at local level. In

particular, we will marshal all the resources and capabilities of government departments and entities to intervene in areas such as water provision, road maintenance and waste management. We will work with provincial and local government to ensure that challenges that our people are facing such as potholes are fixed, water is clean and reliable, and that cities and towns are clean and healthy to live in. We have found that many local municipalities do need the support and the assistance from national level and we will be working to provide precisely this.

Hon members and fellow South Africans, when this administration took office three years ago, we embarked on a path of renewal to restore the promise of our democracy. Therefore, we have come a long way in trying to do precisely that. The economic recovery is beginning to gather momentum, and the gross domestic product, GDP, growth figures are beginning to speak for themselves and, of course, we want them to be much higher than what has been reported so far. As does the steady uptake of domestic and foreign investment take place we should begin to see a growth that we all yearn for in our economy to take place.

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The state is being steadily rebuilt and credibility is also being restored in the state. The fight against corruption continues apace, and the net is closing on those who for years fat off from the money and resources meant for the benefit of the South African people. It is they who fear the renewal agenda most. Therefore, they will do anything to divert the focus from themselves. However, we will not waiver, we will not blink [Applause.] and we will finish what has been started. And as we do so, we will not be able to allow being side-tracked from the one objective, to improve the lives of the people of South Africa.

The positive impact of programmes and policies of this administration is being felt where it matters most. It is being felt in our classrooms, where education assistants are supporting teachers to perform their work, and these assistants are young, they are techno savvy, they are committed to the work that they have been given and they know their information technology, IT, processes, they are assisting young people to read and the literacy, coding and childcare processes are proceeding apace. It is also being felt in the agricultural sector where thousands of small-scale farmers are looking forward to a good harvest this year,

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thanks to the support of the Presidential Employment Stimulus, which has enabled them to revive land for food production and to farm their livestock. The positive impact is also being felt and will continue being felt in our cities, towns, and villages where participants in the Presidential Employment Stimulus are greening public spaces, collecting and recycling waste, clearing alien invasive vegetation, and conducting environmental education programmes. It is also being felt in the tourism sector where monitors, many of them young people, are helping to keep our foreign and domestic tourists safe at key sites, and small, medium, and micro enterprises, SMMEs, in the provinces are receiving support to promote local tourist attractions.

We are a government that is hard at work to grow our economy and to create jobs. Therefore, our hard work is beginning to bear fruit. The Presidency will continue to lead the work towards the vision of a better life for all, as well as an economic reconstruction and recovery that leaves no-one behind. We are working and, of course, we want to do much more than what is being done, and we will continue to do so. It is, therefore, a pleasure, hon Speaker and hon members, to hereby commend this Budget Vote of the Presidency to the National

Assembly for debate and discussion and proposals on how we can improve our work. Thank you very much. [Applause.]

TAKE 1168 - STARTS AT 16:16

The PRESIDENT OF THE REPUBLIC

The SPEAKER: Order, hon numbers, in terms of Rule 80, I instructed that the microphones on the virtual platform be locked while the President address the House. This was done as a result of disorderly nature of interjections on the platform, disrupting the proceedings. As we now to debate the speech, the microphones will be switched on and will be unlocked on the virtual platform. However, hon members, if there is continued disorder, they will be locked again. Thank you very much and thank you Mr President.

Mr A H M PAPO: Hon Speaker, I wanted to remind the House that there were two members on the virtual platform who you ordered to be removed from the sitting. Those members are hon Malema hon Shivambu. So, I am just reminding the House that if they appear on the platform again, Table staff will have to remove them.

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The SPEAKER: Thank you, hon Papo, the Table staff is here and they have heard you.

IsiXhosa:

UMBHEXESHI OYINTLOKO WEQELA ELILAWULALYO: Somlomo, mandithathe eli thuba ndibulele kuwe umonde othe wabanawo ngexesha besijongene nentlombe yeemfene. Mongameli ohloniphekileyo, Sekela Mongameli, amaLungu eNdlu yoWiso-mthetho yeSizwe, mathanda-zwe asemakhaya, ndithatha eli thuba ndinibulisa. Kuyafuneka ukuba abantu abachubekileyo bacele uxolo ngale mbudede nidla ngokuyibona apha. Asinjalo sonke kwaye abantu abangaqeqeshekanga bayabonakala.

Nks P SONTI: Kodwa inyaniso aniyifuni.

English:

The SPEAKER: Hon Primrose, I am warning you, you will not repeat that.

IsiXhosa:

UMBHEXESHI OYINTLOKO WEQELA ELILAWULALYO: Enkosi Somlomo, ndivumele Mongameli ndinyathele apho ubunyathele khona.

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English:

Mama Winnie Madikizela-Mandela in her Prison Entries that were captured in her book entitled, *491 Days: Prisoner Number 1323/69* painted a picture of the dehumanising nature of the apartheid system:

Solitary confinement was designed to kill you so slowly that you were long dead before you died. By the time you died, you were nobody. You had no soul anymore and a body without a soul is a corpse anyway. When I was told that most of my torturers were dead, I was also heartbroken. I wanted them to see the dawn of freedom. I wanted them to see how they lost their battle with all they did to us and that we survived.

IsiXhosa:

Thina bantu bazana neentshutshiso kwakunye nengcinezelo, iziva siziphethe ngokwethu. Imivambo izotywe emizimbeni yethu.

English:

Those of us who suffered humiliation, colonialism and white minority domination carry scars deeply hidden within our beings. That is why every act of racism that goes viral on

social media and in the news, even it is committed by one white person evokes so much pain inside every black person.

IsiXhosa:

Ewe, saxolela kodwa asikwazi ukulibala ingakumbi xa kubane kusenzeka ezi zinto.

English:

But as Mama Winnie in her book said: racists have also felt a lot of pain because in 1994 and on the five more occasions, the overwhelming majority of our people voted for the ANC to govern and lead this country. They even trusted the ANC to build a new South Africa from the ashes of colonial and apartheid rule. Indeed, the Constitution has affirmed the principle established in the Freedom Charter of 1955 to celebrate this month as well as the Youth Month.

This country belongs to all of us who live in it, black and white. The ANC has consistently provided a vision for a democratic, nonracial and nonsexist, united and a prosperous country. That is why we cannot tolerate any form of humiliation through racism or sexism. Hon Speaker, in this project our nation is led by the President who is both the

head of the state and the head of the Executive. The full implications of this Presidency Office were articulated beautifully in the historical judgement of the Constitutional Court by the Former Chief Justice. The judgement pronounced that:

Only upon the President that the constitutional obligation to uphold, defend and respect the Constitution as the supreme law has been expressed imposed. The promotion of the national unity and reconciliation has been placed squarely on his shoulders. He is a constitutional being by design, a national pathfinder, the consequential commander in chief of state affairs and the personification of the nation's constitutional project.

In light of this Budget Vote 1, first and foremost, we affirm and provide resources to capacitate the Presidency to fulfil its constitutional mission of consolidating nation unity and establishing a shared national purpose. In spite of all these difficulties our nation faces, I can confidently say that the President has consistently upheld and defended this Constitution.

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IsiXhosa:

Naxa kukho imicimbi enobuzaza kodwa uMongameli ulikhocele eli lizwe, ulisa phambili. Le nto ndiyithetha ngelunda kuba uMongameli uyawukhusela lo Mgaqo-siseko. UMongameli unoxanduva olusemagxeni akhe lokudibanisa imihlambi eyalanayo ukuze imbali yethu icace.

English:

The President has performed his co-ordinated role guided by the Constitution and the Intergovernmental Relations Framework Act of 2005. The National, provincial and local governments on the other hand promote and facilitate the intergovernmental relations within the multiparty system of governance.

IsiXhosa:

Masizingce ngalo Mgaqo-siseko esinawo nomgama esesiwuhambile wokumanya esi sizwe sakowethu.

English:

As South Africans we must treasure the progress we have made to maintain relatively stable corporative democratic political system that has minimised mobilisation along the racial and tribal lines. We have observed the trauma suffered by millions

of people in many in our sister countries in the continent and other parts of the world as a result of political party ethnic polarisation.

IsiXhosa

Amazwe amaninzi awakafiki kulo mgama nalo mgangatho esele sizibeke kuwo singuMzantsi Afrika. KuMgaqo-siseko, phaya kwikhasi lesithathu, kuthethwa ngokuba kudityaniswe urhulumento oluzinzileyo. USekela Mongameli unikwe oloo xanduva lokuba kudityaniswe oorhulumente bamaphondo nabasemakhaya. Olo xanduva luya kwenza ukuba zikwazi ukusengela thungeni linye.

English:

The Presidency must be resourced sufficiently to maintain regular and meaningful dialogues with Amakhosi within the framework of the Constitution. These dialogues are based on four pillars: land ownership and tenure rights, economic development and rural communities, social cohesion and nation building and legislation on powers and functions of traditional leaders in the issues of development.

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IsiXhosa:

Kubalulekile ke ukuba xa sisenza loo nto iinkosi zihambe kunye nathi kuba zona ziphethe abantu phaya ekuhlaleni. Makhe ndinqumame kancinci kweli cala ndingene kwizityholo atyabekwa zona uMongameli wesi sizwe soMzantsi Afrika. Mandiyibeke icace gca oku kwekati emnyama ehlungwini into yokuba ...

Nks P SONTI: Okwekati emhlophe ehlungwini.

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): Order hon members, order.

The CHIEF WHIP OF THE MAJORITY PARTY: As the ANC we have noted the allegations that are labelled against the President and we are not shy to say that. However, this matter, like all other matters of allegations of crime must be investigated by the relevant law enforcement authorities without any undue political influence. At the moment ...

IsiXhosa:

... uthini? Soze uphinde utsho! [Kwahlekwa.]

English:

At the moment, there are no changes and we are happy that the President is committed to support the work of the law enforcement agencies ...

IsiXhosa:

... akabaleki, ungowalapha kwaya uhlala apha. Xa kuphandwa makuphandwe. Umongameli akazange athi akafuni ukuphandwa. Uthi ndim lo, xa unento ngam beka umcimbi etafileni undiphande. Ayiqhelekanga ke lento kooMongameli bamazwe ngamazwe kodwa abe-ANC bayazazi ukuba bamele isizwe. Thina siyi-ANC asisayi kwayanyaniswa nehlazo elisemntwini. I-ANC iza kuthetha ngexesha elifanelekileyo xa kukho izinto ezifumanekileyo. Nanjengoko sithetha apha sizimisa phambi kwenu ngelithi ukuba kukho ubungqina kufuneka umthetho uthathe indawo yawo.

English:

This year we also celebrated 28 years of our democratic government.

IsiXhosa:

Iinkonzo ezingundoqo zisiwe ebantwini Mongameli kodwa azonelanga. Amanzi, iindlela nombane awukafiki kwiimpula zikaLujaca. Ngenxa yokuhla koqoqosho, amaxabiso okuthenga izinto aye anyuka. Noko sifuna uMongameli angenelele neKhabhinethi yakhe. Sifuna kubonelelwe abantu ngokutya okusiseko okufana nomgubo, amasi, umngqusho, isonka namafuthu okuqhotsa ukuze abantu balale betyile. Sicela ukuba ungenelele Mongameli ngokuthi kulawulwe amaxabiso okutya angaxhumi kuba abantu bakuthi bahluphekile.

Mongameli, sicela ukuba ugxile kanabomi kwiinkonzo ezisiwa ebantwini. Umbane mawuzinze, abantu bakuthi bathwaxwa yintlupheko, uqoqosho alukwazi ukukhula xa umbane ungucimicimi. Nathi sonele ngoku ngulo cimi-cimi wombane, sifuna umbane oza kukhanyisa oko. Sifuna niqwalasele aba masipala babonelela abantu abasweleyo [indigent people.] babe kwabona oomasipala bengenazo iintsiba. Siyafuna ukuba baxhaswe aboo masipala kuba uninzi lwabantu babo luyahlupheka. Ithi ke loo nto Mongameli, xa aba masipala beswele nabo [indigent municipalities.] urhulumente makangenelele. Phaya emakhaya into esetyenziswayo yirhasi neparafini. Ndiyithetha nje

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kungokuba ndiyayazi kwaye ndiyintombi yasezilalini eMacacuma, eSterkspruit.

Abantu Mongameli bathi njengokuba usipha aba basweleyo umbane, thina bantu bangenambane siphe iparafini. Mayingene iparafini kumzi nomzi ongekabinawo umbane khona ukuze nabo bazibone bexhamla kulo Mzantsi Afrika omtsha.

English:

President you are leading the campaign that people must pay the municipal services and we support that.

IsiXhosa:

Xa iinkonzo zisiziswa ebantwini ngokungenamikhinkqi, abantu mabazihlawulele ngokunjalo nabo kodwa mazizinze ezo nkonzo. Siyancoma naphaya kwi-arhente yezerhafu ngokuthi ikwazi ukuqokelela imali eninzi. Sicela le arhente ingenelele ngokutyala imali ebantwini abahluphekileyo. Siyi-ANC Mongameli, sima kule ndawo sixhasa into yokuba mawunikwe imali eyaneleyo wenze umsebenzi obhalwe kuMgaqo-siseko wokukhokela esi sizwe ngothando nangentobeko usise phambili.

Abantu beli lizwe noko kudala besinyamezele behamba nathi ...

English:

... with resilience in the fight against the Covid-19 pandemic. Our people are our greatest strength together with the South Africa we can rise. We can rise ...

IsiXhosa:

... xa sisebenza kunye siyakwazi ukohlula phakathi kwezinto ezichithayo nezinto ezakhaya zelizwe. Silapha siyi-ANC sinika inkxaso yethu engagungqiyo kuwe Mongameli sisithi amatyala mawaze ngaphambili. Enkosi kakhulu.

The LEADER OF THE OPPOSITION / LN - [Eng & Xho] 13/06/2022 /

TAKE ENDS AT 16:32

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TAKE 1169 - STARTS AT 16:32

The CHIEF WHIP OF THE MAJORITY PARTY

The LEADER OF THE OPPOSITION: Madam Speaker, Mr President, hon members, the purpose of today's vote, is to vote on the Budget of the Presidency, but as we have become only too aware this past week, this is a ministry stuffed, literally, with secrets and scandals. We are asked today to say yes or no to this budget, but the reality is that none of us truly knows what happens in that office. And this makes today's vote very, very difficult.

We respected your President while he was speaking, hon Papo, perhaps you should return the compliments. Why is it that the Presidency is the only ministry without a standing committee? We have asked this question many times before, and we are yet to receive a satisfactory answer. Why should every other ministry be subject to the parliamentary oversight of a standing committee, but not the Presidency? And after this weeks' shocking revelations, it's very clear that the Presidency cannot police itself.

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There are many questions we would have raised in such a standing committee, or if the President was attending the question session which should have taken place this term. But, this budget is it and this is our only opportunity to take advantage of it. And one of those questions would be around the elephant in the room and that is around the blurring of the lines between Mr Ramaphosa the Head of State, and Mr Ramaphosa the businessman.

While police budgets are slashed every year and policing resources in high crime areas are stretched thinner and thinner, the very important person, VIP, protection budget of the President and his cabinet is the only police budget that ever goes up.

And now we are told that these precious police resources have been put to work serving the private business interests of the President - conducting cross-border investigations, interrogations and cover-ups.

And I'm sure you'll agree, Mr President, yes you may say Mr Fraser, but it was your Presidency who ... [Inaudible.] ... an affidavit in court plus here telling the court, what a good

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man Mr Fraser was and why Mr Fraser should be appointed as a head of Correctional Services [Applause.] I am sure you will agree with me Mr President, that the people of South Africa need to know and have the right to know whether the VIP protection unit is being used as a private debt collection agency. Just as they have a right to know what is going on behind the closed doors of your Phala Phala farm house.

Now, Mr President you've definitely avoided this topic today. But, I want you to imagine for a moment what this must look like for an ordinary South African. What a hard-working, tax-paying citizen should make of a remote farmhouse somewhere, with tens of millions of Rands in foreign currency being stuffed into the upholstery of lounge furniture.

What such a regular citizen should think, when told that more than R60 millions of this was stolen, and that the President didn't want anybody to know about it. The suspects were tracked, rounded up, interrogated and paid to keep their mouths shut.

Normal people - law-abiding South Africans who have to save for months, for things like school uniforms, for school fees

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and children's birthday parties - and that cannot even imagine that kind of money. But you didn't even report it to the police.

Never mind getting it back, Mr President, you didn't want anyone to know it was gone in the first place. Just how much money must you have stashed away, in homes if you can afford to turn a blind eye to \$4 million? Now you say that money was from animals, that might be the case, but I don't think there's many people who truly believe that.

You say this was about dirty tricks. You say it was above board and that you've broken no laws. But stuffing millions of Rands into couches, hiding the robbery from the police, paying the robbers hundreds of thousands of Rands, not say a word - these are not the actions of somebody who has broken no laws.

These are the things we see in mafia movies, about cartels, about syndicates and gangsters. If this was all above board, and just dirty tricks, you could have ended it right away, Mr President. But, a full, frank and public disclosure. You could have avoided a scene we have in the House today. You could

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have avoided the speculation and you could have avoided us asking these questions.

None of that would have jeopardised any investigations. An honest and innocent man, he was the victim of a massive crime would have wasted no time in clearing these things up [Applause.] Only somebody who would like to hide, would hide behind the smokescreen of a "pending investigation", two years after the event.

So, again Mr President, I am asking you for the sake of the country, for the sake of the Presidency to come clean to the people of South Africa, and to this House. No more subterfuge, no more secrets. Whoever is advising you Mr President, not to speak out about this and set the record straight, is giving you bad advice.

How much money was stashed away? These are the question we need to ask. How much was actually stolen? How did the money enter South Africa, and who brought it into the country? Two years later, hon Papo that's a new record I think. Were the exchange controls of the South African Reserve Bank observed? How much is on the farm right now? How much is at your

properties? Why did you not report the crime to South African Police Service, SAPS? You have spoken today about the importance of reporting crime. As important as SAPS are, why was it not to the SAPS?

Were the suspects detained? Was Major-General Wally Rhooede sent to Namibia, yes but tax payers money is being used to recover it. And that is the problem. Was Major-General Rhooede sent to Namibia to go and recover it? On whose authority did he travel in? Who paid for this cross-border investigation, and how much did it cost? Who paid for the security upgrades? We may not be the police but we are Parliament and that's our job to hold the executive accountable [Applause.]

And finally - and arguably most importantly, Mr President - given your unique obligation as the President to uphold the Constitution and serve the people of the Republic of the country, how do you square this obligation with this sordid detail of the case?

I was doing the job that your government should have done in Ukraine, hon Papo, but you too Papo are scared to go there, that's the problem [Applause.]

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Mr President, every single day that these questions remain unanswered causes irreparable damage to the Presidency, which has now gone from paralysed to petrified.

Even the very best-case scenario - with the most generous interpretation of what has happened, how you came into possession of the money, why it was concealed in your house, and the reasons for a cover-up or damning.

But we're not talking about a best-case scenario here, are we, Mr President? Because if we were, you would've surely reported this matter, two years ago. Or at the very least, come absolutely clean about the matter as soon as it came to light.

The fact that you have used your significant powers and resources - paid for by the taxpayers of this country and funded through this budget, which we debate in this House today - to conceal any evidence of this money tells me that the real story is something that the Presidency probably will struggle to survive.

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Even your biggest praise-singers, media and civil society are now realising that perhaps the emperor was naked, after all.

[Applause.]

But to understand, the real sense of anger and disappointment, Mr President, that South Africans are feeling, you have to remember that we've been here before. And today, ...

[Inaudible.] ... in our House is like back to the future.

Do you recall the shame of Nkandla and the arrogance of your predecessor? Do you remember the embarrassment of the fire pool video, and all the shameless defending being done from the ANC benches?

Do you remember the scathing rebuke our Parliament received, for failing for holding President at the time, President Zuma accountable for Nkandla, and the solemn promises that were made thereafter by many people in this House today? "Never again"? Do you remember the words of then Chief Justice Mogoeng Mogoeng in the 2016 judgment when he spoke of the unique obligations, Mr President as the citizen?

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Now I am very glad hon Majodina, quoted from that same judgement, but she left out the most important part, which is at the end and let me remind you and I quote:

He is required to promise solemnly and sincerely to always connect with the true dictates of his conscience in the execution of his duties. This he is required to do with all his strength, all his talents and to the best of his abilities, and, but for the Deputy President, only his affirmation or oath of office requires a gathering of people, presumably that they may hear and bear witness to his irrevocable commitment to serve them well and with integrity.

You see you have to be beyond reproach, you have to be open, you gonna be transparent and you got to serve people well and with integrity.

But now, there is only suspicion, secrecy and silence. How exactly are you different Mr President from your predecessor? Phala Phala is fast becoming your Nkandla. And it's forever gonna be an ugly stain on this Presidency.

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But here's the thing: The Presidency is not yours, it belongs to the Republic of South Africa. And, when you drag the Presidency down in the gutter, you are dragging our country down with it [Applause.] South Africans don't want this; South Africans don't deserve this. They don't want a two-bit mob boss...[Interjection.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Steenhuisen, will you please take your sit. There is a point of order, hon Dyantyi.

Mr Q R DYANTYI: House Chairperson, point of order: I just want to check hon presiding officer, the hon Leader of the Opposition can take a question? If this is the only thing in his speech?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Dyantyi, okay, hon Steenhuisen are you ready to take a question?

The LEADER OF THE OPPOSITION: I hear the good news that Bunnies are open again, perhaps we could meet afterwards for a question. Our people don't want a two-bit mob boss with houses stuffed full of dirty cash for our leaders and president. They

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want someone who leads by example - who puts his personal ambitions, business and interests a distant second to the needs of the country.

And so maybe this whole sordid mess is actually doing South Africa a favour by opening its eyes up to the reality of the ANC. If you were indeed the best that your party had to offer, Mr President, in this government, days in office are numbered [Applause.]

Our country's number one goal has got to be to reduce the once mighty, dominant ANC to being a minority party after the next elections [Applause.] That's my party, because things aren't gonna change while some people are sitting around the table making the same bad decisions and behaviour, ... [Inaudible.] Once South Africa has put the ANC behind it for good, then we can start making progress and moving forward as a nation, I look forward to that day. Thank you. [Applause.]

TAKE 1170 - STARTS AT 16:46

The LEADER OF THE OPPOSITION:

Ms N V MENTE: Yes, Speaker, I need to address a few things before I get to the debate. Firstly, the Speaker of Parliament has removed hon Malema wrongfully and illegally. Perhaps is the selectiveness of Parliament when it was briefing him upon taking the seat of being the Speaker of Parliament pertaining to judgements against the same Parliament that the statement of Mr Ramaphosa and his state have murdered Marikana workers has been judged by the courts and it is a statement that is allowed. So, let there not be a selectiveness.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mente?

[Interjections.] Hon Mente, please, I don't want them to mute you because you still have your minute. [Interjections.]

Ms N V MENTE: Can you mute all the mics as you have done before. Just mute all the mics that are not speaking. I am the one who is speaking now.

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The HOUSE CHAIRPERSON (Ms M G Boroto): No, this is why I am surprised truly speaking. Hon members, if you touch that mic and start speaking without recognition I am going to call out your name and when I do that it's a warning. You repeat again, I am going to instruct that you are removed from the platform.

Now hon Mente, I was calling your name because there is a point of order here, which I want to address. Can I just find out on what Rule are you standing?

Mr T V MASHELE: Chair, I am standing on Rule 92. I am raising a point of order because the hon member is contesting the decision of the Speaker and she knows that if she wants to contest the decision of the Speaker she cannot bring it now here. She must take it into the relevant platform. Thank you very much.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, it's ...

Ms N V MENTE: Madam Speaker, they are wasting my time.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, we are here on an item that was clearly stated by the Table Staff on

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which order we are here. May I plead with anyone that we are here to debate the Vote of the Presidency and if you wish to talk about the issues that you are not happy about in terms of the rulings you know very well what should happen. And I request everybody who comes to this podium to remember that this Parliament has got options for anyone who is not satisfied with a particular ruling to do so by writing to the Rules Committee to look after that because I won't be saying anything on the rulings that another officer that was presiding has ruled upon. And I am sorry that I won't be able to help or rule on what you have already started hon Mente if we understand each other. Please, let's proceed. You still have your time.

Ms N V MENTE: Chairperson?

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes.

Ms N V MENTE: I am not going to be intimidated and neither being shut out by Members of Parliament who did not aversed themselves with the Rules of Parliament and the judgements thereof that are before this Parliament. This Parliament has received judgements and we cannot use this platform and then

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say retrospectively we are going to deal with matters at a later stage.

This platform is a platform of Members of Parliament to air their views. We cannot therefore be removed from this same platform by using judgements by our courts to say this Parliament cannot tell us that a statement that Ramaphosa and the state have killed people in Marikana. That's a fact. It was ruled by the Cape Town High Court. And that is not wrong to be said here in the same Parliament. We took it to court because this same Parliament chart people out. We were thrown out by this same Parliament by Speaker Baleka by saying that and therefore we are not going to be told by members of the ANC how to say what we want to say and how to debate in this House.

And then the second thing is, you are not going to lose whatever judgement to take us out of this Parliament because today's matter or item on the Order Paper is the debate of Mr Ramaphosa. We can use whatever else we want to use. We don't have monies under our own mattresses. And therefore we don't have money to tour around and be talking to every lawyer out

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there to defend us. But we will come here and call the matters as they are.

The second thing is, you can sit here with your Parliament. You can sit here ...

IsiXhosa:

... nizixokise ngobunyoronyoro nobuqhophololo bobusela bukaRamaphosa. Ukuhlala nemali engeyiyo yaseMzantsi Afrika bubusela. Ukuhlala nemali ebiweyo aphinde angakwazi ukuya emapoliseni xa ibiwe. Sisigebenga ...

English:

We are not going to sit here and ... [Inaudible.] ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I am talking. [Interjections.] Hon Mente, please there is a point of order. [Interjections.] Order, hon members. Please, order. Hon Mente, before I allow the point of order in the House be raised I just want to say that there is nowhere where we have a Court Order that says President Ramaphosa killed the people in Marikana.

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Ms N V MENTE: We have got it, you must go and read it.

The HOUSE CHAIRPERSON (Ms M G Boroto): I want it. Please bring it as a substantive evidence.

Ms N V MENTE: Now when it suits you ... [Inaudible.] ...
Ramaphosa is the President of South Africa ... [Inaudible.]
... [Interjections.] ...

The DEPUTY MINISTER OF BASIC EDUCATION: ... [Inaudible ...
fool to the South Africans. You can't. You can't.

Ms N V MENTE You, Reginah. [Interjections.] He sends an email that say people must take a conceited action against the workers. Is Ramaphosa who do that. So, therefore we are not going to sit here with money launder.

IsiXhosa:

Ngobuqhophololo bobunyoronyoro bobusela ningade nicinge ukuba siza kuza kuloo nto yenu.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Please mute, hon Mente.
[Interjections.] Please mute, hon Makhubela. Please mute, hon
Maotwe. [Interjections.]

Ms N V MENTE. Why do you mute my mic?

The HOUSE CHAIRPERSON (Ms M G Boroto): I am going to add to my
list. [Interjections.] Hon member? [Interjections.]

Ms N V MENTE: Is my time. Why do you want to mute my mic?

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, no. Hon Mente,
you should be muted. I was calling for a long time and you
kept on insulting and I am now saying that you should be
removed.

Ms N V MENTE: Insulting who? [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Mute, hon Maotwe
please. And mute hon Mente.

Ms H O MKHALIPHI: House Chair, my hand is up.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Please, mute them. Hon members, let me hear what you are rising on, hon Mkhaliphi?

Ms H O MKHALIPHI: Yes, House Chair, one, you are so bias. There is ...

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, no.

Ms H O MKHALIPHI: No, I am rising on a point of order. [Interjections] Hear me out.

The HOUSE CHAIRPERSON (Ms M G Boroto): Which rule are you rising on?

Ms H O MKHALIPHI: Rule 92, Chair. You think that we don't know the rules?

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, I am going to explain.

Ms H O MKHALIPHI: Explain what? I am raising a point of order here. You have not even heard my point of order.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, I want to explain Rule 92.

Mr V PAMBO: Listen, listen, Chair

The HOUSE CHAIRPERSON (Ms M G Boroto): That's why ...
[Interjections.] Please, mute hon Pambo. I want to explain that Rule 92 because I understand it very well.

Mr V PAMBO: Just listen. Just listen to her.

The HOUSE CHAIRPERSON (Ms M G Boroto): Please, remove, hon Pambo. I am not that listener. I work according to the rule.

Mr V PAMBO: Listen! Listen! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Pambo on the platform. Please, remove him. [Interjections]

Mr S TAMBO: On a point of order, Chair.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Primrose, you have been warned. You are removed.

Mr S TAMBO: On appoint of order, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): I am going to read the names and I am going to read the rules.

Ms H O MKHALIPHI: I am in the platform, recognise me.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mkhaliphi there was nothing wrong. I was still going to explain to you why I am asking why you are rising. I recognised you and I ask you on what rule, you say 92. Now because I realised that you are abusing rule 92, I want to clarify it to you.

Ms H O MKHALIPHI: How can I abuse Rule 92 while I want to speak for the first time.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, no, no, listen to me. You see now. [Interjections.]

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Ms H O MKHALIPHI: How I am abusing Rule 92 while I am speaking for the first time.

The HOUSE CHAIRPERSON (Ms M G Boroto): I am explaining why I am saying that. It's not only you. I am doing it for all members of this House. I am doing it for everyone in this House.

Ms H O MKHALIPHI: But then which rule is that that you must take us out altogether?

The HOUSE CHAIRPERSON (Ms M G Boroto): Because I am a presiding officer I must guide you.

Ms H O MKHALIPHI: There is no rule that says you must do that. Deal with us per member. That is what the rule is saying.

The HOUSE CHAIRPERSON (Ms M G Boroto) Hon member, let me say this, Rule 92 allows every member to stand up. But rule 92 has got sub sections. That's what I want because I realised that everyone can stand up and say a point of order but not talk to the sub-section as prescribed by the rules. That's what I want to say to you, hon Mkhaliphi.

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Ms H O MKHALIPHI: I am rising on rule 92(1). Let me read it for you.

Mr T M LANGA: Why you didn't say that when it was ANC on the platform?

Ms H O MKHALIPHI: Chairperson, I am rising on Rule 92 (1) which reads as follows: A member may raise a point of order at any time during the proceedings of the House in terms of the procedure prescribe in the rule 66 by stating that he or she is rising on a point of order. It's simple as that. Maybe you forget your Rule Book, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Please, read number 2 also.

Ms H O MKHALIPHI: No, no, but you can't tell me which rule must I quote. I am quoting Rule 92

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, I will read number 2 to you because I think you want to be lectured and this is not the time.

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Mr S TAMBO: But this is out of order, Chair. I mean, you are managing our members.

Ms H O MKHALIPHI: You are out of order because I am telling you which rule I am raising on is 92(1).

Mr S TAMBO: Point of order to you, Chair. You are directing us.

Ms H O MKHALIPHI: Why do you want to put words on my mouth on which subsection must I rise on. You are bias. That's why I am saying to you, Chair, the reason why I am rising is ... NO, no, no.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member you are now going to be muted.

Ms H O MKHALIPHI: Hon Chairperson, I am saying that while the national chairperson was speaking here, there were two members who kept on interrupting her, which is member Ponani Makhubela and the Deputy Minister of Basic Education but you have never ruled. You never say to them they must leave the platform.

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The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much.
You were not listening

Ms H O MKHALIPHI: Please, don't be bias. We are equal members.
We are not your step children in this Parliament. Stop
treating us as your step children here.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

Ms H O MKHALIPHI: We have the right to be here voted by poor
people on the ground.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that's not
a point of order now.

Ms H O MKHALIPHI: Don't think we will say what you like.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member?

Ms H O MKHALIPHI: We are not co-opted by the ANC here, Chair.
Allow our national chair because its our slot.

Ms M O C MAOTWE: Can you allow our hon member to finish:

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, let me respond to the order. Hon Maotwe, I am now going to ask that they mute you. I have already done that. Hon Mkhaliphi, you are talking about hon Makhubela. And hon Makhulela, we have asked ICT to mute her. Now anyone whose name I have called I am no longer muting you. We are removing you. And I raised all the names. Unfortunately, the one that you just talk about ...

Ms H O MKHALIPHI: Reginah Mhaule.

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, Reginah Mhaule, I did not hear. All the people that spoke I asked that they be muted. Please, don't say I am biased.

Ms H O MKHALIPHI: If you didn't hear her, Chair, check with the Table Staff.

The HOUSE CHAIRPERSON (Ms M G Boroto): Please, don't speak.

Ms H O MKHALIPHI: No, I am speaking on my point.

The HOUSE CHAIRPERSON (Ms M G Boroto): You are finished hon member and I have ruled on that. Thank you. [Interjections.]

Mr S TAMBO: Point of order, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Who is that? Hon Pambo is supposed to be muted.

Mr S TAMBO: No, this is hon Tambo.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Pambo I am not allowing you. You are supposed to be muted.

Mr S TAMBO. But Pambo, you kicked him already.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Tambo, you are supposed to be muted

Mr S TAMBO: No, no, no. There is hon Pambo.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Tambo I am not allowing you. You supposed to be muted.

Mr S TAMBO: Pambo not Tambo. This are two different members.

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The HOUSE CHAIRPERSON (Ms M G Boroto): I might have said it wrong. I agree. But you are muted now.

Mr S TAMBO: There is Pambo and there is Tambo.

What did he do to be muted?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, we proceed and I am going to ask ICT to mute everybody now on the virtual platform.

Ms H O MKHALIPHI: I am on the platform.

Mr S TAMBO: You confuse with two members.

Ms H O MKHALIPI: I am still on the platform. You cannot kick me out like that.

The HOUSE CHAIRPERSON (Ms M G Boroto): As we proceed ...

Mr S TAMBO: Point of order, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): I am not taking any point of orders. I am going to ask that everyone be muted. Thank you very much.

Ms M O C MAOTWE: Chair, can you please allow me.

The HOUSE CHAIRPERSON (Ms M G Boroto): Everyone must be muted. I am not proceeding until everyone is muted on the virtual platform. Hon members, I said they must mute everybody on the platform. But the person who was given the opportunity to speak which is hon Mente has actually said things that are unparliamentary. Hon Mente, said that the President is a murderer and that the President is a thief. Now I am going to allow you, ICT, to open and let hon Mente to withdraw. That's the only person who will speak. Hon Mente, will you please withdraw?

Ms M O C MAOTWE: No, no, no.

Ms N V MENTE: Yes, I am back here.

Ms H O MKHALIPHI: She is not going to be told by you. You think hon Mente is your child.

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IsiZulu:

Akuyona ingane yakho umhlonishwa u-Mente.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Mente?

Ms N V MENTE: I am here.

The HOUSE CHAIRPERSON (Ms M G Boroto): May you please withdraw?

Ms N V MENTE: I am not going to withdraw anything.

IsiXhosa:

Sihleli nenkunzi yesela. I-EFF iza kuhamba apha kuba asikwazi ukuhlala apha sihlalele ukukrwempana imiqolo kunye namasela.

The HOUSE CHAIRPERSON (Ms M G Boroto): ICT, remove hon Mente from the platform. Hon MkhaliPhi, you also responded in unparliamentary way. Are you going to withdraw?

Ms H O MKHALIPHI: Withdraw what, Chair? To withdraw that hon Mente is not your child?

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The HOUSE CHAIRPERSON (Ms M G Boroto): You disregard the ...
[Interjections.] Thank you very much. ICT remove, hon
Mkhaliphi.

Ms H O MKHALIPHI: You are protecting your own stomach. We are
not going to tolerate that.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member Mkhaliphi
must be removed. Remove her from the platform. We want to
proceed. Thank you. Okay. Hon member, what are you rising on?

Mr B A RADEBE: Thank you, hon Chairperson. I am rising on Rule
69 ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes.

Mr B A RADEBE: ... gross disorderly conduct ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes.

Mr B A RADEBE: ... (c) and (d). We have heard the persistent
undermining of the authority of the Chair. I think that that
Rule does not allow that. Secondly, a lot of insults have been

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held since 2 o'clock this afternoon. When you look at this it says that persisting making serious allegations against a member without adequate substantiations. And then we heard that for the entire afternoon. Can you please that when anyone brought that matter it must be dealt with. Thank you, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. That's why I don't want to take it as a general thing. That's why I am calling member by member. And all the members that I have asked to withdraw and that have been doing that particular thing of flouting this Rule must be removed from the platform. Thank you very much.

The DEPUTY PRESIDENT OF THE REPUBLIC / VW// (Zul) 12/06/2022 /
MALUTA 13/06/2022 / LN - Xho - 13/06/2022 // / TAKE ENDS AT
17:05

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TAKE 1171 - STARTS AT 17:06

The DEPUTY PRESIDENT:

TAKE ENDS AT 17:30

TAKE 1172 - STARTS AT 17:30

The DEPUTY PRESIDENT OF THE REPUBLIC

Prince M G BUTHELEZI: Hon House Chairperson, Your Excellency our President; Your Excellency our Deputy President, hon Speaker, our hon Ministers and Deputy Ministers, hon members of the National Assembly, before I speak to this budget, I will ask His Excellency the President, to tell me whether he understands me. Am I speaking clearly enough, Your Excellency? Or is my 'speech an impediment' causing difficulties?

I ask, because hon Madam Chairperson, Your Excellency, your premier in KwaZulu-Natal Mr Sihle Zikalala has publicly ridiculed me, telling the Children's Parliament in KwaZulu-Natal that the Traditional Prime Minister to the Zulu Monarch and nation, myself, is incomprehensible, because he stammers. He even did a lively impersonation of me to the amusement of the audience, encouraging the children of the Zulu Kingdom to mock me as the King's Prime Minister.

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And he did this in the presence of my eldest daughter.

I ask Your Excellency: What kind of a leader is that? A leader who gets into drunken brawls in public, embarrassing his party, our Province, his Office and our country. I can assure him that I am not an intellectual midget in any sense nor by physique. So, I cannot be pulled down by any midget of shape and kind to the level of midgets.

It pains me Your Excellency, personally, that the oldest liberation movement in our continent is discredited by leaders of the premier's Zikalala's ilk. I take it personally, because when His late Excellency President Kaunda, on behalf the frontline leaders, asked me to found a membership-based organisation in 1974, our leader Mr Oliver Tambo immediately approved. Thus, from the start, I stated that Inkatha was rooted in the ideals of the ANC as laid down by its founding fathers in 1912.

Now, the credibility of the ANC, and of the government, is continually being compromised as leaders are implicated in

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scandals, corruption, abuses of power, and behaviour that tears apart the moral fabric of South Africa. When leaders show no respect and act like hooligans, how can we be surprised when anarchy such as we saw in July last year erupts?

Today, the IFP is called upon to debate the Budget Vote of the Presidency; a budget that yet again has undergone no scrutiny of any kind by Parliament, no oversight process and no interrogation by the people who are charged with protecting our country from abuses of power and abuse of state funds.

So, for the sake of enabling the Presidency to perform its work, the IFP has always and every year supported this budget, despite none of our questions being answered. We have done this on the assumption that the highest office in our land the Presidency would not act contrary to what is just and right, we assume.

However, I ask this question: Is that assumption still fair? Are we fulfilling our duty if we rubberstamp an unexamined

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budget in the face of abundant evidence that the rot of wasteful expenditure, mismanagement and corruption is actually pervasive throughout government?

Your Excellency, in presenting the Presidency's Budget Vote last year, you said that 10 years had passed since the National Planning Commission had identified the key cause of government's failure - the lack of co-ordination. You then declared that now, a decade later, we had a capable state which is and I quote, "well-run and well-managed, with clear lines of responsibility and accountability."

That was June 2021. And then after that, July 2021 happened.

In the aftermath of the worst civil unrest since the dawn of democracy, the investigative report of the expert panel described a Government entirely lacking in co-ordination; with duplicated reporting lines, overlapping roles, and a plethora of structures that fail to communicate.

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It seems essential, then, that this budget should provide the audited performance history of programmes of the Presidency. Yet the budget before us simply states that "no historical data is available". Targets for future performance are happily given, but past performance is omitted. However, at least now despite the Deputy President has just mentioned that there is a task force looking at the role of the traditional leadership which was never recognised in the Constitution and has no role in any legislative framework.

Despite concerns being expressed, compensation of employees still consumes close to 62% of the Presidency's entire budget. The R1,1 billion is spent on staff salaries alone. And estimated future expenditure on administration has increased yet again.

We appreciate the President and Deputy President forfeiting a salary increase last year, in solidarity with the many South Africans who lost their income. [Time expired.]

Dr P J GROENEWALD / AZM MNGUNI (10 - 06 - 2022) / TAKE ENDS AT
17:38

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TAKE 1173 - STARTS AT 17:38

Prince M G BUTHELEZI

Afrikaans:

Dr P J GROENEWALD: Agb Voorsitter ...

English:

... through you to the hon President,

Afrikaans:

... en ek wil vir die agb President vra, as dit moontlik is, kom ek en u besoek daardie monument sodat u die simboliek daarvan kan verstaan. U wys vir my dit is reg. Dan gaan ons hom besoek. Dankie. Ek wil ook vir u vra om vir die mense van Suid-Afrika te sê waar u staan met ... Afrikaans.

English:

Lastly, hon President, and I don't have time. You referred to the economic measures ...

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Rev K R J MESHOE:

Mr W M THRING:

The HOUSE CHAIRPERSON (Ms M G Boroto):

Mr W M THRING:

Mr S N SWART:

The HOUSE CHAIRPERSON (Ms M G Boroto):

Mr N L S KWANKWA:

The HOUSE CHAIRPERSON (Ms M G Boroto):

The MINISTER IN THE PRESIDENCY / TH (Afr - 12/6/2022) // TAKE

ENDS AT 17:51

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TAKE 1174 - STARTS AT 17:51

The MINISTER IN THE PRESIDENCY:

The HOUSE CHAIRPERSON (Ms M G Boroto):

IsiNdebele 18:08

15 Min comfort break

TAKE ENDS AT 18:09

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TAKE 1175 - STARTS AT 18:33

BUSINESS SUSPENDED AT 18:07 AND RESUMED AT 18:34.

The MINISTER IN THE PRESIDENCY

The HOUSE CHAIRPERSON (Ms M G Boroto): ... [Inaudible.] ...
Budget Vote, as I recognise from the ANC, hon Mahlaule.

Mr M G MAHLAULE: Hon President, Deputy President, hon members.
Chairperson, the Presidency has made enormous progress since
2019 that makes the democratic South Africa appear like the
beginning of time rather than the end of history, and without
shadow of a doubt, further progress is possible. The progress
and success of the Presidency have been vigorously debated
within both the Parliament and the public broadly. In the
midst of the Presidency Budget Vote today, however, a new
discursive practice seems to be emerging, that of, conflating
the public realm and the private realm, when reflecting on the
performance of the Presidency.

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Let me be clear about what I am talking about. It is worth pointing out that the subject in today's debate is President Ramaphosa as a public representative, and not President Ramaphosa as a shrewd businessman. What President Ramaphosa does in his private life as a business man, is something that the Parliament has no authority over, and therefore it should not be the place for free thought and the exercise of reason. Chairperson, the reason I am raising this, is obviously that, the opposition parties tend to use President Ramaphosa's business interests to drive narratives that pit the President against the citizens.

As such, narratives are not only hegemonic, but also set up interpretative frameworks that repress anything that is articulated and envisioned outside of those frameworks. For instance, the EFF speculates that President Ramaphosa concealed the crime at his farm for fear that such revelations might expose the President's involvement in what is supposedly, racketeering, which implies that President Ramaphosa's commitment to fighting corruption is predictable, meaning, he's talking left, so as to more rapidly walk right. President Ramaphosa, that is the EFF's views, it goes like, he

must step aside to allow the rule of law to take precedent without interference.

Although it is hard to tell at the moment how much impact this view will have, it is nonetheless extremely popular in the public discourse, because the EFF is competing with the media to engage our attention with dramatic narratives. But I am inclined to urge South African citizens to consume this view fact-fully, and to subsequently realise that this view is not truly helpful or, for evaluating the performance of President. Chairperson, it is important to underscore that the view of the EFF, is nothing short of throwing stones in a glass house. To be more specific, the ANC has never spread any distorting narrative when it was revealed that the EFF and its President for Life, received donations from donors alleged to be involved in illicit tobacco trade and tax evasions.

Moreover, the ANC has never conveyed a dramatic representative picture of the DA when one of its provincial executives in the Western Cape province was at the centre of serious allegations of sexual assault, and yet, these opposition parties have the audacity to dictate to the ANC, how it should handle the

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alleged crime against President Ramaphosa as the party's deployee in government. The DA and the EFF must allow the internal disciplinary and integrity processes of the ANC to unfold without attempting to spur divisions where there is smooth unity, misunderstanding where there is convergence, and factions where there is agreement.

The HOUSE CHAIRPERSON (Ms M G Boroto): hon Mahlaule, for a moment, please. Hon Watson, you and hon Faber, please, that is too much. I don't want to disturb the speaker on the podium, I try to be, you know. Proceed, hon member.

Mr M G MAHLAULE: Chairperson, South Africa is facing the triple challenges of poverty, inequality, and unemployment, and we should not pretend that these challenges do not exist, but this does not suggest that we must look away from the progress that has been made so far. Just to illustrate, the current thinking about vertical and horizontal inequalities, often ignores wider dimensions of inequality such as between rural and urban workers, and between men and women, that may retard inclusive economic development as outlined in the Economic Reconstruction and Recovery Plan, ERRP.

Furthermore, the approach to tackling vertical and horizontal inequalities, seldom places gentrification which harms residential neighbourhoods at the centre of concern. For instance, gentrification is evident in the City of Cape Town whereby the DA-led Government allows market forces to keep property inflation rates too high to undermine access to affordable housing for the working class, as well as the poor who happen to be black. This process is implemented under the guise of development, but its intention is to cater for the sophisticated lifestyles practised by the emerging middle and capitalist classes consisting mainly of white people.

Through the impressive work of the Investment and Infrastructure Office in the Presidency, the Mooikloof Mega Residential City project, which is estimated to create approximately 50 000 apartments and almost 41 000 direct jobs, is designed to tackle gentrification, as well as vertical and horizontal inequalities so that the City of Tshwane, does not become a mirror image of the City of Cape Town. The project is designed to fast-track the key priority intervention of accelerating an infrastructure-led economic recovery as outlined in the Economic Reconstruction and Recovery Plan.

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In addition to providing access to lifestyle services which have been denied individuals in lower income groups, partly because of the conservative nature of the banking system in South Africa that is over cautious when financing housing developments for lower income groups. Chairperson, the Presidential Employment Stimulus, PES, since its inception in 2020, as a response to the devastating effects of COVID-19 pandemic on employment, has transitioned to the second phase in line with the ANC-led government's quest to create more job opportunities for unemployed South Africans.

To avoid misjudging the progress of the Presidential Employment Stimulus, more than half a million unemployed South Africans in sectors with direct social impact such as education, food security, public infrastructure maintenance, and environmental protection, benefitted from this employment scheme during its first phase. Of course, the EFF as a self-proclaimed party that cares about the workers, is likely to argue that these job opportunities pay workers unacceptably low wages, and make them work in inhumane conditions. What the EFF struggles to grapple with is that, there is no objective way to understanding inhumane conditions and low wages, given

South Africa's status as one of the most unequal countries in the world.

It is plausible that what the EFF considers a low wage is a decent wage in the eyes of most South Africans at the receiving end of poverty, inequality, and unemployment. Chairperson, opposition parties, particularly the DA and the EFF, tend to depict President Ramaphosa as a Leviathan, that always gets what it wants. It is assumed that he has centralised power in the Presidency through Consultative Advisory Councils such as the Climate Change Commission and the Presidential Climate Finance Task Team, and this in turn, creates what is known as a state within a state.

What the DA and the EFF are unaware of is that, Cabinet is not a chessboard with predetermined moves, you just move this one to that one, but rather, a flexible institution that can be altered according to the need at the moment. Actually, centralisation is not an issue that the EFF is equipped to rule on, since its Commander-in-Chief is all executive, legislature, and judiciary at the same time. Notwithstanding the view of the opposition parties regarding centralisation.

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The Climate Change Commission has done so much work to support the Just Energy Transition.

Among others, it has managed to raise more than R131 billion from Western countries to help the country to achieve energy mix and energy security as outlined in the Integrated Resource Plan, 2019. This investment will be helpful in procuring a further 9 213 megawatts during 2022 and early 2023 comprising of bid windows in renewable energy, storage, gas, and coal. In conclusion, Chairperson, the Presidency budget, must pass because President Ramaphosa has performed exceptionally well in the middle of COVID-19 pandemic, which has halted so many social and economic development plans.

With the easing of lockdown restrictions, we have more reasons to believe that economic reconstruction and recovery will be accelerated at a faster pace. You must listen. Thank you.

Setswana:

MODULASETILO WA NTLO: Re a leboga.

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English:

Hon Cuthberth, your voice is so strong. So please, just try to slow it down. Make it lower, please. You are Cuthberth.

Mr B H HOLOMISA

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Mr M G MAHLAULE

Gen B H HOLOMISA: Chairperson, Mr President and hon members.
Mr President, you have made various promises during your state of the nation addresses, for instance, the project of Mzivubu Dam, the N2 Project along the wine coast, and many other projects, as well as the mega cities. I would suggest that, maybe an audit of your promises, and a check-up of the progress you have made and the reasons for any failures. Regarding the much talk about break-in at your farm, many opinions have been given by all political parties in the House, and the onus rest on you to consider the suggested courses of action for the sake of your family, the country and yourself.

Last Friday, the Public Protector was asked by one of the political parties in Parliament, ATM, and asked you to clarify the break-in at your farm, but today, Mr President, you suspended her, that is the Public Protector. Who will investigate you, sir? The police, who bungled this

investigation, I doubt if they qualify. Furthermore, Mr President, we have also been alerted that the judgement for the Public Protector ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon members. I can't hear. Proceed, Mr Holomisa.

Gen B H HOLOMISA: ... the judgement for the challenge which was mounted by some of us, where we said, you don't have a leg on to suspend the Public Protector. That judgement is due to be delivered tomorrow. Why would you do this on the eve of judgement? What kind of message are you sending? Perhaps, has somebody from the judiciary whispered something, in the same manner as we witnessed under Abamjee? Mr President, we have heard via the Zondo Commission, how the Ruling Party and some of its leaders have benefited from state resources, even your own words have echoed these sentiments.

IsiXhosa:

The HOUSE CHAIRPERSON (Ms M G Boroto):

IsiXhosa:

Gen B H HOLOMISA

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The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, the way you are making noise it's not right because, somebody will say something and you will come and say, this is a point of order, when I've heard nothing. So please, let's respect this House. We know that you can heckle, but limit your voices. Don't over drown the speakers.

The MINISTER OF SOCIAL DEVELOPMENT / EKS 14/06/2022 / TAKE
ENDS AT 18:49

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TAKE 1176 - STARTS AT 18:49

The MINISTER OF SOCIAL DEVELOPMENT:

IsiZulu 18:53

English 18:53

IsiZulu 18:55

English 18:55

TAKE ENDS AT 19:02

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TAKE 1177 - STARTS AT 19:02

Ms T L MARAWU:

Mr J J McGLUWA:

Sesotho 19:10

Afrikaans: 19:10

Waar was jy, mnr die President?

English 19:10

TAKE ENDS AT 19:13

SRC(Afr) 13/6/22

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TAKE 1178 - STARTS AT 19:13

Ms J TSHABALA:

Tshivenda 19:15

English 19:15

TAKE ENDS AT 19:24

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TAKE 1179 - STARTS AT 19:24

Ms J TSHABALALA

Mr B N HERRON: House Chair, a week ago when we were considering our approach to the Presidency's budget we wanted to be addressing the issues that worried South Africans deeply and to ask our President to lead our country to the prosperity that we all desire and deserve. We would have liked to challenge the President to lead a reprioritisation of our country's spending so that we could address the crises we can no longer ignore.

We would have implored the President to accelerate the implementation of a basic income grant and restructure our fuel price because millions of South Africans are struggling for their basic survival or swimming or drowning in debt. Then we learned about the breach in security at the President's farm in 2020, the loss of vast sums of cash, and the questionable steps allegedly taken by the head of the President's security to manage the incident.

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The questions that arise, in the absence of adequate answers and speedy investigations, have enormous destructive power. We repeat our call that we made two days ago for the President to urgently take South Africans into his confidence with respect to the cash that was stolen from the farm. By offering a credible explanation for these events, the President would not only defend his integrity but that of the country. At the same time, a credible explanation would contribute to breaking the toxic South African cycle of allegations of criminality being weaponised by politicians instead of being swiftly investigated by police and prosecutors so that they could be dealt with in our constitutional democracy's framework.

By choosing, instead to effectively invoke the so-called sub judice rule, the President, unfortunately, fuels the narrative that there is something to hide. Investigators and prosecutors must do their work, for it is they who have the power to prevent our country from spiralling from one round of endless allegations, accusations and manipulations at the expense of the welfare of the majority of the people and this country. It is disappointing that our debate is unavoidably diverted from the business of the people. We have a long list of crises, from poverty to crime, unemployment, inflation, natural

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disasters such as what we recently saw, climate change and of course Eskom.

We do not need another one. We need to be debating how we achieve a just and prosperous South Africa based on spatial, social, economic and environmental justice. And we implore the authorities to act swiftly. South Africa deserves our undivided attention. We must as the House also distinguish between a reported crime or a reported allegation and a criminal charge. It would be a great disservice to the people of South Africa by referring to criminal charges. There are no criminal charges. Charges are brought by the National Prosecuting Authority and we must be clear that any one of us can walk into a police station and make an allegation, that is not a criminal charge. Thank you. [Applause.]

Mr A M SHAIK EMAM

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Mr B N HERRON

Mr A M SHAIK EMAM: Hon House Chairperson, allow me to start by saying what we are hearing today is not the reality on the ground. Seventy per cent of the youth in this country are unemployed, and yet we say the children are the future of this country. Thirty-five per cent of the people in this country are unemployed, the true figure is around 42%. Seven million people in this country go hungry to bed every day, so it cannot be business as usual. Millions more are homeless many more are landless including the Khoi and the San. Nelson Mandela Bay is about to be waterless.

Forty-six per cent of people in this country get some form of social assistance and we now talking about the basic income grant. Is this sustainable? No. Your debt-to-GDP is going to go up to R5,5 trillion in the medium term, and we say it is all okay. Three hundred and fifty women are raped in this country every day and we say it is okay. Thirty women are murdered daily in this country, and we say it is okay. Twelve

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children are murdered daily in this country, and we say it is okay. Seventy-five people are murdered daily in this country, and we say it is okay.

What are we doing about it? There is a budget cut for the police but there is a budget increase for VIP protection services, where is the logic behind this, where is it? I have said time and time again in this House that the police cannot solve the problem of crime in this country, it is a socioeconomic condition under which our people live. Now I have noticed many of the members of the ANC are trying to defend what happened on the farm of the President. The President has not defended or denied that money has been taken, he did not deny that some bribe might have been paid to a housekeeper or maid. He did not deny that they might have been interference.

There is a process that is unfolding. Let us not defend yet. Let us allow the process and the President to do what he has to do to respond to that because as the leader of this country, the President is ought to do that, to give back confidence to the people in this country, that is what we must do. Mr President, one in two children starts school and does

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not finish school in this country, Mr President. Sixty per cent drop out in the first year of tertiary institutions and TVET colleges, that is how bad it is. The education system does not produce the skills we need in this country. More of your billionaires today are living abroad not in the county, that is a problem we are sitting with.

Mr President, I do not believe you are serious about corruption and let me tell you why. Corruption at the local level, Mr President, is rife. Day in and day out that is where the corruption is. I plead with you to deal with corruption at all levels starting at local government and more importantly the dysfunctional state of municipalities at loggerheads to overthrow each other to take control of the municipalities instead of delivering services to the people. Thank you very much.

The MINISTER IN THE PRESIDENCY FOR WOMEN, YOUTH AND PERSONS
WITH DISABILITIES / VW// 12/06/2022 / TAKE ENDS AT 19:31

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TAKE 1180 - STARTS AT 19:32

The MINISTER IN THE PRESIDENCY FOR WOMEN, YOUTH AND PERSONS
WITH DISABILITIES:

Sepedi 19:32

English 19:32

Sepedi 19:34

English 19:35

Sepedi 19:38

English 19:8

Sepedi 19:40

English 19:40

TAKE ENDS AT 19:48

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TAKE 1181 - STARTS AT 19:48

The MINISTER IN THE PRESIDENCY FOR WOMEN, YOUTH AND PERSONS
WITH DISABILITIES

Mr S M JAFTA: Chair, this Budget Vote has been the most testing budget to respond to. The budget itself must be understood against the pretext of the obligations imposed on the Head of State, of government and of national executive. The President is the loader of service delivery. He must check his Cabinet. He has the duty to ensure that the National Development Plan, NDP and other governmental plans are implemented. That means that the buck stops with him.

We note in this regard that the Investment Summit, the Youth Environmental Services, YES project, the social compact touted by the President, the implementation of the District Development Plan, the capacitation of the National Prosecution Authority, NPA and SA Revenue Service, Sars and a host of other achievements, conjures up the leadership strides of the President.

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We also wish to touch on the thorny issue doing rounds in the public domain about allegations of indiscretion against the President. What we know is that the President, upon returning home from a visit abroad, was advised on the matter. The route that the President preferred in not reporting the crime, may or may not have been informed by concerns of national security and state intelligence.

We also know that what could have led the matter not being reported to the police is the fact that the President was to address the nation just after the incident. Had this matter been brought up to the public or reported to the police service before or even after the President had delivered his state of the nation address, there could have been fear of potential risk to the President's security and or his surroundings. We don't know. We can't speculate. What we know is that the relevant legislation alleged to have been violated by the President in him not reporting the alleged crime, does not prescribe the timeframe according to which a crime may be reported.

Now that the horse has bolted, the President must open a case of theft, as his security is already compromised and the

matter is, in any event, in the public domain. Until this matter has been processed by the relevant authorities, and the President is found to be on the wrong side of the law, we will not un-oppose this budget. I thank you.

Ms J HERMANS

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Mr S M JAFTA

Ms J HERMANS: Mr President, Deputy President, Ministers, Deputy Ministers, everyone in the House, fellow South Africans, good evening. South Africa remains one of the most unequal countries in the world by race, class and gender. Centuries of colonialism and decades of apartheid bequeathed to generations of South Africans' inequality that manifests itself in shockingly stark differences in household incomes, unequal asset ownership, including both concentrated business ownership and household resources, inequitable access to quality education, which still largely is reflected by family wealth and race; and uneven quality of municipal infrastructure.

The roots and problematic systemic features of our productive economy that continue to reproduce the crisis levels of unemployment poverty and inequality have its basis in industrial capitalism which was an externally imposed process by the imperialist West. In 1994 South Africa was a highly concentrated economy. At that time the largest five

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conglomerates controlled entities accounting for 84% of the capitalization of the stock exchange. Although shifts have been registered since then, our economy remains highly concentrated.

These are systemic features that are rooted in our legacy of what the ANC has characterized as colonialism of a special type. They are mutually reinforcing and have locked our society in a persisting and problematic path because they are systemic. Any attempt to transform the high levels of concentration without simultaneously addressing the others is likely to end up in frustration and failure. The structural transformation of the economy is therefore essential to change the systemic features that reproduce the persistent challenges.

In order to achieve this, the ANC government is determined to reindustrialize our economy so that we move up the global productive value chain. This in turn needs to be supported by massive infrastructure development and the transformation of the education and training system amongst others to align with and support our development and productive economic objectives.

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The work of the ANC government on spearheading transformation seeks to create opportunities for all South Africans. This involves de-concentrating our economy, and opening up exclusive product and service markets to participation by all. It is about our enduring commitment to support the black industrialists and workers who were previously denied access to the opportunities for economic ownership and participation.

Furthermore, it is about ensuring that the spatial strategy that informs how we build and support the new model of Special Economic Zones and Industrial Parks in secondary towns and rural areas is informed by the principle of expanding industrial activity beyond its concentration in the urban metropolitan areas. Transformation is about building an economy that works where our people live, bringing development to rural provinces and districts. The revised approach to Spatial Industrial Policy, informed by the District Development Model, will see government supporting projects that create jobs, infrastructure and innovation in districts across the country.

The Economic Reconstruction and Recovery Plan first announced by the President in October 2020, identifies aggressive

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infrastructure and industrialization as being at the centre of our inclusive growth and transformation agenda. To achieve this, the ANC-led government has completed and signed master plans with partners in strategic sectors of our economy that will ensure that we achieve the necessary structural transformation for our economy with agro-processing, localization, and state procurement being the key points that will leverage the drive for local manufacturing jobs.

The retail- clothing textile footwear leather master plan for instance, projects to grow employment to 330 000 jobs, and increase local retail sales to about R250 million, expand local procurement from 45% to 65%, while improving skills, technology and competitiveness in the process by 2030. We believe that higher levels of local procurement can boost jobs and production.

As the ANC, we commend the work of the Department of Trade, Industry and Competition in engaging retailers to raise the levels of local purchasing and the speed of reaching localization targets as set out in the master plans. This includes engaging international retailers on establishing local sourcing. This is already being done in the Volkswagen

plant in Kariega in the Eastern Cape, which is producing the one-millionth Polo vehicles to export. A new food factory in Kerry Ingredients in KwaZulu-Natal has been launched.

Corobrick opened its production facility and a new Black Industrialist Export Network was launched. The Industrial Development Corporation, IDC will also be launching the pilot Township Economy Programme to improve access to finance and de-risk Small, Medium and Micro Enterprises, SMMEs through business support measures.

Later in the year, the Tshwane SEZ, aims to complete 11 Automotive component plants in support of Ford's R16 billion investment, employing about 2 000 workers in the new zone. SA Steel Mills aims to complete its production plant announced at the Investment Conference. The sustained growth of South Africa is interlinked to the growth of the African continent. The African Continental Free Trade Area, AfCFTA presents an opportunity to expand Intra African trade, and industrialize the continent which will ease trade and investment flows and shift the composition and direction of foreign direct investment flows throughout the African continent. Moreover, it will increase market efficiency and reducing the cost of

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doing business by offering opportunities for economies of scale.

The support for SMMEs in a developing economy like ours cannot be over-emphasized. It is concerning that about 40% of our SMMEs do not make it past the first year of existence. We need to create a conducive environment for SMMEs to be sustainable. It is therefore imperative that the Department of Small Business Development forges ahead with the implementation of the SMMEs and Co-operatives Funding Policy which will ensure the improvement of access to affordable finance for SMMEs and Co-operatives. Further, it must accelerate the implementation of Township and Rural Entrepreneurship Programme, which is a dedicated programme to provide financial and non-financial support to the township and rural enterprises.

The interventions of the ANC government are putting our economy on a new growth trajectory through the support provided to SMMEs in an effort to reindustrialize our economy working with private-public partnerships. This is essential for economic transformation, and we believe government is on the right path on this. We call upon progressive organisations and individuals to support the efforts of the government to

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transform our economy and society for the betterment of the lives of all South Africans. I thank you. [Applause.]

The DEPUTY MINISTER IN THE PRESIDENCY (Ms P S Kekana) / TB
[13/06/2022] / TAKE ENDS AT 20:02

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TAKE 1182 - STARTS AT 20:02

Ms J HERMANS

The DEPUTY MINISTER IN THE PRESIDENCY (Ms P S Kekana): Hon House Chair, His Excellency the President, Matamela Cyril Ramaphosa, Deputy President, David Mabuza, hon Ministers and Deputy Ministers, hon members of this House and fellow South Africans ... [Interjections.] ... my hon Chief Whip, thank you for reminding me, South Africa reimagined as a prosperous, happy and equality-centric nation is the goal for the three spheres of government and its entities.

This requires a resolute focus on ensuring a capable, ethical, and developmental state. We implement the electoral mandate of the National Development Plan Vision 2030 through the country's blueprint for the inclusive Economic Reconstruction and Recovery Plan, ERRP and the Medium-Term Strategic framework, MTSF. We are single-minded in unravelling the deeply entrenched and heavily embedded aspects of corruption and mismanagement that plague the state. It will not happen overnight, unfortunately, but it is happening. And if there is

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doubt just this week's events served to clarify our intentions. The Presidency is not making promises for the sake of, we are here to account for what has already been achieved. And I want to emphasise our resolute focus, South Africans, and this House can expect more in the immediate future. In aligning today's debate, we are drawing on the seven priorities of the MTSF and the two critical cross-cutting focus areas, namely women, youth, and persons with disabilities and the Economic Reconstruction and Recovery Plan. We are aggressively implementing the MTSF towards the 2024 deadline because, in its last review, the National Planning Commission advised the implementation of the NDP will need the country to drastically change course in the remaining period if we are to meet the 2030 goals.

I am sure you will agree that our first non-negotiable in unrevealing the embeddedness of corruption and mismanagement is for the Presidency, through the Department of Planning, Monitoring and Evaluation, to publicly share progress on its monitoring and evaluation findings. In addition, all implementation of the government's agenda is done transparently through the Biennial Reporting System that is presented to the Cabinet. And these building blocks have

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already rendered some big wins. And let me give you one example to illustrate its impact. In a tight monitoring and evaluation process, it was discovered that a national policy on homelessness does not exist nor is there a department responsible for it. Yet homelessness is a critical focal point since COVID-19. So homelessness is now a performance measure in the Biennial Reporting System and its policy implementation will be transparently tracked and monitored biannually. We are inviting you to ask us for a progress report in a few months because no matter how difficult it is to reduce homelessness through a complex integration of all spheres of government because it is now measured, it is managed. Institutionalising planning, monitoring and evaluation relies heavily on citizenry responsiveness, especially with regard to the challenges. Our integrated system approach is outcome-based and uses lessons and gaps to strengthen the policy and implementation interface. Of course, we are not afraid of getting negative feedback and neither are we afraid of taking difficult issues.

With that, let us unpack the Presidency, through the Department of Planning, Monitoring and Evaluation's work on some of our country's most critical but stagnant issues. Let

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us start with basic education, the Department of Planning, Monitoring and Evaluation is statistically researching the total impact of COVID-19 on education through qualitative interactions with schools and TVET colleges. Reasons for schools' vandalism emerged as an unexpected outcome and are being addressed by the Department of Basic Education as we speak.

Another learning has been tabulated, and we will be providing the Department of Basic Education with a framework, is for community partnership in protecting education as an investment. You will be happy to know that we are tracking and performance managing the progress of replacing inappropriate sanitation in schools under the Sanitation Appropriate for Education initiative. It was a nonmover but we have partnered with some offices of the premiers to intervene speedily on the ground where challenges exist and institutionalising monitoring and evaluation in partnerships with offices of the premiers has created the necessary shift on this programme.

As we approach the National Health Insurance, NHI, we are critically monitoring health care delivery in the country. As an example, the Presidency, through the Department of

Planning, Monitoring and Evaluation's assessment of primary health care facilities in the North West province revealed an inadequate availability of medicine which originally resulted from insufficient budgeting for the purchase of drugs and pharmaceutical products. And in collaboration with the North West Department of Health, the national Department of Health and the National Treasury, this challenge is resolved. The President announced in the state of the nation address 2022 that much progress is being made in preparing for the introduction of the NHI.

In delivering on this Sona commitment, the Presidency, through the Department of Planning, Monitoring and Evaluation, is conducting monitoring visits to assess the delivery of health care services nationally. And we have already completed the assessment for five provinces since Sona 2022, a mere 118 days ago. Another critical but stagnant issue that we are tackling is agriculture and land reform. We assessed two Farmer Production Support Units for provinces in all the nine provinces, evaluating operational and governance efficiencies, and it emerged that some are not optimally efficient in both governance and operations. We also worked with the Limpopo and KwaZulu-Natal provinces to address the long outstanding land

reform projects, including the Bakone, KwaMkhwanazi and Inanda communities, to name a few.

Our integrated approach strategy continued in joint frontline monitoring visits with other Deputy Ministers in the Free State, Limpopo and North West provinces so far. On government's performance in the health, education and justice sectors, with a special focus on South Africa's shadow pandemic, gender-based violence and femicide. We assessed the following; access and provision of services to gender-based violence survivors and key departments' responses such as the SAPS, the National Prosecuting Authority, the Department of Justice and Constitutional Development, the Department of Health and the Department of Social Development spheres. The implementation and roll-out of the National Vaccination Programme and also evaluation of the reopening of schools after COVID-19. the government works within the communities and accounts to our people using the District Development Model, and this approach removes silos and revealed service delivery challenges immediately, but also ensures co-ordinated outcomes and the required improvements.

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The monitoring and evaluation of the Bus Rapid Transport, BRT, system took a long time to complete because we needed to ensure that the results were indisputable. And to this end, we are concerned about the lack of progress in the BRT in Rustenburg where there are no buses on the road after an expenditure of R3,3 billion. The Presidency's director-general is working with the national Department of Transport and the municipality to ensure that we get those buses on the road now. Thank you very much. [Applause.]

Mr W M MADISHA

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The DEPUTY MINISTER IN THE PRESIDENCY (Ms P S Kekana)

Mr W M MADISHA: Hon Chair, hello, what happened in this House when the sitting began was extremely unfortunate. It, however, must be understood that it is a consequence of many government failures over the past 28 years. All the purported successes you have cited in your presentation, Mr President, are in fact not true. You said the economy is showing positive signs of improvement. You said it is your priority to improve the lives of all South Africans. You said people must come first. You promised better basic services. All these are what you have presented over the five years of your Presidency but in fact I must emphasise the opposite has been the case.

That is why today as we stand here, seven out of every 10 people are not employed. Here we talk of millions of people. Poverty, the absence of water, food and toilets, keeps on growing daily. Theft and corruption by those who are called ANC deployees are true and growing, sir. In respect of the latter, permit me to repeat what I have raised with you many times, five times actually, in a Parliament here as we spoke, this I repeat because instead of seeing any improvement from

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you, the opposite is the case. I have requested that you should, Mr President, reduce the crowd of Ministers and Deputy Ministers because they just feel up the stadium, take home millions of money, get given many expensive cars and houses, tens and tens of bodyguards. That is the money they get and that money should create jobs and improve the lives of South Africans. There are of course conscientious Ministers, and they are few I must say and this I want to believe that you know, Mr President. Now, on the Zondo Commission and your house, Cope says, people who must investigate and implement the results must be independent. The Zondo Commission, although we are still waiting for the fourth report, cites many leaders of your party as the main persons who stole and even killed other human beings.

On the matter of money that disappeared on your farm, again, as the President, ensure that independent persons are given space to do the investigations, not the SAPS, not the intelligence department because there cannot be any true or empirical evidence. Therefore, what needs to be done, Mr President is you to find proper people because you are the Commander-in-Chief, and as the Commander-in-Chief, these people from the SAPS, the people from intelligence will simply

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listen to you and your name shall never be cleared. Thank you very much.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I remember the Deputy Speaker saying something to Mr Madisha.

[Interjections.] I was just saying I remember the Deputy Speaker saying something to Mr Madisha wanting to find out ... the state but thank you very much, Mr Madisha. Thank you very much. Thank you. You have exceeded your time by 40 seconds. Hon Minister?

The MINISTER IN THE PRESIDENCY: Hon Chair, I have a point of order. I thought maybe, hon Madisha, must be too lonely to think that we have been here alone for five years. He is alone. He needs to be assisted.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you, hon Gungubele, that is not a point of order.

The DEPUTY MINISTER IN THE PRESIDENCY (Ms R T Siweya) / VW//
(Eng) 13/06/2022 / TAKE ENDS AT 20:17:30

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TAKE 1183 - STARTS AT 20:17

The HOUSE CHAIRPERSON (Mr M L D Ntombela)

The DEPUTY MINISTER IN THE PRESIDENCY (Ms R T Siweya): Thank you, House Chair ... [Inaudible.] ... speaking in this case it is yourself, House Chair; His Excellency, President of the Republic of South Africa, Mr Cyril Matamela Ramaphosa; His Excellency, the Deputy President, David Mabuza; Ministers and Deputy Ministers; hon members of the House; members of the media and fellow South Africans. Just so we start, we support this Budget Vote 1.

If I can go into the content, you know that it becomes worrying all of us and we know that ants in their own nature they are very resilient. It becomes worrying when you find ants which use the same tactic to want to reach a particular goal. If you have ants in your house, if you want to deal with them, it is not easy, it will take you some time. Now, when you come to this House and you find ants, it becomes easy to address them. You start to ask yourself what kind of ants are

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these ones? And we only hope that our electorates are watching. Maybe the ants that we have in this House have ran out of plans, or they don't know what to do or they do not want to work and they opt to always create an excuse to walk away, while the electorate is expecting them to come and do what they voted for them to do.

We truly hope South Africans will not buy their ...

[Inaudible.] ... That as it may be, we are going to continue to do what our people who have placed us here expect us to do. That also, President, must not deter you. You must continue to do your work. You have the support of this House and South Africans are behind you. What we are happy about is that you have not said you do not want to come and explain yourself. Our history has taught us that since time in memorial, young people have always risen in the most difficult periods and fostered solutions to keep their vision for a nonsexist, nonracial and a prosperous South Africa. At least they have done so that we can be alive.

The generation of Anton Lembede, Nelson Mandela and Oliver Tambo injected the much needed energy and dynamism in the

struggle for liberation. This month we honor the youth of 1976, for gallantly confronting the previous regime and demand the abolition of Africans as a medium of instruction and provision of quality education for the marginalised. In recent times, young people sort to address the challenges faced by students as they pursue higher education and pushed for free education. In various sectors of our society we are seeing a number of capable young people rising as trail blazers. We are inspired by these young people, their energy and we want to see it replicate in corners of our country.

Young people cannot afford to rest and loose hope. The youth must seize the moment to immense themselves in stabilising our country amidst the COVID-19 pandemic. They should design innovative ideas that will help drive the much needed economic growth and must participate in the overall developmental objectives to reduce poverty, unemployment and inequality. COVID-19, has dealt a severe blow in our economy. Many people's lives and livelihoods have been affected. The floods and in some instances drought, have worsened the situation.

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The full participation of women in the economy continues to be compromised by the escalating levels of gender-based violence and femicide. Some of our youth are deprived of the opportunity to participate in the economic activities of the country because of substance abuse and alcohol. This youth month must serve as a period of awakening for young people in our country the hour of the youth. The hour of youth activism and participation in addressing these challenges is now.

Government remains determined to change the trajectory and provide hope for all South Africans especially to the youth who are hardest hit by these challenges. Speaker, today the President has once again thoroughly and clearly outlined government strategy towards the recovery and reconstruction progress. We can see the many efforts that are being implemented in government and the private sector to give impetus to our quest for economic growth and job creation to overcome the COVID-19 pandemic, to deal with gender-based violence and femicide, and to confront corruption in all its manifestations. The signs of stabilisation and recovery are beginning to show. Our country registered a slight drop in

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unemployment from 35,3% in the fourth quarter of 2021 to 34,5% in the first quarter of 2022.

It is also encouraging that for the second quarter in a row the expanded unemployment rate has declined. Data from Statistics SA shows that an estimated 370 000 jobs were gained between the fourth quarter of 2021 and the first quarter of 2022. The biggest job gains were recorded in community and social services and also manufacturing and trade. The Presidential Employment Stimulus programmes continues to play a crucial role in supporting the implementation of the of the country's Economic Reconstruction and Recovery Plan. Since its launch in October 2020, the first two phases of the Presidential Employment Stimulus programmes has supported over 850 000 communities.

Over 300 000 of these opportunities come from placing young people as assistants in schools across the ccuntry through their basic education employment initiative. The employment stimulus ... [Interjections.] ... is supporting the implementation of the Presidential Youth Employment Initiative which aims to provide support and expand opportunities for

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young people who are unemployed. while only moderate this game shows that our economy remains robust and that intervention such as the Economic Reconstruction and Recovery Plan and Operation Vulindlela are working.

We encourage young people to hid the call by brand South Africa to play a part in the development of the country and promotion of the national brand. Brand South Africa has initiated a number of programs to market the country and contribute in attracting investment for our economic growth. Speaker, - I am sorry about that - you will also notice that through the Media Development and Diversity Agency, MDDA, we have been able in the previous financial year to fund a number of various projects and we are continuing to commit to this House but in this current financial year we are going to be finding more than 30 community projects across the province.

This has shown us that indeed, when we empower our community media sector we are building a conscious citizenship, responsible citizens who are empowering and building communities which will have information at their hands so that they can work towards building themselves. We should do this

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with the highest speed which we have. As we conclude, we want to encourage young people to use these opportunities to participate in the economy, use new innovative ideas assist government in the edge of empowering themselves so that they can respond in the call to assist in building the much needed jobs so that we can have a better South Africa.

Xitsonga:

Inkomu.

Mr M NYHONTSO / EU//(Eng & Xits. 10/06/2022) / TAKE END AT
20:29

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TAKE 1184 - STARTS AT 20:29

The DEPUTY MINISTER IN THE PRESIDENCY

IsiXhosa:

Mnu M NYHONTSO: Sihlalo nawe Mongameli, uSobukwe uthi ...

English:

... a true leadership demands complete subjugation of self, honesty, integrity, abruptness of character, courage, fearlessness and above all a consuming love for one's people.

IsiXhosa:

Ukuba bendishumayela ke Mongameli bendiza kuthi masihlale kulaa ndawo ithi ...

English:

... a consuming love for our people. While we are discussing ...

IsiXhosa:

... iimali eziphantsi kweebhedhi nasemiqalweni ...

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English:

... our people are dying of hunger. Our people are landless, our people are still in jail and they do not have shelter on top of their heads. Our veterans are dying and Comrade Deputy President, every weekend, we are burying a veteran and all of them we bury them as paupers. Even the coming weekend we will burying a veteran in Cala and the veterans are denied. It is very difficult Major General Masualle to confirm PAC veterans because he was never a PAC and he is denying them all. Above all Mama Mayosi, a PAC cadre who even gave birth in prison has just been denied. Tata Feni a PAC cadre who spent 12 years on Robben Island has been denied. I am just giving you two examples Comrade Deputy President but the list is endless.

Our roads are a shame. The Eastern Cape MEC ...

IsiXhosa:

... ugrumbe indlela phaya phakathi kweGcuwa nakuCentane. Ndiyaqala ukuyibona mna indlela yetha ijikwa ibe yindlela yomhlaba. Kunzima ke phaya iimoto ziyatshayisana kuba indlela ilinyiwe ...

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English:

... and the contractor has since left the scene. It is a shame ...

IsiXhosa:

... into eyenzeka eMpuma Koloni kwaye Mongameli sisengxakini kuba ukuhanjiswa kweenkonzo akwenzeki kwiindawo esihlala kuzo, ezilalini.

English:

Where is the consuming love for our people? Azania deserves better. Thank you.

Mr M G E HENDRICKS

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Mr M NYHONTSO

Mr M G E HENDRICKS: Hon House chairperson, I agree with Minister Lamola that to serve as President and Deputy President one must not be a pensioner. To support him Al Jamaah has organised 6 June 16th events to bring real freedom for the youth and that is to become President and Deputy President without having to be pensioners. The first one we threw our weight behind the Ugu District with 200 learners, the next one is in Paarl. Does the Freedom Party Plus hate the PAC because the Afrikaans Taal Museum says nothing about Poqo of Paarl? We do not hate Afrikaans. Afrikaans is a Malayu language captured by the whites. The third youth programme is in Groutville to honour Chief Albert Luthuli.

Youth are being taught to manufacture peanut butter. Peanut butter grows on the banks of the Umvubi River, and the Luthuli family has given extra land. Albert Luthuli peanut butter is going to hit the market. We also have sports tournaments in BushbuckRidge, Mtubatuba marking the Netball World Cup in July, but no support from the Minister of Sport so far.

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I am glad the Deputy President informed us that the Presidency is monitoring municipalities. Is the Presidency aware that the corrupt ANC cabal has gone against the ANC mayor who wants to get rid of the municipal manager in Harding in KwaZulu-Natal because of his corruption? Harding is also in the Ugu District Municipality. Al Jama-ah's Deputy Mayor Sheikh Saeed supported this progressive mayor, a leader in the ANC revival movement and guess what? They removed our Deputy Mayor and the DA Speaker despite not having the numbers.

The DA must be surprised that Al Jama-ah acknowledges clean governance by their Speaker. The Al Jama-ah deputy mayor was removed despite an order by Jeff Radebe and premier of KwaZulu-Natal not to touch the Al Jama-ah Deputy Mayor. In Harding ANC rogue units are fighting the ANC revival movement with the complicity of the KwaZulu-Natal MEC.

Deputy President do not tell us you are monitoring municipalities, and this happens. If you cannot be on top of the municipalities, how can you be on top of matters in the whole country? It looks like you do not support the revival taking place in the ANC otherwise you will not have allowed

your own revival Mayor to be undermined by corrupt ANC councillors in Harding.

Al Jama-ah looks forward to a Presidential Imbizo on the Cape Flats so His Excellency can understand the oppression, poverty and inequality residents suffer often worse than what they suffered during the harshest days of apartheid. All government departments must unleash government programmes so that the Cape Flats can taste freedom.

Also Deputy President, please take a keen interest to the kidnapping of Shireen Essop and the firing of the principal of Wesley Neumann of Heathfield High School. The learners say it is these Principals that they wish for. President, can you sleep at night when women are out in captivity. We need a Presidential Order that the Defence Force ... [Time expired.]

The DEPUTY MINISTER OF HIGHER EDUCATION, SCIENCE AND
INNOVATION / LN - Eng and Xho - 13/06/2022 / TAKE ENDS AT
20:35

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TAKE 1185 - STARTS AT 20:35

Mr M G E HENDRICKS

The DEPUTY MINISTER OF HIGHER EDUCATION, SCIENCE AND
INNOVATION: Yes, to those who sleep with warm bellies - ...

Sepedi:

... bo mohlomphegi Madisha bao ba yago mepeteng ka dimpa tše
di fišago gape ba na le ...

English: 20:43

... roof over their heads - this may not be important.

TAKE ENDS AT 20:47

keh /Sep/

TAKE 1186 - STARTS AT 20:47

The DEPUTY MINISTER OF HIGHER EDUCATION, SCIENCE AND
INNOVATION

IsiZulu:

Mnu Z N MBHELE: Ngiyabonga Sihlalo ngaphambili, ...

English:

... this debate is taking place exactly one week before the commemoration of Youth Day, but instead of us finding ourselves as a country in a situation where we should be celebrating the dreams of our young people coming true, we are tragically faced with a despairing present and a gloomy future that far too many young people are confronting. It is the majority of our youth who are suffering, it is the majority of our youth who are excluded, and it is they who need a voice in this debate - with their issues, needs and concerns sitting front and centre - because the reality that they and their families are facing is that of stagnant economic growth, job creation in reverse gear, and shrinking opportunities,

shrinking wallets, and shrinking stomachs. As the youth would say, "ku-tense, ku-tricky, ku-wow!"

Mr President, during the COVID lockdown period, it became common lingo to refer to your live evening addresses as family meetings, implying that you are the father of the nation, briefing us on the plans and the state of affairs in the home. Well, if you are indeed the father of the nation, then in the bigger scheme, regrettably the phrase that comes to mind is 'deadbeat dad', because the children of the family are hungry, the children of the family are malnourished, and the children of the family are not getting the quality education they need to build a brighter future. As the youth would say, ...

IsiXhosa:

... kushushu, kushubile, ku-bad!"

English:

Chairperson, one of the most curious phenomena I've observed in my eight years in Parliament is what I can only call the political schizophrenia of the ANC, which we also saw on display today from every single majority party speaker. Now schizophrenia is defined as a breakdown between thoughts,

emotion and behaviour leading to faulty perception, inappropriate actions and feelings and withdrawal from reality into fantasy and delusion. [Interjections.] The manner in which this political schizophrenia of the ANC manifests is twofold. Firstly, in their collective mind it separates our economic, social and governance challenges from the facts that the ANC, as the governing party usually over several terms since 1994 in all spheres of government in most of this country, has the urgency, the power and the means to address those challenges - be it poverty, unemployment or corruption. The ANC will speak about these issues as existing somewhere out there and you know ...

IsiZulu:

... Maye babo!

English:

Gosh darn it! How we do lament these things, but what are you going to do, you know? It's simply don't good enough.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Order, order hon members! Please, don't drown the speaker.

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Mr Z N MBHELE: The second manifestation of the schizophrenia is that it confuses intention for action, optimism and enthusiasm for good policy and political will.

Ms N T MKHATSHWA: How Chairperson ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Mbhele, you can take your seat. What's your point of order, hon member?

Ms N T MKHATSHWA: Thank you very much, House Chair. I don't know if the hon member is willing to take a question.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Mbhele, hon members, ... hon McGluwa I still have something like 20 minutes as a Chairperson, can you just hold on. Hon Mbhele, are you taking a question?

Mr Z N MBHELE: Hon Chairperson, no, thank you, I'm on a very good role. And the schizophrenia seems to truly believe that through a declaration of sentiments, the pronouncement of plans and just sheer determination and force of will, government performance will magically improve and results will be achieved through a spontaneous alignment of the stars.

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Ms N T MKHATSHWA: House Chairperson, I would like now to stand on the point of order and the point of order speaks to unparliamentary language on the basis of referring to the ANC as having political schizophrenic behaviour. House Chairperson ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon member, I don't think that's parliamentary. Continue, hon Mbhele. Hon Mbhele, will you continue because it's not unparliamentary. It's not directed to a person but to a party.

The CHIEF WHIP OF THE OPPOSITION: Sorry, House Chair, I just had to find a microphone that works. House Chairperson, I agree with your ruling completely and I understand the hon member that can't help, but want to talk to the hon Mbhele because he's very attractive but they can have that conversation outside later ... [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D NTOMBELA): Hon Mazzone, still does not make it a point of order.

Mr Z N MBHELE: Thank you Chairperson, now on the score I must give props to the Chief Whip of the Majority Party, the hon

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Majodina, who treated us to her standard fulsome expression which always says ...

IsiZulu:

... ngizomemeza kwenzeke.

English:

Now we noted Mr President, that you've moved away from making promises - anyone remember the grand promise of the smart new city or that load shedding would be a thing of the past by 2017. So you moved from that and shifted rather to giving what might be called - and in fact, the previous ANC speaker said so as well status update progress reports. Just because you say something is happening, that doesn't mean it actually is happening, for example the building of a capable state. It's the intention, you wish for it to happen. You say it's happening, but the reality out here says opposites. This is so because as I've said in previous debates, the problem is that the ANC governs like someone driving a car with the accelerator pressed down flat, but the handbrake pulled up and all the while trying to change gears without using the clutch. So, to quote you, Mr President "yes, the people want better services, they want jobs and they want safety and security."

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But all that has been happening and is happening. We're revving the engine, we're spinning wheels in one spot and grinding and burning a gearbox.

IsiZulu:

... kodwa asiyi ndawo.

English:

Mr Deputy President, we would love to rise above political differences, as you called for us to do and to come together and solve our problems. But it doesn't help such a cause if we are accused by the ANC, at every turn of political point scoring when we propose alternative solutions or when our Private Members Bill are shot down before they can leave the starting blocks without grounds or merits.

Clearly, the hon Mahlaule wasn't listening properly to the hon Steenhuisen's speech, which clearly explained why this cash-in-transit debacle has direct implications on his public office bearing position, as state President from questions on compliance with financial laws to the alleged involvement of the Presidential VIP protection services. However, I will be happy to forward him a copy of the speech afterwards. He can

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review it and get clear on what the Leader of the Opposition was saying.

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

The CHIEF WHIP OF THE OPPOSITION: Chairperson, I rise on a point of order.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I have not yet recognised you, Chief Whip. I did not recognise you.

The CHIEF WHIP OF THE OPPOSITION: I apologise.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): What's your point of order?

The CHIEF WHIP OF THE OPPOSITION: Chair, I rise on Order 64 the member is being drowned out to the point that he can't be heard on the virtual platform or inside this House.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I have already ordered them to be quiet. I have already ordered them.

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The CHIEF WHIP OF THE OPPOSITION: But Sir, they are not listening to you. It could be so ... [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I have already ordered them to be quiet.

The CHIEF WHIP OF THE OPPOSITION: I will listen to you, ... [Inaudible.]

Mr X NQOLA: We can hear him, hon House Chair. You must not be accused.

IsiZulu:

USIHLALO WENDLU (Mnu M L D Ntombela): Qhubeka bab' uMbhele.

Mnu Z N MBHELE: Ngiyabonga Sihlalo, ...

English:

Mr President, you said a lot of things in your speech about what's being done, what's in the pipeline, what's almost in the bag and, and, and. Unfortunately, most of it is nothing new. The issues and solutions you touched on are the very ones that my colleagues and I have been speaking about and the

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solutions the DA has been calling for and putting on the table for over 20 plus years. I always say that the first few years as an MP are very exciting and stimulating, as you find your feet and you come to grips with the learning curve of parliamentary routine. But after a few cycles on the track, it all starts to feel a bit like that movie *Groundhog Day* and what we heard from the President and the ANC speakers today was the same old routine of rhetorical lather, rinse and repeat. [Laughter.] We've seen this movie before and it's like going to an audition and you know it's supposed to be a different production, but the scripts given to rehearse with just seems very, very familiar.

The truth is this Presidency is shackled and hamstrung in its effectiveness because the ANC in government is run on cadre deployment, and its animating lifeblood is patronage and political horse-trading. Under such conditions, there is no fitness-for-purpose, no accountability, and no drive for achievement, let alone excellence. Instead, there is loyalty-for-reward, impunity for failure, and bumbling mediocrity at best, or catastrophic incompetence at worst.

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On the one hand, we bankroll one of the largest Cabinets in the world, which amounts to a cumbersome basket of patronage for accommodating and balancing ANC factions and party power-players. On the other hand, we are seeing this inflation of a super-Presidency that runs parallel to and duplicates functions and initiatives that should be run through Cabinet and the Ministers appointed to it, for example the team appointed in the Presidency to cut red tape across government, when this is a crosscutting concern impacting on almost all Ministers and departments.

Mr President, unfortunately the time and the clock is ticking down on the ANC. The country knows it, we know it and I think on some level you know it. [Laughter.] So as the kids say, as the youth say

IsiZulu:

Makuzovutha, makuvuthe kanye kuvuthe bhe!

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES/ GG

13/06/2022 / TAKE ENDS AT 21:02

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TAKE 1187 - STARTS AT 21:02

Mr Z N MBHELE

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES:

Latin:

Audi alteram partem.

English: 21:08

The HOUSE CHAIRPERSON (Mr M L D NTOMBELA):

The House adjourned at 21:18

TH (Latin - 12/6/2022) //TAKE ENDS AT 21:18

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TAKE 1205 - STARTS AT 10:01

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PROCEEDINGS OF THE MINI-PLenary SESSION OF THE NATIONAL
ASSEMBLY

The House met at 10:00.

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

The SPEAKER

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START OF DAY

(Announcement)

The SPEAKER: Order! Order, hon members. May I have your attention, please. Thank you very much. Hon members, I noted that yesterday it took us exactly an hour and ten minutes before we could start with the business of Parliament. Echo! Can you hear me now? Is there still echo! There seem to be a problem with our information technology, IT, systems. I am sure during recess all of those things will be dealt with.

However, hon members, I noted with a heavy heart I should say, that it took us an hour and ten minutes before we could start with the real business of the day. Now, there are certain Rules I want to draw your attention to, which you are quite familiar with. That is; on points of order, Rule 92(1) A member may raise a point of order at any time during the proceedings of the House in terms of the procedures prescribed in Rule 66 by stating that he or she is rising on a point of order. That is the first thing I would like to remind everybody on.

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A point of order must be confined only to a matter of parliamentary procedure or practice or a matter relating to unparliamentary conduct as defined and must be raised immediately when the alleged breach of conduct occurs; that is Rule 92(2). Now, please, note this; no other member may raise another point of order before the presiding officer has ruled on the first point of order, that is Rule 92(7). No member may raise a point of order again, again, on a similar point of order if the presiding officer ruled that it is not a point of order or that the matter is out of order, which is Rule 92(8).

Members may not disrupt proceedings by raising points of orders that do not comply with the Rules. A presiding officer's ruling on a point of order is final, binding and may not be challenged or questioned in the House, this is now Rule 92(11). Now, hon members, I am reading all this because I would want to ensure that there is no disorder in the House today. Hon members, it makes it very difficult for the presiding officer when everybody is up on their feet and raising their hand whilst the presiding officer is yet to deal with the first point of order. It makes things difficult.

I want to all of us that with all the differences that we may be having, it is important for us to maintain the decorum of the House. I am appealing to all of us, hon members. It is important that we maintain the decorum of the House! On that note, hon members, I hope that I am understood and that hon members will conduct themselves like real hon members should. I thank you, hon members, for your attention.

Hon members, in the interest of safety for all present in the Chamber, may I remind you to keep your masks on and sit in your designated area. Thank you. The secretary will read the Order of the day.

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The SPEAKER

RESUMPTION OF DEBATE ON VOTE NO 1: THE PRESIDENCY - REPLY BY
PRESIDENT

(Appropriation Bill)

The PRESIDENT OF THE REPUBLIC: Speaker of the National
Assembly; Deputy President, David Dabede ... [Interjections.]
...

Mr S TAMBO: ... on a point of order! ...

The PRESIDENT OF THE REPUBLIC: ... who is on the virtual
platform ... [Interjections.] ...

Mr S TAMBO: ... on a point of order, Speaker.

The SPEAKER: Yes. There is a point of order, thank you.

Mr S TAMBO: Thank you, Speaker. I rise in terms of Rule 92. I
think in terms of also being compliant ...

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The SPEAKER: ... bring your microphone closer.

Mr S TAMBO: In terms of being compliant with your request that there must be order in the House I will request your patience and indulgence as I read what premises my point of order.

The SPEAKER: Yes.

Mr S TAMBO: So, I will begin by quoting the Constitution, Schedule 2, so that you have a better understanding of what point of order I am rising on and I am taking extracts from that and it reads as follows:

In the presence of everyone assembled here and in full realisation of the high calling I assume as President of the Republic of South Africa, I, solemnly affirm that I will be faithful to the Republic of South Africa, and will obey, observe, uphold and maintain the Constitution and all other laws of the Republic; and I solemnly and sincerely promise that I will always -

- promote all that will advance the Republic, and oppose all that may harm it;

- protect and promote the rights of all South Africans;
- discharge my duties with all my strength and talents to the best of my knowledge and ability and true to the dictates of my conscience;
- do justice to all; and
- devote myself to the well-being of the Republic and all of its people.

(In the case of an oath: So help me God)

Speaker, I read this Oath because the President of the Republic of South Africa has been charged with Combating of Corrupt Activities Act ... [Interjections.] ... contravening ... Speaker! Can I be protected ...

An HON MEMBER: ... no, there is no charge ...

An Hon MEMBER: ... leave the House ... you must leave the House ...

An HON MEMBER: ... no charge ...

The SPEAKER: ... hon members ...

Mr S TAMBO: ... Speaker, am I protected ...

The SPEAKER: ... hon members, there is a point of order. Hon
Mazzone ...

Mr S TAMBO: ... on top of my order, Speaker?

The SPEAKER: ... no!

Mr S TAMBO: You said an order can't be raised on top of an
order. This is an order. Can I, please, be allowed to finish,
please.

The SPEAKER: Hon member, Tambo ... hon Tambo ...

Mr S TAMBO: ... this is disorder that you are causing ...

The SPEAKER: ... no, I will not cause disorder, I can assure
you. However, hon Tambo, with all due respect, I actually gave
you time to read your point of order ...

Mr S TAMBO: ... no, but my point of order was not finished, I
have not finished, Speaker ...

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The SPEAKER: ... and you have quoted from the Constitution ...

Mr S TAMBO: ... now, my point of order is coming ...

The SPEAKER: ... okay, say your point of order then.

Mr S TAMBO: Yes. The President of the Republic of South Africa has been charged with contravening Combating of Corrupt Activities Act, with contravening the organised crime Act due to money laundering ...

The SPEAKER: ... now, there rise as a point of order, hon
Mazzone ...

Mr S TAMBO: ... and we are saying, we don't want to be
complicit, to be complicit with the legal activities that ...
[Inaudible.] ... allowing the President to address us ...
[Inaudible.] ...

The SPEAKER: Hon member, you are actually ... hon member, you did not finish your Rule 92. You said, you want to do this in terms of Rule 92. You then went on to read that aspect which is very important to all of us who are here, we were all sworn to that from the Constitution. However, you did not finish

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your Rule 92(1) of that which actually says; a member may raise a point of order at any time during the proceedings of the House in terms of the procedure prescribed in Rule 66 by stating what he or she is rising on, which is what I was reading earlier on.

It then says; a point of order must be confined only, only, to a matter of parliamentary procedure ...

Mr S TAMBO: ... Speaker, is it parliamentary to be addressed by someone who is charged with money laundering?

The SPEAKER: ... no, allow me ...

Mr S TAMBO: ... is it parliamentary to be addressed by someone who is charged with money laundering ...

The SPEAKER: ... hon member ... now ...

Mr S TAMBO: ... kidnapping, bribery ...

The SPEAKER: ... hon member ...

Mr S TAMBO: ... torture, concealing a crime, laundering money.
How is that parliamentary?

The SPEAKER: Hon member ...

Mr S TAMBO: ... you are repeating the same mistake today under
Jacob Zuma and it will come back and bite you.

The SPEAKER: Hon member, in terms of Rule 85, no member ...

Mr S TAMBO: ... you are repeating the same mistake today by
defending someone who has been charged with criminal
activities ...

The SPEAKER: ... hon member, in terms of Rule 85; no member
may impute ... hon member, don't do that ...

Mr S TAMBO: ... up until the end ...

The SPEAKER: ... I am talking, I am on the floor, hon Tambo!

Mr S TAMBO: ... [Inaudible.] ... to be complicit, you want us
to be complicit ...

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The SPEAKER: ... hon Tambo, I am on the floor, I am on the floor! ...

Mr S TAMBO: ... [Inaudible.] ... illegal activities ...

The SPEAKER: ... hon Tambo! Hon member, I am on the floor ...

Mr S TAMBO: ... [Inaudible.] ... no, it is wrong, you must know what you are asking about.

The SPEAKER: Hey, you will not disrupt the House, I can assure you ...

Mr S TAMBO: ... I am not disrupting the House I am saying you are asking the President who has been charged with gross misconduct to address us ...

The SPEAKER: ... hon Chief Whip ... [Interjections.] ... you are not going to disrupt the House, hon Tambo. You are actually disregarding my authority. Yes, Chief Whip, hon Mazzone.

The CHIEF WHIP OF THE OPPOSITION: Hon Speaker, if I may rise on Rule 65 of the Rules Book, read together with Rule 77 ...

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[Interjections.] ... it does not matter what the President has done at any given time. The relevance of the President being here today is to respond to questions and motions that were posed to him yesterday. So, that's the relevance. Then, in terms of the section 77, we talk about gross disorder. When the Speaker of the House tells you to take your seat or has explained to you that you are standing on an incorrect point of order, you have a duty which you have agreed to and it stands in the Rules and guidelines of Parliament, to take your seat and then remain quiet.

So, Madam Speaker, I would like you to please rule on Rule 65 read together with Rule 77 because I believe that both points of order were irrelevant and they are now causing gross misconduct in the House.

The SPEAKER / EU//(11/06/2022) / TAKE ENDS AT 10:15

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TAKE 1206 - STARTS AT 10:15

The CHIEF WHIP OF THE OPPOSITION

The SPEAKER: Thank you very much, hon ... [Interjections.] ...
hon Tambo ... [Interjections.] ...

Mr S TAMBO: Speaker, may I address you?

The SPEAKER: Hon Tambo, you are not going to address me. Sit down. Take your seat. You are not going to address me because you have not allowed me to address you, hon member. You have not. So allow me to address you. And my point is to you, hon member. As you raise your point of order, you should not in any way make reflections upon the President or any other Members of Parliament. And this is what you are doing. Your point of order, when you started, I allowed you to speak because you said you wanted to speak on Rule 92. You went on, you read the Constitution which was very good. And I allowed you, I allowed you time. And after you have done that, you are now making reflections on people in the National Assembly.

And I am saying, I cannot allow that because that is out of order. That is out of order.

Mr S TAMBO: May I clarify, Speaker?

The SPEAKER: You are not going to clarify that.

[Interjections.]

Mr S TAMBO: No, but you have made a ruling that I think is inconsistent with what I was saying.

The SPEAKER: And in addition ... [Interjections.] ...

Mr S TAMBO: In terms of what I was going to say, Speaker, you have not followed what I was saying.

The SPEAKER: No, I followed what you are saying.

[Interjections.]

Mr S TAMBO: We wanted to take our time.

The SPEAKER: Hon Dlakude?

Mr S TAMBO: Speaker!

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Ms H O MKHALIPHI: But Speaker, can you also note that we are also here in Parliament as well on the virtual platform? We have called order here.

The SPEAKER: Okay! Okay, hon MkhaliPhi. Hon Tambo ...
[Interjections.] ...

Mr S TAMBO: I took my time to explain the Constitution and there is no limit to a point of order.

The SPEAKER: You took your time. And I took my time to explain the Rules to you.

Mr S TAMBO: The people at home need to understand what we are saying the President has done.

The SPEAKER: Hon Tambo!

Mr S TAMBO: We need to explain to the people of South Africa that the President has laundered money.

The SPEAKER: You are causing disorder in the House.

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Mr S TAMBO: Why are you limiting us from that?

The SPEAKER: Hon Tambo, you are causing disorder in the House. And I am warning you now because when I address you, you should not talk while I address you in terms of the Rules. Yes, hon Dlakude?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you very much, hon Speaker ... [Interjections.] ...

The SPEAKER: It is a point of order.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: I stand on a point of order, Speaker.

The SPEAKER: Hon Ntlangwini, it is a point of order, right? It is a point of order but you are not going to scream. You are not going to scream.

Ms O M C MAOTWE: But how do you know it is a point of order? How do you know it is a point of order, Speaker? How do you know that?

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The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I have a point of order. I am standing on Rule 69, point of order Rule 69 (c) and (d) that reads:

Repeatedly undermining the authority of the Presiding Officer or repeatedly refusing to obey rulings of the presiding officer or repeatedly disrespecting and interrupting the Presiding Officer while the latter is addressing the House;

No member may persist, "in making serious allegations against a member without adequate substantiation or following the correct procedure." The issue that the hon Tambo is raising, hon Speaker, has not been tested anywhere. The President has not been arrested. The President has not appeared before a court of law. The President has not been charged anywhere. So can we please not put the cart before the horse. Let us allow the proper processes to be followed.

Let us allow the law enforcement agencies to do their work. As Parliament, we are not trained to do that. The President agreed that he will subject himself to any process. So let us allow that. It is the Rules saying that, hon Speaker. Thank you very much.

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The SPEAKER: Thank you, hon Dlakude. Hon Dlakude, thank you. [Interjections.] No, no! Hold on, hon members. I am not going to have anyone disrupting this session, not again. Not again. Hon member Tambo, I am now giving you a formal warning. You will not do what you have done again. We now proceed with the business at the time.

Mr S TAMBO: May I ask a question, Speaker? [Interjections.] Did you make any ruling? But, Speaker, can I be protected? I want clarity.

The SPEAKER: You are protected, hon Tambo.

Mr S TAMBO: The previous speaker says I have violated your ruling. Can you clarify if you made any ruling in terms of the utterances I have made?

The SPEAKER: You have violated the Rule because as I was addressing you, right, you continued to speak. I have given you an opportunity to address me in the same way that I came in here and addressed all the hon members, I gave you an opportunity. And even though I gave you an opportunity, when I tried to stop you now when you were making reflections on

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Members of Parliament, you continued to speak. And I said it cannot be.

So I am now, correctly so, giving you a warning. Hon members, I now have hon ... [Interjections.] ... Uh-uh! Uh-uh! Hon Ntlangwini, you and I have had a chat. You are not going to do those things that the two of us have spoken about. Hon Mkhaliphi, on the virtual platform?

Ms H O MKHALIPHI: Speaker, I have a point of order. Thank you very much for recognising me. Hon Speaker, I think you are very unfair to hon Tambo. You are disturbing him while he is following the Rules, he is quoting Rule 92 (1) which he is protected by and when he is articulating his point of order and quoting the Constitution, you allow hon Mazzone, I do not want to say, hon Mazzone, Ms Mazzone, you do not disturb her ... [Interjections.] ...

The SPEAKER: Hon Mkhaliphi ...

Ms H O MKHALIPHI: ... but I am still speaking, Speaker.

The SPEAKER: In terms of the same Rule 85, "No member may impute improper motives to any other member, or cast ... [Interjections.] ...

Ms H O MKHALIPHI: But I have not finished. That is your problem, Speaker

The SPEAKER: No, wait! Allow me to speak.

Ms H O MKHALIPHI: To speak on what because you have not heard my point of order?

The SPEAKER: ... personal reflections ... [Interjections.] ... That is what the hon Tambo has just done. And this is what I am trying to stop you from doing.

Ms H O MKHALIPHI: No, it is just that you are impatient. You are not listening to us. [Interjections.]

The SPEAKER: No, hon MkhaliPhi.

Ms H O MKHALIPHI: No, just give us a chance, Speaker. Do not be like your predecessor Baleka. You must not be impatient.

You must preside over this House. Do not be impatient. We are making points of order.

The SPEAKER: Hon Mkhaliphi, I am now warning you. Hon Mkhaliphi, I have warned you.

Ms H O MKHALIPHI: On what now?

The SPEAKER: I am saying to you I have ruled on hon Tambo's statement, now you are challenging, both yourself and the hon Tambo, are challenging my ruling.

Ms H O MKHALIPHI: I wanted clarity. I am not challenging your ruling. I am saying ... [Interjections.] ...

The SPEAKER: No! You are.

Ms H O MKHALIPHI: No, just listen for a second, Speaker. ... while he was on the platform, you allowed Mazzone to disturb him while he was articulating in terms of the Constitution.

The SPEAKER: Hon Mazzone!

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Ms H O MKHALIPHI: So you, Speaker, now you do not respect the Constitution of the Republic of South Africa? Are you allowing a President that has violated the Constitution ...

[Interjections.] ...

The SPEAKER: Hon, I am now giving you a second warning. I am giving you a second warning.

Ms H O MKHALIPHI: Just clarify that small part. South Africans want to know you have thrown out the Constitution of the Republic, Speaker. Just clarify that little part, Speaker.

The SPEAKER: You are out of order and because you are out of order, and you have refused to listen, I am now removing you from the platform.

Mr V PAMBO: No, no, Speaker, you cannot do that. It cannot be that the only intervention is a warning.

The SPEAKER: Let us proceed. Hon Pambo!

Mr V PAMBO: Speaker, please listen to us.

The SPEAKER: Hon Pambo, I have not recognised you. And by the way, I did say that no other member may raise another point of order before the Presiding Officer has ruled on the first one.

Mr V PAMBO: I did not call for a point of order.

The SPEAKER: No! You are not going to force me to recognise you. There are other hands in the Chamber here.

Mr V PAMBO: No problem. [Interjections.]

The SPEAKER: Yes, hon Pambo. Omphile Maotwe! Omphile, the hon member, do not do that. Hon members, just treat us with respect here in this Chamber. There must be mutual respect among us members. Do not scream at us. [Interjections.] Hon Mente, I recognise you.

Ms O M C MAOTWE: Please recognise us. That is all we are asking.

The SPEAKER: Hon Mente, I recognise you. Hon Omphile, I have not recognised you and I am warning you now. I am warning you and I am going to throw you out. Hon Mente?

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Ms N V MENTE: Speaker, I have a point of order. I am rising on Rule 92 (1), Speaker, one, I think you should also be cautious about what you say because now you are intimidating us. You have just thrown out, hon Mkhalihi when she did not say anything but sought clarity. Yesterday you did the same thing and men were manhandling hon Babalwa Mathulela, men. They were sexually harassing hon Babalwa Mathulela.

The SPEAKER: Hon Mente! Hon Mente, I have made a ruling. I am not harassing you. I have made a ruling. Hon Mente, with all due respect, I have made a ruling and you are not going to challenge my ruling. [Interjections.]

Ms N V MENTE: We are not challenging your ruling.

The SPEAKER: I will now proceed. You are doing exactly what you did yesterday. You are again trying to prevent the business of the House from continuing. I am recognising other points of order. [Interjections.] Yes, you will come after hon Mmamoloko.

The MINISTER OF HUMAN SETTLEMENTS: Speaker, I have a point of order. I rise in terms of Rule 6 which gives the Speaker the responsibility to frame a ruling which cannot be challenged

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until a sitting of the Rules Committee can make a recommendation to the House. I want to say, hon Speaker, since you have framed a ruling at the beginning of the sitting ... [Interjections.] ...

IsiZulu:

Ngizokuphendula wena.

English:

... meaning once you have done that, no other member is allowed to stand and make reference to a matter that you have already ruled on which relates to the President and the Phala Phala farm. So what we are requesting, Madam Speaker is that because of the framing and the Rule that gives you that framing responsibility the only time any member can rise on that matter is after a sitting of the Rules Committee. Meaning that no other member during this proceeding can stand on that point of order and that you can immediately make a ruling to even take them out immediately without having to listen to that member. Thank you very much.

The SPEAKER: Hon Kubayi, you are correct. There is that provision, however, hon members, for now, there is no basis for me to use that Rule. I will use that Rule when the time

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comes for it to be necessary for me to do so. For now, there is no basis for that. Hon members, I will take hon Shivambu from the virtual platform.

Mr N F SHIVAMBU: Speaker, I have a point of order. There is no Rule that permits you - none whatsoever - to suspend the Rules of the National Assembly. The Rules of the National Assembly are permanently and perpetually applicable as long as there is a sitting of the National Assembly. There is nowhere in the Rules that gives you the power

The SPEAKER: Hon Shivambu, I have not suspended the Rules of the National Assembly.

Mr N F SHIVAMBU: Now the point of order that I am raising ...
[Interjections.] ...

The SPEAKER: There is no point of order, hon Shivambu.

Mr N F SHIVAMBU: Please listen. Can you please listen?

The SPEAKER: I am listening. You should listen too.

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Mr N F SHIVAMBU: The point of order is, yesterday you called those rascals called the Parliamentary Protection Services to sexually harass Members of Parliament.

The SPEAKER: I called you rascals? What are you talking about?

Mr N F SHIVAMBU: Listen first. Listen first. Be patient.

The SPEAKER: You are out of order man.

Mr N F SHIVAMBU: You called in the security guards yesterday ...

The SPEAKER: You are out of order.

Mr N F SHIVAMBU: ... you called in male security guards yesterday to come in and harass Members of Parliament

The SPEAKER: Hon Shivambu, I am warning you now.

Mr N F SHIVAMBU: Can you please listen?

The SPEAKER: I am giving you a warning.

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Mr N F SHIVAMBU: A warning for what?

The SPEAKER: Because there is no point of order.

Mr N F SHIVAMBU: But listen first. Listen to the point of order first.

Mr S TAMBO: Speaker, I have a point of order. You are ill-treating people who are on the virtual platform.

The SPEAKER: Take your seat, hon Tambo.

Mr S TAMBO: But you are ill-treating people on the virtual platform.

The SPEAKER: I am not ill-treating them.

Mr S TAMBO: Because you do not give them time to finish.

The SPEAKER: Hon Tambo!

Mr S TAMBO: No, it is wrong.

The SPEAKER: Hon Tambo, take your seat.

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Mr S TAMBO: We are part of the National Assembly.

The SPEAKER: Take your seat, hon Tambo.

Mr S TAMBO: It is wrong what you are doing. It is wrong.

The SPEAKER: Thank you, hon Tambo.

Mr S TAMBO: Allow the hon Shivambu to finish his point of order. No man.

The SPEAKER: Hon Tambo! Hon Tambo!

Mr S TAMBO: The people on the virtual platform you are abusing them.

The SPEAKER: Hon Tambo, take your seat. [Interjections.] Hon Gungubele?

The MINISTER IN THE PRESIDENCY / VW// (Eng) (Zul) 14/06/2022 /
TAKE ENDS AT 10:28

TAKE 1207 - STARTS AT 10:30

The SPEAKER

The MINISTER IN THE PRESIDENCY: Thank you, hon Speaker. I thought in terms of the same Rule 6 your indulgence is backed that the basis for its execution has always been there. A number of these members ... [Interjections.] ...

Mr V PAMBO: Pointing fingers, Speaker is unparliamentary. He must not be pointing fingers at us.

The SPEAKER: Okay withdraw this ...

Mr V PAMBO: Withdraw your finger!

The MINISTER IN THE PRESIDENCY: ... in terms of Rule 6. They have continued to undermine the frame for the very ...
[Interjections.] ...

Mr V PAMBO: Gungubele is pulling a middle finger at us as Members of Parliament, Speaker?

The MINISTER IN THE PRESIDENCY: ... is actually undermining Rule 6. Thank you.

The SPEAKER: Thank you very much, hon members, thank you.

Ms O M C MAOTWE: Point of order Speaker?

The SPEAKER: Hold on!

Mr K CEZA: Speaker!

The SPEAKER: May I clarify something to all of you, all of you. I am sitting here I am a presiding officer. I've got the rules here. And at some time, I have to consult with the table officers because they are more familiar with the rules than all of us here. And I take their advice very seriously. I am saying therefore, it is not yet the time for me to use Rule 6 because there are rules under which we are still basing my facts on ... [Interjections.] ...

IsiXhosa:

kanti siyaya ...

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English:

... we are going to finish this debate. I can assure you.

IsiXhosa:

Siyaya...

English:

... somewhere. The ultimate will be that the President will read his response and we will then finish and adjourn the meeting. You are not going to do what you did yesterday in fact ... [Interjections.] ...

Mr K CEZA: Speaker!

The SPEAKER: You did not raise your hand.

Mr K CEZA: I did.

The SPEAKER: You do not appear on my system you just barged in.

Mr K CEZA: I did hon Speaker. Can you be patient with us Speaker please?

The SPEAKER: Hon Primrose, hon Msane, you are not going to barge in I am addressing the assembly.

Ms N P SONTI: Hon Speaker,

IsiZulu:

Ngicela ukukhuluma bandla?

The SPEAKER: This is my second warning to you ...

IsiZulu:

... phinda futhi...

Ms N P SONTI: Hon Speaker,

IsiXhosa:

Ndicela ukuthetha?

The SPEAKER: Hon Primrose, I have now removed you from the system.

Ms N P SONTI: For what?

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IsiXhosa:

... Ndicela ukuthetha.

Mr K CEZA: I rise on a point of order Speaker.

The SPEAKER: Yes, hon Ceza.

Mr K CEZA: I want to remind you what the Constitution is saying on section 10, the Bill of Rights. It says that "Everyone has a right to dignity and that dignity must be protected." I want you to clarify to us which dignity did you protect yesterday ...

IsiXhosa:

... xa abantu bebebanjwa ngaphantsi, bebanjwa ngamabele. Iza kubanjani le nto enqileni sisayilungisa ...

English:

... in a patriarchal society like ours?

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IsiXhosa:

Iza kuba njani Somlomo? Sicela ucacise apho. Makhe sidlule nje apho kuqala.

The SPEAKER: ... I am now giving you a warning for the second time ...

IsiZulu:

... phinda futhi. Phinda futhi.

English:

Mr V MPAMBO: How are we expecting to participate when you are threatening us like that?

The SPEAKER: Don't do that. Hon Ponani, what are you saying?

Ms P P MAKHUBELE-MARILELE: I rise on Rule no 68. That speaks on irrelevance or reputation Speaker. "The Presiding Officer may order a member addressing the House to stop speaking if that member despite warnings from the Chair persists in irrelevant or repetitive arguments." Since we started at 10h00 the hon members have been ... [Interjections.] ...

The SPEAKER: Thank you very much hon Ponani. Take your seat.

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Ms P P MAKHUBELE-MARILELE: Thank you, Chairperson.

The SPEAKER: I will now recognise you, hon Ntlangwini.

Ms E N NTLANGWINI: Thanks very much Speaker. Speaker, you can't be doing that. You don't allow our members to finish their points of orders. I mean, how do you anticipate what the member is gonna say? You are not a Sangoma. Let our members finish making their point of orders. You are not even allowing me to finish ... [Interjections.] ...

The SPEAKER: Wait a minute. Hon member, if an hon member right from the beginning in his or her opening statements ...
[Interjections.] ...

Ms E N NTLANGWINI: ... You can't!

The SPEAKER: ... No, hon member I can.

Ms E N NTLANGWINI: You can't.

The SPEAKER: Sit down, hon member. You are done, sit down.
Thank you. Hon members, we continue.

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Ms N N CHIRWA: On a point of order!

The SPEAKER: Yes, hon member, wait a minute.

Ms P MARAIS: Speaker, the problem that we are having here is that you are threatening people that you are going to remove them. You can't just remove people. Yesterday people were removed and they got hurt because ... [Interjections.] ...

The SPEAKER: Take a seat hon member! I am the only one who is presiding here ... [Interjections.] ...

Ms P MARAIS: ... No, you are bias, Speaker. ...

[Interjections.] ...

The SPEAKER: ... Okay you continue; I am warning you. Take a seat.

Ms P MARAIS: ... No, no, no, Speaker you are not doing right ...

The SPEAKER: I am warning you for the second time. Take a seat!

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Ms P MARAIS: ... not like that ...

The SPEAKER: Honourable ... Alright

Ms P MARAIS: Why are you saying that?

The SPEAKER: Hon member, will you please leave the House! Hon Marais leave the House. Sergeant-at-arms will you please assist hon Marais to leave the House ...

Ms O M C MAOTWE: Point of order Speaker!

Ms N N CHIRWA: Point of order Speaker

The SPEAKER: Hon Marais leave the House!

Ms O M C MAOTWE: Point of order Speaker!

The SPEAKER: Hon Marais leave the House

Ms N N CHIRWA: Point of order Speaker

AN HON MEMBER: Hhayi bo Speaker

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The SPEAKER: Sergeant-at-arms will you please assist hon Marais to leave the House

Ms O M C MAOTWE: Point of order Speaker!

Ms P MARAIS: ... the men are touching our private parts. You must bring women to remove us not men. We will make a case against you, ...

Mr S TAMBO: Inaudible.

Ms O M C MAOTWE: Point of order Speaker!

The SPEAKER: Hon Dlakude.

Setswana:

LELOKO LE LE TLOTLEGANG: Ijo! Jaanong nna ke dirileng, ka gore ga ke a bua sepe?

English:

Ms D DLAKUDE: Thank you very much hon Speaker.

Ms O M C MAOTWE: My hand has been up for over 20minutes now Speaker.

Ms D E DLAKUDE: Thank you very much hon Speaker.

The SPEAKER: Okay. Thank you very much hon Marais. You have raised something very important that I was not aware of. I wasn't aware that the Parliamentary Protection Service touched your private parts. As a woman I would not allow that but I am appealing with you to leave the House.

Ms P MARAIS: You are a woman but you are allowing men to touch our private parts.

The SPEAKER: No, leave the House.

Ms P MARAIS: ... you must be ashamed of yourself.

Ms O M C MAOTWE: Point of order Speaker!

The SPEAKER: I am now calling the parliamentary protection service to remove you.

Ms N N CHIRWA: You are being disingenuous in this moment by saying you did not know.

Ms O M C MAOTWE: Speaker, we are not going to be touched by men here. No security is going to touch our women.

Setswana:

Mr P M P MODISE: Le maaka. Le ditsotsi lona.

Ms T P MSANE: That is why you become rapists because you deny.

Ms N TAFENI: Don't be emotional Speaker. Protect.

The SPEAKER: I am not emotional.

HON MEMBERS: Inaudible.

Mr P M P MODISE: These ones are not males. Out! Out!

Ms N CHIRWA: My hand has been up for 20minutes. Point of order Speaker!

The SPEAKER: Yes.

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Ms N CHIRWA: I am rising on Rule no 26(2). As Speaker, amongst some of your responsibilities. You have the responsibility to uphold the dignity of the House. And we are conveying a message to you telling you that EFF women MPs yesterday were sexually harassed. We are telling you for the fourth time now and you have ignored these constant calls alerting to you as a Speaker who is a woman. That women in this House were sexually harassed by the security you called on them. And you are doing it again by ignoring us and also acting very harsh to women MPs in this House. How many men have stood and disturbed you? You don't throw them out. How many men have been disturbing you online, you didn't throw them out? When it's a woman, you mute them and take them out and you call security on them because you are anti-women ... [Interjections.] ...

AN HON MEMBER: Women must behave.

Ms N CHIRWA: ... because you are doing us a favour.

The SPEAKER: Hon Chirwa, I have now warned you twice. And I just want to say something. I think for the sake of the integrity and the dignity of this House. Hon Chirwa, you said one, hon Marais raised my attention to the fact that she

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doesn't want to be removed here by a man because they sexually harassed them ...

IsiXhosa:

Thula ke ngoku thula.

English:

And I have said women should come in and remove her ...

[Interjections.] ...

Mr V MPAMBO: Speaker, "Thula" is tantamount to saying shut up. You can't say thula.

The SPEAKER: ... to accuse me on allowing for sexual harassment of women, you are wrong.

Ms N CHIRWA: We going to ask you for the last time Speaker.

Ms O M C MAOTWE: It's your fault, Speaker. It's your fault.

The SPEAKER: I have now warned you. Please leave the House. Leave the House, hon Chirwa.

Ms O M C MAOTWE: But Speaker you can't do that. You can't do what you are doing Speaker.

She's got the right to raise a point of order. And she is raising a very important issue. Why are you throwing her out?

Ms T P MSANE: Even us, from the Virtual platform we are not recognised.

The SPEAKER: Let me just finish with hon Chirwa.

AN HON MEMBER: I have been raising my hand but you don't allow me to raise my point of order.

The SPEAKER: Thank you very much hon Chirwa for leaving the House. What are you doing Tambo?

Ms N CHIRWA: You see; you are doing it again. You call a man on me again!

The SPEAKER: Hon Tambo!

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Ms N CHIRWA: You are doing it again Speaker calling men to come and handle us in this House. You are not upholding the dignity of this House.

The SPEAKER: You are obstructing the House.

Ms N CHIRWA: You are not doing us a favour by allowing us to speak in this House. We are telling you a very important issue that we are being sexually harassed under your watch. And you are letting it happen. As a woman Speaker in this country, you are not lenient to women MPs. You kick us out very quickly. You mute us on the Zoom platform but you do nothing to the men in this House ... [Interjections.] ...

The SPEAKER: Hon Tambo and hon Chirwa I am removing you now ... [Interjections.] ...

Ms N CHIRWA: ... you are trying to cover up because I am telling you that you are lenient on men. Now you want to remove Tambo. What did he do? He did nothing. You said they must remove me ...

IsiZulu:

... Ungenaphi uTambo, Somlomo?

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English:

... It's because you can see that what I'm telling you is the truth. You are lenient on men and you are very disingenuous ... [Interjections.] ...

The SPEAKER: ... physically intervened ... [Interjections.]
...

Ms N CHIRWA: ... your legacy will be that you allowed gender-based violence to happen to women MPs under your watch. That will be your legacy. The very same way it was the legacy of Baleka Mbete, protecting a man who himself is accused of torturing a woman on his farm. You are not different from him.

IsiZulu:

Niyafana ncamashi ...

Ms M C DIKGALE: Take her our hon Speaker.

IsiXhosa:

USOMLOMO: Heyi, phumani nobabini phumani.

English:

Ms N CHIRWA: This is your legacy.

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IsiXhosa:

USOMLOMO: Phumani.

AN HON MEMBER: Phumani.

Ms P P MAKHUBELE-MARILELE: And your legacy is disrespect ...

IsiZulu:

... wena Naledi.

ILUNGU ELIHLONIPHEKILE: Ungenaphi ke wena? Ungenaphi?

The SPEAKER: Hon Tafeni!

IsiZulu:

Ngubani nguChafeni?

English:

Will you help me with the names? The one who was pouring water now.

AN HON MEMBER: You are perpetuating the harassment of women.

Shame on you Speaker!

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IsiXhosa:

ILUNGA ELIHLOPHEKILEYO: Thetha thetha.

The SPEAKER: Any member who is interfering with the removal of those who are instructed to go out ... [Interjections.] ...

Ms O M C MAOTWE: Speaker, why are male security officers touching female MPs?

AN HON MEMBER: You will account with this Speaker you will account. You will account for this chaos you have started. You are repeating what Baleka Mbete has done. Shame on you!

AN HON MEMBER: Speaker, you are doing all this to protect a money launderer ...

The SPEAKER: Hon Mathulelwa!

Ms P P MAKHUBELE-MARILELE: But you also can't ... [Inaudible.] ... to insult the Speaker.

Ms H O MKHALIPHI: Which insults? What is an insult?

An HON MEMBER: ... down on record Speaker.

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Ms H O MKHALIPHI: ... that men are touching women's breasts and bums. And our private parts? You call that ...
[Inaudible.] ...

The SPEAKER: Hon members, as I read your names, hon Tafeni, hon Mkhonto and hon Mathulelwa those hon members must leave the House ... [Interjections.] ...

IsiZulu:

MS B T MATHULELWA: Benzeni, Somlomo.

English:

What did they do?

The SPEAKER: Rule 73(5), for obstructing the removal of members from the House. Hon members, leave the House.

Ms N V MENTE: What did she do?

The SPEAKER: Hon members, leave the House.

AN HON MEMBER: Which rule are u using? Which rule?

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AN HON MEMBER: You will account for this Speaker. You will account!

The SPEAKER: Hon members, will you now leave the House.

AN HON MEMBER: It is Cyril who must leave the House. It is the money launderer who must leave the House.

The SPEAKER: Sergeant-at-arms, will you please take out hon Mathulelwa, hon Mkhonto and hon Tafeni.

IsiZulu:

Ms N V MENTE: Benzeni, Somlomo.

English:

What did they do?

The SPEAKER: Hon Mkhonto is out, hon Mathulelwa and hon Tafeni.

AN HON MEMBER: Point of order Speaker!

AN HON MEMBER: The Marikana murderer must also leave the House.

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AN HON MEMBER: You are not a woman Speaker you are a male.

The SPEAKER: ... because you poured people with water. You opened a bottle of water.

AN HON MEMBER: The murderer of Marikana people must also leave the House.

The SPEAKER: I said they must leave. Invite the Parliament Protection Service, PSS, to remove them. Ladies, ladies. Invite the women from the PSS to remove the women.

Mr V PAMBO: Today you remember that women must only be removed by women. Only today!

The SPEAKER: Hon members lower your hands because once I have made a ruling on a member I have to make sure that the member ... [Interjections] ...

IsiZulu:

Nk M S KHAWULA: Ngeke sizehlise izandla, lalela into esiyishoyo thina. Ngeke sizehlise izandla khululeka nje.

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The SPEAKER: Hon members, I now suspend the business of the House ... [Interjections] ...

Ms N V MENTE: You dare kick Babalwa again!

The SPEAKER: I now suspend the business of the House. And hon Whips you please come together here.

AN HON MEMBER: You must suspend Cyril. Suspend the money launderer.

AN HON MEMBER: You must suspend all the EFF.

The SPEAKER: Hon members ... [Interjections] ...

AN HON MEMBER: Amandla!

The SPEAKER: ... we are suspending business of the House and Whips will you please consult.

Business suspended at 10:49

LN - [Xho - 14/06/2022 / TB (Sets) [18/06/2022] /

[mN.14.06.2022]/ VW// (Zul)14/06/2022 / TAKE ENDS AT 10:49

TAKE 1208 - STARTS AT 11:54

Business resumed at 11:53

The SPEAKER: Hon members, order. Thank you very much. Let me start by apologising to you for adjourning this sitting in the manner in which we did. All of us expected that by now we will be done with our work. However, in terms of the powers vested in me, I had to apply Rule 77, because it allows me that in the event of the grave disorder at a meeting the presiding officer may adjourn a meeting or may suspend the proceedings for a period stated by him or her. That is what we have just done.

Hon members, I am going to allow parties to speak and each party will have a minute to do so.

However, I want to start by saying what happened here this morning is totally unacceptable. All of us as Members of Parliament: The first thing in your orientation or induction, whatever it is, the first thing you are taught, amongst others is that this part at the centre where the Mace is kept, is a

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sacred part of the Chamber. You may not walk there for as long as the Mace is there. You may not even cross the floor from the one side to the other for as long as the Mace is there.

Now, what happened this morning was totally unacceptable. And I mean unacceptable, hon members.

However, allow me to give each party a minute to speak. The hon Tafeni, the fact that I am speaking with you present here; keep it in your mind that I have not forgot that I asked you to leave this House. So, once the parties have spoken because you decided to come back and you are occupying your seat, remember you will still go out. The hon ANC Chief Whip.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, thank you very much. Indeed, you have practised what is written in Rule 77 that when there is grave disorder, the House can be suspended. We fully support your intervention.

As political parties we met. I presided over the meeting as I usually do when there is a Chief Whips Forum. We have agreed that on the Order Paper, there is one item. The response by the President today, here. We are saying he is going to respond in this Chamber, today, at this hour. Whatever that

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has happened in the previous session, before adjournment, must be investigated and proper steps must be taken.

We cannot be taken for granted here as Members of Parliament, when we have agreed in the Chief Whips Forum and the National Assembly's Programming Committee, NAPC, the procedures that Parliament is going to undertake. Therefore, as the ANC, we are saying the President is going to address us here, because yesterday parties have raised their concerns and have debated. They expect the President to respond. The South Africans are expecting the President to respond.

We cannot come here and talk about the charges that are nowhere to be found at this moment. When that time for charges comes, it will be a different ball game all together. We now want to proceed with the sitting. Thank you.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker and hon Members of Parliament, what we have seen in this House today should never happen again. Not only do we as Parliament deserve better, but the South African public deserve better.

We are 400 representatives of almost 63 million people. Sixty-three million people count on us to make their lives better

every day. What we saw today was a show of embarrassment that will cost the world and we will be laughed at on the world spectrum. It can never happen again.

To be a Member of Parliament is an honour. We have to take that honour very seriously. I do not want to talk about what happened because I think it is disgusting and ...

[Interjections.]

Mr V PAMBO: Speaker!

The CHIEF WHIP OF THE OPPOSITION: ... I think it will be dealt with in an external forum, but what I want to appeal to everyone is for calm, rationality and focus on our work.

Mr V PAMBO: Speaker, on a point of order.

The CHIEF WHIP OF THE OPPOSITION: So many people ...

The SPEAKER: There is a point of order. Hon member, if I may remind you, I did say that if hon members on the virtual platform raise a point of order, do so by raising your hand,

the table staff will see your hand on the monitor and will draw my attention to you.

Mr V PAMBO: Hon Speaker, can you please ask the hon Mazzone to try to speak with a shop steward's voice or speak closer to the mic because it looks like she is trying ...

The SPEAKER: Alright. Closer to the mic. Thank you very much. Thank you, hon Pambo. Sit down, hon Mazzone.

The CHIEF WHIP OF THE OPPOSITION: Thank you, Speaker.

The SPEAKER: In this instance and then you will be closer to the mic. Yes.

The CHIEF WHIP OF THE OPPOSITION: To be a Member of Parliament is a great honour. We all know this. The 400 of us represent 63 million South Africans. We do not have the luxury of causing chaos, especially at the time where our country finds itself in a situation that is in.

Section 36 of the Constitution, limits our rights and it says no one's rights may outweigh someone else's rights.

My party and my party leader took part in the debate yesterday and it is our constitutional right to hear the response of the President. The President has a constitutional right too, to respond to what he was asked and messages that we send to him yesterday.

I ask that we hold the decorum of this House and we start acting like the 400 representatives that the South Africans voted into Parliament. I would like to publicly like to thank the DA caucus for being well behaved. I would like to thank every other member in Parliament who sat down, did not get involve in physical altercations and I would like to say and I hope going forward we never see this violence again.

We have come from a violent background. Let us teach our children that violence begets violence and we only need of good governance and of good behaviour to children who are watching Parliament. Thank you, hon Speaker. [Applause.]

Mr N F SHIVAMBU: Hon Speaker, I please beg your indulgence so that we are able to hear each other clearly. Yesterday the Public Protector of South Africa was suspended by a sitting President. There is no conviction that has been passed by any competent ...

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The SPEAKER: Hon Shivambu, I do not want us to fight.

Mr N F SHIVAMBU: I am giving context. Please listen to what I am saying.

The SPEAKER: No, no my brother, no, no! You are completely out of order!

We are now talking about what happened before I adjourned this House and how we must move forward.

Mr N F SHIVAMBU: I am giving context. Yes, the way forward that we are putting as the EFF, the President, yes, he is not yet being convicted, but there are serious allegations against him. He must therefore not be permitted to speak here in this Parliament.

We did the same thing in the previous administration. You know what have been the benefits of this decisive and necessary action.

So, Mr Cyril Ramaphosa must not be allowed to speak today there. In the same way that the Public Protector is suspended he must step aside as well, so that he can be able to answer

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to all these allegations of money laundering and torturing women. In the same way.

The SPEAKER: Thank you very much, hon Shivambu. You have made your point.

Mr N F SHIVAMBU: You allowed the previous speaker to speak for two minutes. I was counting.

The SPEAKER: No, it was one minute. You are at minus 23 seconds now.

Mr N F SHIVAMBU: In conclusion Speaker, we have open the case against you as the Speaker and security rascals of Parliament who have assaulted our members and are currently in hospital. You are going to be held accountable for calling violence on Members of Parliament. We are going to take action against you in the same way we were charged in Parliament for touching a white person. Now we are acquitted. You are going to be held accountable for instructing rascals, to assault Members of Parliament in a way that is unconstitutional. So, that you must take note off. Cyril Ramaphosa must not speak today.

The SPEAKER: Thank you very much, hon Shivambu. You have made your point. I have noted what you have just said today.

Ms O M C MAOTWE: And you are still not going to speak that Cyril.

The SPEAKER: I now invite the hon member from the IFP.

Mr N SINGH: Thank you very much, hon Speaker and hon President. I am sorry I am going to sit so that you can all hear. Firstly, I believe that there are many platforms and forums where we could address some of the issues that are being raised here other than this.

An HON MEMBER: The conformist is speaking.

Mr N SINGH: Whether the hon Malema wants to call me a conformist or not it is his right. I am allowed to express myself on behalf of my political party. As far as we are concerned we have gathered here the last two days to deal with Budget Vote No 1. We received the remarks by the President. There were remarks by all political party leaders. We expect the President to respond to whatever was said yesterday.

However, having said that hon Speaker, I think also at the Chief Whips Forum agreed that we need to investigate some of the actions that took place in this House - the injuries that might have taken place to members of the Protection Services and to Members of Parliament. This is something we want to assure this House that will be done. We believe as the IFP that the President should respond. We want to listen to his response very, very carefully. Notwithstanding the fact that other issues will be taken up as we proceed. Thank you.

Ms O M C MAOTWE: Speaker, can you please ask the information and communication technology, ICT, to allow president Julius Malema to enter the platform. He has been put on hold.

The SPEAKER: Why is he out of the platform?

Ms O M C MAOTWE: No, no, no, he had network issues. So, he is trying to log back in, but the ICT is not allowing him in. Please.

The SPEAKER: Alright. Thank you very much. The hon Malema did address me earlier on, but ICT, will you please make sure that he is back, maybe he is cut off. However, I do not think there

is a deliberate decision which was taken for him to be out of the system. The hon Ntlangwini.

Ms E N NTLANGWINI: Thank you, hon Speaker. I just want to correct you. It was not the hon Malema - for Hansard purposes, it was the hon Vuyani Pambo. Can you just allow the hon Malema to log on? Thank you.

The SPEAKER: Alright. I am sorry the voices are confusing me. Will you please allow the hon Malema to come in? The hon member of the FF Plus.

Dr C P MULDER: Hon Speaker, hon President and hon colleagues, this is Parliament. We are the members of the National Assembly. Four hundred of us and in terms of the Constitution we represent the people of South Africa. That is who we are. Each one of us represent 50 000 people out there, the electorates and we should behave accordingly. It is a huge responsibility.

Now we may differ from each other in terms of political positions and in terms of points of view, but the Constitution clearly stipulates that the National Assembly is the highest legal authority on the national level in South Africa. Today

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we are busy with oversight giving the President an opportunity to be responsible for his budget and also to do oversight and allow the President to reply.

Whether we sit here until nine o'clock tonight, the President will speak. That is the Constitution and that is what is expected from all of us. When we became Members of Parliament we all swore an oath in terms of schedule two of the Constitution. In which we all undertook to uphold the Constitution and the law of the Republic and to do our job in terms of the best of our ability. Some of us should do better. Thank you, Mam.

Mr S N SWART: Hon Speaker, the ACDP would like to agree with you that what happened yesterday and today is totally unacceptable. While we appreciate that there are a number of questions that need to be asked and answered by the President, we should allow him to account to the nation and to respond. So, we are fully supportive of him responding today.

The nation is looking to us for leadership at this time, given the large number of challenges facing us when we have COVID-19, flooding and even when there was Parliament fire. They are now looking to us and the President for leadership.

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Speaker, we need as leaders to apologise to the nation on how we have conducted ourselves. I also apologise for gestures from my side that were unbecoming.

Each of us need to maintain the decorum of this House. If we do not do that then rightfully, the citizens of the country will start questioning the legitimacy of Parliament and start referring to us as children or as a circus. That we cannot allow. We need to be able to exercise our oversight correctly and each party needs to be able to participate in that process in terms of the Constitution and in terms of the rules. I thank you, Speaker.

Mr W M MADISHA: Hon Speaker and hon members, all the Chief Whips of the political parties met. A decision was taken there that the President must be allowed to speak, so that he can respond to problems, questions and everything that was raised yesterday and the way forward as you proposed. We therefore agree with that. Thank you.

Mr S M JAFTA / AZM MNGUNI (10 - 06 - 2022)/ TAKE ENDS AT
12:10

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TAKE 1209 - STARTS AT 12:10

Mr W M MADISHA

Mr S M JAFTA: Hon Speaker, the AIC is here. Yesterday, we took almost eight hours debating the Budget Votes. Hon Speaker.

The SPEAKER: Yes, we are listening to you. You are audible.

Mr S M JAFTA: Oh yes. I was saying, yesterday, we took almost eight hours debating the Budget Vote on The Presidency. All the political parties had a chance or an opportunity to say whatever they feel about the President. Almost all political parties demanded answers from the President about the allegations that have been put against him. We are therefore expecting the President to respond today and listen what he is going to say about the allegations. We can therefore not disallow the President to respond to the questions that we posed yesterday.

As the AIC, we feel the President must be given the opportunity to respond as per the decision taken by the Whippery. Thanks very much.

Mr B N HERRON

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Mr S M JAFTA

Mr B N HERRON: Thank you, Speaker, Speaker what we saw yesterday and today is deeply disturbing to see the people's House degraded in the way we have seen it.

The Rules provide for the removal of the member from this House is not intended to provide an opportunity to provoke a forced eviction. The member that's asked to leave this House in terms of the Rules, should do so without being forced.

We should not see the disgusting violence that we saw this morning. I am sorry to hear that there are members that are in hospital, but from where I was sitting, I saw members of this House assaulting parliamentary staff, and that's not acceptable.

Speaker, we are here to conduct the business of the people of South Africa ... [Interjections.]

The SPEAKER: Order.

Mr B N HERRON: Speaker, we do not represent our personal grievances ...

The SPEAKER: Order members.

Mr B N HERRON: ... we are here to serve the people of South Africa ...

Ms Y N YAKO: On a point of order.

The SPEAKER: There is no point of order for now.

Ms Y N YAKO: Speaker, he is lying. There is no such happening.

The SPEAKER: No, withdraw that. You said he is lying.

Ms Y N YAKO: I will not withdraw, he is lying. Why did he say we assaulted the staff? We didn't.

The SPEAKER: Hon Yako, will you please withdraw what you have just said.

Ms Y N YAKO: I will not withdraw, Speaker.

The SPEAKER: If you are not withdrawing, feel free to walk out. Please leave the Chamber.

Mr V PAMBO: Speaker, how is it that always, the only option is to kick people out of the House?

The SPEAKER: Hon Pambo, wait. I am using the Rules of the House. Hon Yako, please leave the House.

Ms Y N YAKO: Speaker, he is misleading the House. He is lying.

The SPEAKER: Hon member, will you please withdraw.

Ms Y N YAKO: That is not what happened.

The SPEAKER: You are refusing to withdraw?

Ms Y N YAKO: I will not withdraw.

Ms T P MSANE: He is misleading the House.

The SPEAKER: Yako, I am coming back to you. I will allow GOOD to finish.

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Mr B N HERRON: May I conclude, Speaker?

The SPEAKER: Please conclude.

Mr B N HERRON: Thank you, Speaker, we are not here to represent our personal grievances ... [Interjections.]

Ms N K F HLONYANA: You may be concluding, but you are a liar.

Mr B N HERRON: ... we are here to serve the people of South Africa ... [Interjections.]

Ms N K F HLONYANA: You are lying.

Mr B N HERRON: ... and the crisis is urgent. The people of South Africa rely on us to provide leadership and solution, and not chaos and disrespect. Thank you.

Mr A M SHAIK EMAM

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Mr B N HERRON

Mr A M SHAIK EMAM: Thank you, hon Speaker, in this House, we have different processes that we follow. One of the things we are dealing with now, is the budget process. The purpose of a budget process is to ensure that we have allocations of resources so that we can deliver the services to the people on the ground.

Now, 63 million people in this country are watching the decorum and dignity of this House go to an all-time low. They have entrusted us as the highest decision-making body in this House, to act in the best interest with respect to the dignity and the highest morality. What we are doing here is that everything else, but acting in the interest of the people.

The NFP is very clear about this and that the process must continue. If we are unhappy about anything, we have other opportunities and processes that we can follow. This particular sitting must take place. It must continue.

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There are allegations. Allegations will be dealt with. These allegations ... [Inaudible.] ... that get many people not only in this House, but all over the world. We just cannot live only on allegations. Allow the process to continue. Allow the President to continue so that we can take South Africa forward. I want to plead with anyone in this House that have the interest of the people of this country to please allow the process to continue. [Time expired.]

Mr N L S KWANKWA

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Mr A M SHAIK EMAM

Mr N L S KWANKWA: Thank you, Speaker, I think I heard hon
Mazzone commending members of her caucus for being well-
behaved. Well, I think I should commend the 50% that ...
[Inaudible.] ... of the UDM in the House; for those guys for
being well-behaved.

Look Speaker, I think let's firstly give a bit of context. If
we were to look at it, this is President Ramaphosa's pay back
the money moment, if we were to look at the political
strategies employed in the House. It is not up to us or up to
the UDM to try to be political analysts and analyse the
position of other political parties whether we agree with them
or not. What is important is that I have been in the media in
the past two days, speaking on behalf of my party, saying that
we expect the President to come here and account. My leader,
did raise a few in his speech that he would like the President
to respond to because this is the opportunity to do so. In
other words, what we expect is that once you have allowed
other parties to ventilate whatever views they want to bring

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forward, it is important that this process proceeds so that the President can respond to the inputs that have been made by the party leaders.

I also want to say that; I think the use of violence is regrettable. It is something that as this House, we need to once more investigate again. Look into it and see how we can prevent it from happening again in future.

Speaker, there are a lot of videos circulating around. I was also sent a video of EFF MPs who were still being manhandled outside. They were evicted from the House, but outside of the precinct, they were still being beaten even though they pose no threat to the security - what do we call them again?

Parliament Protection Service, PPS.

I am trying to say we need to look at people who have evidence of all the violence that has happened in the House. They need to be submitted so that we look at this thing properly as we map the way forward and try to do it properly. I said all videos that have to do with violence. [Time expired.]

Mr M G E HENDRICKS

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Mr N L S KWANKWA

Mr M G E HENDRICKS: Thank you very much, hon Speaker, hon Speaker, we would like to thank you for your leadership, for your fairness, and for the decorum of this House. However, it is unacceptable that Parliament should be a precinct for gender-based violence. I know there were issues about males touching the private parts of females, but for Al Jama-ah it is also ... if females touch the private parts of other females.

We need to revisit the Rules. There should be no sign of any violence in the parliamentary precinct. The Speaker obviously needs to have certain powers to deal with these issues. The Rules Committee - I am going to instruct Mr Singh who represents the smaller parties - we need to relook at the Rules as to give the Speaker other powers other than removing people from the House, which is an infringement on their dignity, and to remove them forcefully; it is unacceptable. We are setting a wrong example to learners in classrooms and to municipalities all over because Parliament sets the standards.

Al Jama-ah would like to call for a revisit of the powers that the Speaker has and to give the Speaker even stronger powers. Definitely we don't want the nation to see physical violence and physical removal from the House. Thank you very much, hon Speaker.

Mr M NYHONTSO

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Mr M G E HENDRICKS

Mr M NYHONTSO: Thank you, Speaker. The last speaker should have been hon member from Al Jama-ah. This thing of calling Al Jama-ah before PAC ...

IsiXhosa:

... iza kude iqheleke ...

English:

... Speaker, apologise.

IsiXhosa:

Kudala ndiyibukele.

English:

The SPEAKER: My apologies, hon Nyhontso.

Mr M NYHONTSO: Be that as it may, Comrade Speaker, we have raised issues last night with the President, issues that I believe are relevant for my constituency. I therefore expect

the President to come and respond to those issues, in particular, the plight of military veterans. The President must speak and respond to our issues. Thank you, Speaker.

The SPEAKER: I thank you, hon member. Hon members. Order.

Mr J S MALEMA: Hon Speaker, can I correct something here? It's hon Malema.

The SPEAKER: Hon Malema, yes.

Mr J S MALEMA: Hon Singh said that I said he is a conformist. I never said that. I was not even on the platform; I was listening on TV. It is incorrect to just put me into things I was not in, please.

The SPEAKER: Okay. Thank you very much, hon Malema for drawing our attention to that. Hon Singh.

Mr N SINGH: Hon Speaker, I do apologise to the hon Malema. There was no name on the screen and it sounded like him, but thank you very much. I hope he will accept the apology. Thank you.

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The SPEAKER: Thank you very much, hon Singh. Hon members, order. Hon members, as we proceed, allow me to indicate to you that we have taken serious consideration into the issue which was raised here by hon Chirwa. Hon Chirwa was throwing it at the Speaker, that the speaker is committing gender-based violence. I would like to say that we were not aware of what is happening if it did happen. Therefore, what we will do now is to conduct an investigation post this debate. Fortunately, there are videos everywhere and there are even cameras outside so that we are able to get the exact information about what happened as people were being taken out.

Equally, I want to commend hon Ntlangwini about yesterday, because when she was asked to leave the House, she understood exactly and she walked out. As the parliamentary ...

Ms E N NTLANGWINI: On a point of order, Speaker. No, now you are patronizing us. What you are doing is wrong.

The SPEAKER: Okay. No need to patronize.

Ms E N NTLANGWINI: Never divorce me from my caucus. Never do that. You have been patronizing me the whole morning. Don't ever do that.

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The SPEAKER: I withdraw.

Ms E N NTLANGWINI: Don't do it.

The SPEAKER: I don't want to patronize the ... [Inaudible.] ... of the EFF. Thank you, hon Ntlangwini. Hon members, on that note, we will investigate the matter as it happened. Hon members, we are 400 members here, we are representing 14 political parties, which implies that we are representing millions of South Africans. As we proceed, I want to start with you, hon Tafeni. No, wait. I want to start with you, hon Tafeni and remind you that the members who I had requested to leave the House, have left the House. You were supposed to leave the House. For now, you have not done that. I am now requesting you to leave the House.

Ms N TAFENI: Thank you, hon Speaker ...

IsiXhosa:

... ndifuna ukuqonda Somlomo ukuba undikhuphela ntoni na ...

English:

... because during the time ...

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IsiXhosa:

... ndikhwija umntu ngamanzi ...

English:

... it was a man ...

IsiXhosa:

... endibethe ngengqiniba apha ebeleni. Bekufanele ukuba ndenze njani mna? Ingaba bekufuneka ukuba nam ndiphindise ngengqiniba kananjalo? Ndithatha amanzi ndimkhwija ngawo kungenxa yokuba undinyhukula ngengqiniba kuba efuna ukutsala uBabalwa. Yeyiphi ke ngoku into ebekufanele ukuba ndiyenzile Somlomo?

The SPEAKER: All of that will be investigated, hon Tafeni. But what you did ... [Interjections.]

IsiXhosa:

Nks N TAFENI: Undikhuphelani kaloku ungekaphandi kuba liDindala leNdlu oyena mntu ubalulekileyo apha kuwe. Aba bantu bakho basibetha ngeengqiniba uze uthi wena xa ndizama ukuzilwela uthi mandiphume phandle. Ngoba kutheni?

English:

The SPEAKER: Hon Tafeni, I am pleading with you to leave the House.

IsiXhosa:

Nks N TAFENI: Bendizama ukuziphindezela, Somlomo.

The SPEAKER: Hon Tafeni, I am requesting you to leave the House.

Ms N TAFENI: For what?

The SPEAKER: For what happened before we left here.

IsiXhosa:

Nks N TAFENI: Ingaba yinto ebisenziwa ndim okanye ngala maDindala eNdlu akho owabize ngokwakho?

English:

Mr V PAMBO: On a point of order, Speaker.

The SPEAKER: Hon members ... [Interjections.] ... just allow me ... [Interjections.]

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Mr J S MALEMA: Hon Speaker, we are asking you to protect women.

The SPEAKER: Yes.

Mr J S MALEMA: What is this thing that you are doing that you allow men to touch women's breasts the way they ...

The SPEAKER: Hon members ... [Interjections.]

Mr J S MALEMA: ... and women are defending themselves. You are punishing women for defending themselves.

Mr X NQOLA: Hon Speaker, you are going to degenerate this thing ...

The SPEAKER / AR [14/06/2022] / LN [14/06/2022] / TAKE ENDS AT
12:27

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TAKE 1210 - STARTS AT 12:27

Mr X NQOLA

The SPEAKER: Hon members, If I may read section 73 of the Constitution and of the Rules ...[Interjections.]

Mr X NQOLA: Hon Speaker, we must not allow people to ...[Inaudible.]

The SPEAKER: ... and allow me to start with one which says, if a member refuses to leave the Chamber when ordered to do so by the presiding officer in terms of Rule 70 or 71, the presiding officer must instruct the Serjeant-at-arms to remove the member from the Chamber and the precincts of Parliament.

Ms T P MSANE: But Speaker, she is telling you why she is not leaving.

The SPEAKER: Secondly, if the Serjeant-at-arms is unable in person to effect the removal of the member, the presiding officer may call upon the Parliamentary Protection Services to

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assist in removing the member from the Chamber and in the precincts of Parliament.

Ms T P MSANE: Speaker, you must protect women, protect her.

[Interjections.]

The SPEAKER: The Rule says if the hon member is resists attempts to be removed from the Chamber in terms of Rule 1 or 2, the Serjeant-at-arms and the Parliamentary Protection Services may use such force as maybe reasonably necessary to overcome any resistance. This is no directive in the process for them to touch your private parts as you have indicated.

Ms T P MSANE: But they did. They touched her private parts Speaker, they touched her.

The SPEAKER: And the last ... [Inaudible] ...says, no member may in any manner whatsoever physically intervene in, prevent, obstruct or hinder the removal of a member from the Chamber in terms of these Rules. I have read those Rules and I really want to make a plea to you that, you observe the Rules which we have adopted in Parliament.

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Ms E N NTLANGWINI: On a point of order. Point of order.

[Inaudible.]

The SPEAKER: Hon members, I have noted the hands of hon Ntlangwini and hon Dlakude, but before I recognise you, I still want to plead with you, hon Tafeni and hon Yako to leave the House.

AN HON MEMBER: Speaker, we are on virtual, can we also be noted please.

IsiXhosa:

Nksz N TAFENI: Ndifuna ukwazi eyona nto undikhuphela yona ...

[uwele-wele.]

Mr M K MONTWEDI: Just leave, them we are going to meet in court. Leave!

IsiXhosa:

Nksz Y N YAKO: Somlomo uza kusenza abantu abakrwada singekho krwada. Asikho krwada sime apha nje.

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English:

We have a right to speak. Please do not dictate in this House please ...

IsiXhosa:

... ndiyakucela musa ukuyenza le nto uyenzayo.

The SPEAKER: Hon Tafeni and hon Yako will you please leave the House.

AN HON MEMBER: For what, Yako was not even in the House at the time?

The SPEAKER: Hon member form the virtual system ...I am ...

IsiXhosa:

.. ngubani?

English:

Who is that?

Am HON MEMBER: Mente.

The SPEAKER: No ...

IsiXhosa:

... asinguye uMente.

Ms A M SIWISA: Why must they leave hon Chair? Why must they leave when they were protecting themselves? Why must they leave?

Mr A H M PAPO: Speaker!

The SPEAKER: Hon members ... Ok hon Papo you are going to help me? Please help.

Mr V PAMBO: No, Speaker ...[Interjections.]

AN HON MEMBER: On a point of order Speaker.

Ms T P MSANE: ...[Inaudible] ... get out from the floor.
[Interjections.]

Recognise us, we want to speak, we are in the House.

The SPEAKER: Hon ...[Interjections.]

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Mr A H M PAPO: Yesterday you made a ruling that
...[Interjections] ...

Ms E N NTLANGWINI: But, Speaker, my hand was up before Papo,
what is this? [Interjections]

Mr A H M PAPO: I am appealing that, that platform be muted.

Ms E N NTLANGWINI: What is this?

Ms N V MENTE: You are not voted by ...[Interjections.]

The SPEAKER: Hon members, the platform yesterday had to be
shut down because there was disorder and people were causing
disorder from the platform.

Ms M R MOHLALA: But, it was you who was causing all that.

The SPEAKER: I thought that today we would allow you hon
members ... [Interjections]

AN HON MEMBER: On a point of order.

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The SPEAKER: ... to not only listen but also participate, but if you are being disruptive, I will have no choice but to close the platform.

Ms E N NTLANGWINI: On a point of order Speaker.

[Interjections.]

The SPEAKER: Hon member! Yes, hon Ntlangwini.

Ms E N NTLANGWINI: Speaker, I don't know why ...[Interjections] you are treating our members like this on the virtual platform. They are part of the House. They can raise points of orders anytime they see fit to raise points of orders. All the members that are interjecting at times, you don't look at the ANC members that are interjecting. You are quick to see EFF members and you want to kick us out of the House. You have not even given hon Yako, we are still going to talk to you. You said to her, "I have noted down your hand, I am going to attend to you" Why are you not allowing her to speak? Now, you also want to chase her out. Don't handle us like that. don't ...[Interjections] ...

The SPEAKER: Hon Ntlangwini ...[Interjections]

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An HON MEMBER: On a point of order Speaker! [Interjections]

The SPEAKER: Table staff, switch off the platform. Table staff, I direct you to switch off the virtual platform.

Mr M K MONTWEDI: On a point of order Speaker!

The SPEAKER: I direct you to switch off ...[Interjections.]

Ms N V MENTE: No!

Mr K CEZA: That is not democratic Speaker.

An HON MEMBER: On a point of order Speaker!

The SPEAKER: Hon clerks of the ... you have not switched off the virtual platform. You have not. Mute everybody. Thank you very much.

An HON MEMBER: On a point of order Speaker.

The SPEAKER: Hon members, hon Tafeni starting with you I requested you to leave the House.

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IsiXhosa:

Nksz N TAFENI: Ndiphuma kuba kutheni Somlomo?

The SPEAKER: You know why. I don't want to get into that debate right now.

Ms N TAFENI: I don't know. I don't know. I don't know.

The SPEAKER: The same ...[Interjections.]

IsiXhosa:

Nksz TAFENI: Bendizikhusela ekubeni simele ukukhuselwa nguwe kula madoda asinyhukutyhayo. Bendizikhusela kula madoda andinyhukutyha ibele. Ngendenze njani mna? Ndenze into engalunganga ngokuzikhusela?

The SPEAKER: Hon Tafeni, you are ...[Interjections.]

IsiXhosa:

Nksz N TAFENI: Unokuwabiza eze kundifunqula.

The SPEAKER: Hon ... I am not going to do that.

Ms N TAFENI: Oh!

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The SPEAKER: Hon Tafeni! Hon Tafeni! Hon Tafeni! Even yesterday you did this, and today the reason we had to adjourn the House was because of what you did. In fact, we adjourned the House and had to go and discuss because you decided to cross the floor and stand there, and actually fought.

Ms N TAFENI: Not me. Not me.

The SPEAKER: [Inaudible] ... Apologies, apologies, I have mixed you names, what you did was throwing water. You interfered as we were ...[Interjections.]

IsiXhosa:

Nksz N TAFENI: [Ngokungavakaliyo] ... ndayichithela ngamanzi kuphela. Ndiphumela ukuchithela indoda endibethe ngengqiniba ngamanzi?

The SPEAKER: Hon member, I am not going to exchange with you. Serjeant-at-arms will you please assist the member to leave the House.

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IsiXhosa:

Nksz N TAFENI: Ngoba? Yeyiphi le nto ingalunganga mna ndiyenzileyo?

The SPEAKER: Because you interfered with the process when someone was being removed from the House.

IsiXhosa:

Nksz N TAFENI: Ingaba oyena mntu wenze okulungileyo ngulo undibethe ngengqiniba Somlomo?

The SPEAKER: When we have investigated that, we can talk about it.

IsiXhosa:

Nksz N TAFENI: Ndicela ukuhlala ke ude uphande kuba apha uMongameli uyaphandwa kodwa uthi makahlale athethe. Kutheni ungenakho ukundiyeka mna ndihlale. Kutheni ungenakho ukundiyeka mna ndihlale?

The SPEAKER: No, you leave the House hon member. Leave the House.

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IsiXhosa:

Nksz N TAFENI: Andifuni nokuva indoda ecaleni kwam, ndicela uhambe tata.

The SPEAKER: Okay!

IsiXhosa:

Nksz N TAFENI: [Ngokungavakaliyo] ... wonke umntu ophandwayo makaphume kule Ndlu.

The SPEAKER: Hon ... how do you allow it?

An HON MEMBER: On a point of order Speaker. I have for the past two if not three hours respectfully been raising points of orders, and you ... [Interjections.]

The SPEAKER: I am waiting for the ... [Interjections.]

An HON MEMBER: On a point of order Speaker.

The SPEAKER: ...the Parliamentary Protection Services must assist and remove ... [Inaudible] ... please.

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Ms Y N YAKO: Speaker, they have a member of your Parliamentary Protection Services who is abusing us. Her name is Beauty and ...

IsiXhosa:

... uyasikriwitsha [Uwele-wele.]

An HON MEMBER: Speaker, are you going to recognise me or you want me to just go on and speak? Speaker!

Ms Y N YAKO: You have a member of your security, her name is Beauty and ...

IsiXhosa:

... uyasibetha ...

English:

... because she is doing it deliberately, she is not doing her job anymore; she is being personal, so she cannot come in here ...

IsiXhosa:

... yena.

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The SPEAKER: Who is that?

Ms Y N YAKO: Beauty, here name is Beauty. She is the security person is ...[Inaudible]

... because uyasibetha.

An HON MEMBER: Speaker, you can't dictate as to who must arrest you.

Mr J S MALEMA: Madam Speaker, I think you have just acknowledged that you chose the wrong person.

The SPEAKER: If I could say something to you, hon members. Please, please, and you all know this. The fact that I ignore your hands, is not that you are being ignored. We have to finish with one person. [Interjections] Hon members!

IsiXhosa:

Nksz N TAFENI: [Ngokungavakaliyo] ... la madoda mawasuke. Mawasuke la madoda, mawasuke. Mawahambe la madoda. [Uwele-wele] Andizi kufunqulwa ngamadoda mna.

The SPEAKER: Hon members.

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IsiXhosa:

Nksz N TAFENI: Kutheni kusiza amadoda Somlomo?

The SPEAKER: Hon Tafeni ...

IsiXhosa:

Nksz N TAFENI: Ndicela la madoda asuke apha

The SPEAKER: Will you please step out hon Tafeni. Hon Tafeni, step out! [Interjections.] Which one? Hon members, hon members, I have requested you, hon member... Hon member Tafeni, please leave and Parliamentary Protection Services, my instruction to you is that, no male member should move the parliamentary ... [Interjections]

AMALUNGU AHLONIPHEKILEYO: Kwa uBeauty ...[Uwele-wele.]

An HON MEMBER: You can't tell us who must remove who.

The SPEAKER: No member must interfere ...[Interjections]

An HON MEMBER: You can't tell us who must remove who.

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Ms P MADOKWE: [Inaudible] ... because of this woman. This woman has been strangling us ...[Inaudible.]

The SPEAKER: Okay! I am waiting ... [Interjections. I am waiting for hon member Tafeni to leave the House. Actually ...[Interjections.]

An HON MEMBER: You can't prescribe.

The SPEAKER: All you need hon members is to escort, that is what we have been requesting. That you just go ...
[Interjections.]

Ms P MADOKWE: They are beating and strangling us Speaker.

An HON MEMBER: Speaker!

The SPEAKER: Thank you very much. Thank you, hon Tafeni is gone. I am coming back to you, hon Yako, will you please rise and please leave the House. Hon Yako, you asked why? It is because you said ...[Interjections.]

An HON MEMBER: On a point of order Speaker.

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The SPEAKER: ... somebody is lying and I said please withdraw and you refused.

An HON MEMBER: No, on a point of order Speaker.

Ms Y N YAKO: I said he misled the House. I said he misled the House ... [Inaudible.]

The SPEAKER: Hon member Yako, you said the person is lying. You said it twice.

Ms Y N YAKO: You did not give me the chance. You did not give me the chance. I just said, he has misled the House.

The SPEAKER: Hon member, I said withdraw lying. Up until now, you have not withdrawn. No she was given time hon ... Hon Yako will you please take the floor and withdraw now.

Ms Y N YAKO: Hon Chair, I withdraw the word lying, ...
[Interjections.]

An HON MEMBER: On a point of order Speaker.

Ms Y N YAKO: ... he misled the House.

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The SPEAKER: Thank you very much hon Skwatsha. I understand how you must be feeling that the Speaker has ruled. But one thing I am not going to have, is this House collapsing on my hands before the President has finished his speech.

Mr M K MONWEDI: On a point of order Speaker!

The SPEAKER: We can maybe after this hon members, hon Papo we can discuss this matter. Thank you very much.

Mr M K MONWEDI: Speaker!

The SPEAKER: Hon ... but I have not given you the floor.

Mr M K MONWEDI: Ja, but I have raised a hand for the past two hours.

The SPEAKER: I have not given you the floor.

Mr M K MONWEDI: So, when are you going to give the opportunity?

The SPEAKER: Switch off your microphone and raise your hand.

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Mr M K MONWEDI: When are you going to give an opportunity?

The SPEAKER: Switch off that microphone. Thank you, thank you.
Hon members, we are now continuing with the debate.

Mr M K MONTWEDI: On a point of order Speaker.

Ms Y N YAKO: Chair, you said you were going to recognise me a long time ago.

Mr M K MONTWEDI: Thank you very much Speaker. Speaker, you are not going to treat me in this House the same way you are treating members that are on the virtual platform, by illegally closing them out of these proceedings. You are not going to do that. What happens on virtual platform, must also happen here.

Now I want to rise Speaker to say to you, why are you so inconsistent in terms of how you apply the Rules? Why are you not identifying those that are disruptive? If people are disruptive in the virtual platform and tell information technology, IT to remove them as you identify those that are disruptive in the House. It is not consistent Speaker and what

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you are doing is unconstitutional. We are members of Parliament; we must come here.

It is not only some of these people that are representing their constituencies. We also come from constituencies that we happen to represent. I want to Speaker to open the virtual platform to allow all members of Parliament to raise any issue that they would want to raise and identify, identify such elements and tell IT to mute them or remove them from the platform. I have got a few points that I want to raise, but I am raising this now.

The SPEAKER: Thank you very much hon Montwedi, you have made your point and I am taking it into consideration. Hon members! Yes, hon Mandela.

Inkosi Z M D MANDELA: Thank you, hon Speaker. I just wanted to point out and draw your attention that you should study Hansard, as to what hon Ntlangwini was saying to the security personnel. You would find that it was a really gross violation of the Rules of the House. She actually used a language that is unbecoming. Thank you.

The SPEAKER: Okay, thank you very much hon member. Hon members on the virtual platform, this ... [Interjections] ... hon members, hon Ntlangwini please. Hon members, the following members are the members ... you are right hon Montwedi. These were the members who were disruptive on the virtual platform, hon Maotwe, hon Mente. They are raising points of orders and I will allow them to do so. What I will not allow is for people to scream from the virtual platform, because they are then causing disorder in the House. That is what I will not allow, hence we have closed everybody from the virtual platform.

Now. I am going to allow these members to raise the issues they want to raise. However, if what happened yesterday continues, I will switch off the virtual platform. Hon Maotwe! Hon Maotwe, you don't want to speak anymore?

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TAKE 1211 - STARTS AT 12:42

The SPEAKER

Ms O M C MAOTWE: Hon Speaker, I've been wanting to assist you for a very long time and you have not been recognizing us. Firstly, let me deal with the issue of hon Mandela, who stood up there. He said we ... and you must investigate this, Speaker, and throw him out of the House himself, he said that people must be *moered* [beat up] in the House. So, he's actually saying that in that same House of yours, that you call hon House, we must fight each other. Can you please investigate that, Speaker, and help us and remove hon Mandela because that is very unparliamentary and it can't be allowed.

Now, the second ...

The SPEAKER: Thank you very much, hon Maotwe ...

Ms O M C MAOTWE: ... that was one ... Speaker, allow me to finish. Now, Speaker, we are saying to you, the President of the Republic, there are serious allegations against him ...

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The SPEAKER: That's not a point of order, hon member.

Ms O M C MAOTWE: ... he can't come to the hon House to address us as hon members because he's not honourable. He must step aside and allow the law to take its cause ... [Inaudible.] over the state and therefore ...

The SPEAKER: Hon Maotwe!

Ms O M C MAOTWE: Yes, Speaker.

The SPEAKER: Hon Maotwe, thank you for listening. Hon Maotwe, that is not a point of order. It is not a point of order. Please take your seat, now, and allow me to recognize the next ...

Ms P MADOKWE: Speaker, am I ever going to be recognized, myself, here in this House? my hand has been up, I don't know how many times you said you are going to recognize me ...

The SPEAKER: I will recognize you later.

Hon Mente!

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Ms N V MENTE: Speaker, number one, you call bouncers on members of the EFF and you don't pay attention to what those bouncers are doing, right under your nose, in front of your eyes, in a full view of all members of the House, who come here to mislead the House to say we are unruly. Those bouncers came in, dragged commissar Phiwaba. Commissar Phiwaba was never asked to leave the House, they came in, they ...

The SPEAKER: Hon Mente, the issue about the bouncers has been raised and I've taken that into consideration and there will be an investigation of this matter. I did say that, hon Mente. [Interjections.] I wasn't aware that this is what people are subjected to, we've agreed, we are investigating it, hon Mente. And therefore, please, the issue of the bouncers, for now, let's park it until that investigation is conducted.

Ms N V MENTE: Can I finish my point of order, please?

The SPEAKER: Yes!

Ms N V MENTE: Can I finish now, please?

The SPEAKER: Yes, hon Mente!

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Ms N V MENTE: Bouncers that you are saying is going to be investigated. We agree with you. and we have already laid charges against you and those bouncers that have been manhandling women and even sexually harassing them. One of them was even kicking a woman right in front of your eyes; you didn't call them out. You did not do anything. Simply because ... [Inaudible.] ... protecting ... [Inaudible.] ... a person who's got the money ...

The SPEAKER: Hon Mente, you have raised the matter and we've taken that into consideration.

Hon Msane!

AN HON MEMBER (Male): Speaker, one of your problem is that you are impatient. You don't want to listen ...

Ms T P MSANE: Speaker, you need to allow us to finish, right? First of all, you are pre-empting what we want to say. The hon Mente is giving you what happened, currently, in your House, and you are refusing to listen to her.

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Secondly, you want to kick out hon Yako. You want to kick hon Yako because she is giving you a scenario of what happened in the House. You cannot pre-empt what the EFF members want to say to you. You can't. It's incorrect. I ...

The SPEAKER: Hon Msane, don't belabour the point. The point has been raised and we've agreed that this matter will be investigated. Don't belabour the point ...

Ms T P MSANE: ... no, but allow us to speak, hon Speaker ...

The SPEAKER: ... we are wasting time, hon members. we are wasting time ...

Ms T P MSANE: ... allow us to speak, hon Speaker. You are treating us like your stepchild and us on the virtual platform must be given a voice. You are not giving us a voice. You want to mute all of us mutually. It can never be ...

The SPEAKER: Thank you very much, Msane.

Hon Tshabalala!

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Ms J TSHABALALA: Hon Speaker, I greet the hon President. One thing, seated here as a Member of Parliament we want to say to yourself that we bow to your order, this is your House. All of us were bound by the rules. We've been observing some rules transgressions. In so far as applying the rules to the latter, we want to implore you, Speaker, to be consistent. We want to implore you, Speaker, to apply the rules to the latter. You've made a ruling around this matter. Speaker, you've also, as the Presiding Officer, and the rules allow and give you the right as the Speaker of Parliament, on the matters in so far as frivolous points of order, on a matter that you would have ruled. You have ruled on that issue, investigation would be happening, I don't think the Speaker should allow any other point of order in so far as that matter.

Secondly, Speaker, the control of the microphones, Rule 80, it's quite evident and it's quite important that it saves and I'm going to read: In the event of a member not showing due respect to the authority or not obeying an order to ruling or direction of the Presiding Officer, Presiding Officer may disable or switch off the microphone being used by such member and order that, that be done. So, Speaker, I also draw your attention to that and be consistent around it because you

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can't take points of order on the same matter that you've already ruled.

Lastly, Speaker, on the Rule 79: Recognition of members to speak. You need to be consistent around it because the rules empower you not to allow persistently the same members who's going to speak on a matter.

And the last point, the last ruling that you made, as we respect it, Speaker, when you ask a Member of Parliament to say 'Can you withdraw?' and they didn't withdraw, you still give them indulgence and give them ... after you've ruled yourself. So, I want to draw to your attention that let's not contradict this House. You are correct, this House cannot collapse on your hands but it's very clear where we are seated the members who are causing and are distracting the House, you need to take your powers and do what is due to them. Because all of us as members and leaders of political parties have said the President must proceed and the President must respond. No member should not be able that, hon Speaker.

But in the way that we are going, I'm really getting worried that we fall in the hands and the trap of these plans that we are seeing here. Please take order in your House. Thanks.

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The SPEAKER: Thank you very much, hon member. You've said it all.

Hon members, all ... [Interjections.] ... what did she say? Didn't you listen? ... [Interjections.] ... Didn't you listen? Montwedi! Montwedi! Can you just ... for few minutes, just give us the respect we deserve because I'm giving you the respect you deserve, please. Just for once.

Hon members, I think we've reached that point where points of order which are related to issues which I've already ruled on, I will not accept. And no one can accuse me of being unfair or being this, of being biased. I've actually noted points of order on all sides, in fact I think some of the people are very impatient with me right now. But I wanted to give opportunity to everybody to express themselves so that tomorrow as you go to court, because you are very much preparing to go to court, from what I have been told from the virtual platform here, at least you must have facts and not fiction about what happened here today.

I'm no more allowing for points of order from both ... all sides, from all political parties ...

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AN HON MEMBER (Female): When are you going to recognize me, Speaker? ...

The SPEAKER: We are now continuing with the response of the President ...

AN HON MEMBER (Female): ... or in the EFF you only see Montwedi? My hand has been up, Speaker.

Speaker, can you please not silence the voice of women in this parliament! My hand has been up; can you please recognize me?

The SPEAKER: Mr President. The hon the President ...

Ms E N TLANGWINI: On a point of order, Speaker. The hon ...
[Interjections.] [Inaudible.] ... her hand was up ...

AN HON MEMBER (Female): ... the same thing that we've been telling you about, Speaker, you are doing it again. Perpetuating gender-based violence and you are silencing women in this Parliament.

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Ms E N TLANGWINI: Point of order, Speaker. The hon Phiwaba's hand was up ...

AN HON MEMBER (Female): ... after the longest time ...

Mr M K MONTWEDI: Point of order, Speaker. Point of order happens to be Rule 92 of the rules of this House. I want to know if ...

The SPEAKER: Hon Montwedi!

Mr M K MONTWEDI: Yes, Speaker.

The SPEAKER: Will you please switch off your mic? Hon Montwedi, I have now ruled on this matter that I will not take any more points of order. And that if a person has a challenge, a problem, with my ruling, you may want to challenge it later. For now ...

Ms E N TLANGWINI: No, no. Speaker ...

The SPEAKER: Hon Montwedi, please switch off your mic!

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Mr M K MONTWEDI: But you must recognise me, I want to raise a point of order ...

The SPEAKER: Montwedi. Hon member, switch off your mic!

Hon members, I have now ruled. After three hours, that I am not taking any more points of order and I hate to say this, the points of order which are being raised are similar points of order and clearly there are points which are meant to collapse the business of the day. And I am saying, hon members, I am not going to allow thus.

I am not allowing it, hon Montwedi. I am not allowing you, *bhuti* [brother].

AN HON MEMBER (Female): Speaker, you cannot pre-empt what we want to say in this House ...

The SPEAKER: Hon Montwedi, I am not allowing you ...

AN HON MEMBER (Female): ... my hand has been up for the longest time, you recognizing ...

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Mr M K MONTWEDI: I want to know if you are running this House in terms of the rules of order or you are running this House in terms of what you think must happen? Points of order is Rule 92 in terms of the rules of this House. And are you saying you are disregarding a rule of the House? Is that what you are saying? Is that what you are saying? I just want clarity from you on that one issue, Speaker, to say, are you saying you are suspending Rule 92? Is the Speaker saying ...

The SPEAKER: Hon member, what you are leaving on Rule 92 is your sub-rule, 7, 8 & 9. Which is what I read here when we started. That no other member may raise another point of order before the Presiding Officer has ruled on the first point of the order, that was number 1, sub-rule 7. No member may raise a point of order again or a similar point of order if the Presiding Officer has ruled on the matter. Number 8, members may not disrupt proceedings by pointing points of order that do not comply with sub-rule number 9.

Mr M K MONTWEDI: I hear you loud and clear. I want to engage you on that one, Speaker [Interjections.]

The SPEAKER: You not going to engage me ... [Interjections.]

Mr M K MONTWEDI: I want to engage you ... [Interjections.] [Inaudible.] ... you are misleading yourself or this House, Speaker? [Interjections.] It's not what it says. What you have read has not said point of order must be disregarded ... [Interjections.]

Ms E N TLANGWINI: On a point of order, Speaker. Why are all members muted on the virtual platform? Please unmute our members on the virtual platform.

The SPEAKER: Hon Montwedi ...

Mr M K MONTWEDI: Speaker, can you please stop this guy to stop these gestures. Can you please ask him to stop with this intimidating gestures of his, please ... [Interjections.] he's been doing it since this morning.

The SPEAKER: Hon Cachalia, please. Hon Montwedi ...

Ms E N TLANGWINI: Speaker, can you unmute our members on the virtual platform?

The SPEAKER: Hon Montwedi, would you please leave the room!

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Ms E N TLANGWINI: Hon Speaker, can you unmute our members on the virtual platform?

The SPEAKER: Hon Montwedi, would you please leave the chamber!

AN HON MEMBER (Female): On what grounds is he leaving?

Mr J S MALEMA: Speaker, on a point of order.

The SPEAKER: Hon Montwedi, would you please leave the House!

Mr M K MONTWEDI: For what? What have I done? For what, for speaking? For speaking?

Ms E N TLANGWINI: Speaker, President wants to speak on the virtual platform.

Mr M K MONTWEDI: ... no, you are not going to do that. you are not going to create a comfort for the President because I raise issues here ...

AN HON MEMBER (Female): Speaker, you cannot just kick us out like that. You don't want us to speak, you don't want us to do anything ...

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Mr M K MONTWEDI: ... there are rules that have to be respected
...

The SPEAKER: Hon Malema!

Mr J S MALEMA: Hon Speaker, I'm rising on a different because you keep on muting us here on the virtual platform and I, personally, as a member of this Parliament, who enjoys the privileges of being a member of this Parliament, I've not done anything to be muted ... to deserve to be muted on this platform. I think this approach is wrong. And for Members of Parliament who are sitting there to allow this, is actually undemocratic. You've got 291 members of Parliament on virtual platform who just get muted for no apparent reason and the leadership in that Parliament doesn't rise to say, not everybody should be treated the same. It doesn't matter how impatient you want to become; each member will have to be treated as an individual. And if there is a transgression, let that transgression be communicated to that individual member before they are booted out or muted, Speaker. I'm pleading, please. We should not be muted for doing nothing. We have not done anything.

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The SPEAKER: Thank you, hon Malema. The reason why I muted everybody, it's not just your members who have been muted, I muted all the members on the virtual platform because it had become difficult for me to control the virtual platform, people were barging in, people were heckling from the virtual platform and it became difficult to exercise control or even my authority on the virtual platform. And therefore ... and unfortunately, when people talk simultaneously, when they address us at the same time and screaming and heckling, it makes it difficult to identify who, from the virtual platform, is doing that; and I think this is what happened. You are correct, it is not everybody who's on the virtual platform who has conducted themselves in a manner which is unbecoming. But the situation is such that, here inside the chamber, here, it has become difficult from where we are to deal with people who are on the virtual platform, hence the people on the virtual platform were muted. Unfortunately, hon members have not been raising their hands, the clerks of the National Assembly have not been indicating that there are people who are raising hands from the virtual platform. All I hear are people screaming at me, saying we hear ... and responding to speakers who are here on the floor, who are talking to the issue we are trying to deal with. So, hon Malema, I ...

AN HON MEMBER (Female): On a point of order, Speaker. I don't think it's correct for you to say we just screaming, we've been raising our hands for a very long time ...

The SPEAKER: You see, hon member? ...

AN HON MEMBER: ... my hand has been up for more than an hour and ...

The SPEAKER: ... this is exactly what I am referring to, this is exactly ...

AN HON MEMBER (Female): ... yes, because you don't allow us to speak, Speaker.

The SPEAKER: Hon Dlakude!

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY /Keagana\ TAKE
ENDS AT 13:03

TAKE 1212 - STARTS AT 13:03

THE SPEAKER

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I rise on Rule 69 again, which reads as follows-

Members may not engage in grossly disorderly conduct in the House and its forums, including deliberately creating serious disorder or disruption, repeatedly undermining the authority of the presiding officer or repeatedly refusing to obey rulings of presiding officers or disrespecting and interrupting the presiding officer while the latter is addressing the House, and persisting in making serious allegations against a member without adequate substantiation or following the correct procedure.

Hon Speaker, you adjourned the House and we met as the Chief Whips Forum with yourself and we agreed that the House will proceed, even if it calls for the virtual platform to be

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muted. So, those who do not want to listen to the President, hon Speaker, may peacefully leave the House. Those who do not want to be addressed by the President, the nation out there is waiting to listen to what the President has to say, we are waiting to listen to what the President has to say. So, any other thing may be put aside, then we proceed with the business of the House. The Constitution of the Republic of South Africa protects all of us; we cannot be held at ransom by one party that caucused their position to disrupt this House. We cannot. Hon Speaker, thank you very much.

The SPEAKER: Thank you, hon Dlakude. I will take the last two points of order. The first one is ... I am sorry that I haven't heard your surname, you have been trying to get my attention and you are sitting next to hon Ntlangwini.

Ms P MADOKWE: Thank you, Speaker. Can you please give it to the Deputy President; I don't want to speak anymore.

[Interjections.]

The SPEAKER: You see; this is my problem. I am giving you an opportunity ... [Interjections.]

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Ms E N NTLANGWINI: But Speaker, the Deputy President's hand was up the whole time. [Interjections.]

The SPEAKER: No, hon Ntlangwini ... [Interjections.]

Ms E N NTLANGWINI: ... no, but their hand has been up and this is what I have been telling you the whole morning. That is what I have been telling you the whole morning ...

[Inaudible.]

The SPEAKER: Hon Ntlangwini? Hon Ntlangwini, you are honestly disrespecting me now. [Interjections.] Hon Ntlangwini, you are really out of order. You are really out of order. Okay ... [Interjections.] Hon Ntlangwini, I have ruled. You are not chairing. This is what causes confusion and you are adding to the confusion. [Interjections.] Hon Ntlangwini, I am saying to you I have now ruled. I have ruled.

Mr M K MONTWEDI: On a point of order, Speaker.

The SPEAKER: No guys, I have ruled; I am not taking any more points of order. [Interjections.]

Mr M K MONTWEDI: On a point of order, Speaker.

[Interjections.]

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The SPEAKER: Hon members, the whole morning we have been dealing with points of order, and I allowed it because I don't want people to accuse us of being impartial. [Interjections.] ... No, no! I have now ruled. No more points of order. Will you please mute the virtual platform and we proceed? There is no debate ... [Interjections.]

Mr M K MONTWEDI: On a point of order, Speaker.

[Interjections.]

Ms Y N YAKO: No, Speaker, there is no law like that.

Mr M K MONTWEDI: On a point of order, Speaker.

The SPEAKER: Hon members, I will now allow the President to proceed. [Applause.]

Ms E N NTLANGWINI: On a point of order, Speaker. You can't be doing that. The Deputy President's hand has been up the whole time. You said you are taking two hands, and you have noted a hand from the EFF and we are rightfully giving it to our senior the Deputy President whose hand has been up the whole morning ... [Interjections.]

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The SPEAKER: Hon Ntlangwini, will you please leave the House.

[Interjections.]

Ms E N NTLANGWINI: ... why are you not recognising him to speak? They are hon members of the House; they must speak.

The SPEAKER: Hon Ntlangwini, please leave the House.

[Interjections.]

Ms E N NTLANGWINI: No, they must speak; they are members of the House.

The SPEAKER: Please leave the House.

Ms E N NTLANGWINI: It's not going to happen.

The SPEAKER: Hon Ntlangwini, please leave the House.

[Interjections.]

Mr M K MONTWEDI: On a point of order, Speaker.

The SPEAKER: Montwedi, I had said leave the House. Hon members, please leave the House.

Ms Y N YAKO: On a point of order, Speaker? [Interjections.]

Mr M K MONTWEDI: Sorry Speaker, you were saying what?

[Interjections.]

The SPEAKER: Hon members, what you are doing ...

[Interjections.]

Ms Y N YAKO: ... you are being very inconsistent right now ...

[Interjections.]

The SPEAKER: I don't ... [Inaudible.] ... be a presiding officer here. I want to be a presiding officer; I don't want to be political. [Interjections.] I have done that.

[Interjections.] Hon Ntlangwini, leave the House. Serjeant-at-arms, will you please escort hon Ntlangwini and hon Madokwe ... Montwedi, to leave the House. [Interjections.]

Ms P MADOKWE: Now, why am I being escorted out?

[Interjections.]

Mr M K MONTWEDI: Point of order, Speaker? I am going to leave as ... Can I raise a point of order quickly, Speaker? Leave

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the House for what, Speaker? For asking you if you have suspended the Rules? [Interjections.] Is that why you are saying I must leave the House? [Interjections.]

The SPEAKER: Hon members, I have asked you to leave the House. [Interjections.]

Mr M K MONTWEDI: For asking you if you have suspended the Rules, and I must leave the House? [Interjections.]

Ms Y N YAKO: On what grounds are the members being kicked out, Speaker? [Interjections.]

The SPEAKER: I am following every step to the latter before people are thrown out, right? I am the one who signs, every day, litigation papers when we have to go to court, right? Allow me to do things procedurally, okay? By the time I take a decision that a person must go I must have followed every step given to me by the clerks of the National Assembly, okay? [Interjections.]

IsiXhosa:

... musani ukundenza igeza apha ...

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Ms E N NTLANGWINI: Unmute the hon members on the virtual platform; they are Members of Parliament ... [Interjections.]

The SPEAKER: I am not unmuting them ... [Interjections.] Will you please go! Please go!

Ms E N NTLANGWINI: Unmute them! Unmute them, they are Members of Parliament! What you are doing is illegal.

Mr M K MONTWEDI: I want to rise on a different Rule, Speaker ... [Interjections.]

The SPEAKER: Call the parliamentary protection services ... [Interjections.]

Mr M K MONTWEDI: ... I am rising in terms of Rule 77 ... [Interjections.]

The SPEAKER: ... to get the people out.

Mr M K MONTWEDI: I'm rising in terms of Rule 77, Speaker.

The SPEAKER: As of the hon Ntlangwini, only women should approach hon Ntlangwini, and I want to emphasise that people

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must just be escorted out. If there is interference again, hon members, you all leave. Those who are involved in the interference and try to prevent us from getting the two people out they will leave the House.

Mr M K MONTWEDI: I am rising in terms of Rule 77, Speaker.

[Interjections.]

Ms P MADOKWE: On what grounds are the two members being kicked out, Speaker? [Interjections.]

The SPEAKER: [Inaudible.] ... did you speak because you shouldn't be here ... [Interjections.]

Mr M K MONTWEDI: I shouldn't be here? [Interjections.]

The SPEAKER: Yes, exactly. [Interjections.]

Mr M K MONTWEDI: I am elected to be here. Are you saying I shouldn't be here? [Interjections.]

The SPEAKER: I said you should go out! Leave. [Interjections.]

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Mr M K MONTWEDI: You never said I must go out.

[Interjections.]

The SPEAKER: Leave! [Interjections.]

Ms P MADOKWE: He deserves to know why he is being kicked out.

Why is hon Ntlangwini being kicked out? [Interjections.]

The SPEAKER: Deliberately, deliberately ...

IsiXhosa:

... phuma, phuma, phuma. Montwedi ohloniphekileyo, nceda phuma phandle. Phakama, phakama ...

English:

... stand up so that they don't touch you, and walk out.

[Interjections.] Wait. [Interjections.] Thank you very much.

Hon Ntlangwini, you may as well follow here. Remember you shouldn't be here, please. Please, I said leave the House.

Leave the House, hon member. Thank you.

Thank you very much, hon members. Hon Mandela, I said I am not taking points of order, remember?

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Inkosi Z M D MANDELA: Yes, respectfully, Speaker ...

The SPEAKER: Hon Mandela, I am reminding you that I said I am not taking any more hands. [Interjections.]

Inkosi Z M D MANDELA: Yes.

The SPEAKER: Hon Mandela, I am not taking hands anymore. [Interjections.] Okay ...

IsiXhosa:

... noko uyamazi negama uza kumxelela.

English:

Thank you very much. Hon members, we now proceed with the President.

Ms Y N YAKO: On a point of order, Speaker. On a point of order, Speaker! [Interjections.] I cannot. I cannot. We cannot. No.

IsiXhosa:

USOMLOMO: Phuma, phuma ...

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English:

... hon, come and escort the member out. I mean I have been talking to you the whole morning and now you are saying "this man". How can you say to an hon member "this man"? Out! Out, hon Yako! [Interjections.] You are deliberately disregarding the authority of the Chair. Hon Yako, I repeat, you leave ... [Interjections.] You are not going to leave? I am now calling the parliamentary protection services to usher you out. [Inaudible] ... services, will you please usher hon Yako out?

IsiXhosa:

Phuma sisi.

English:

Out, sisi. Walk out, the two will escort you. They will escort you. [Interjections.]

IsiXhosa:

Phuma mntwana wam, phuma.

English:

I thank you, hon members. Thank you, shut the doors and we proceed. The hon the President. [Interjections.]

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Ms P MADOKWE: Speaker, can the people on the virtual platform please be unmuted?

The SPEAKER: I have ruled. I have ruled on the matter, sisi.
[Interjections.]

Ms P MADOKWE: All of the are Members of Parliament and they deserve to be given the opportunity like all of us.
[Interjections.]

The SPEAKER: No, they can hear. From where they are they can hear. All they cannot do is to speak back. [Interjections.]

Ms P MADOKWE: They want to points of order and they want to participate in the House. [Interjections.]

The SPEAKER: I won't allow them to heckle now anymore.
[Interjections.]

Ms P MADOKWE: Allow them to participate like all of us are allowed to participate ... [Interjections.]

The SPEAKER: I have ruled. I have ruled, sisi. Will you please the Chamber? I have ruled. Please leave the Chamber.

[Interjections.]

Ms P MADOKWE: Are you then saying ... [Interjections.]

The SPEAKER: Hon Madokwe, will you please leave the Chamber?

[Interjections.]

Ms P MADOKWE: Are you saying ... [Interjections.]

The SPEAKER: Hon Madokwe, will you please leave the Chamber?

Serjeant-at-arms, will you please assist her to leave the Chamber. [Interjections.] Hon members, the opportunities I have given to all those who were raising points of order have been abused. In the course of that people have not just abused the opportunity but they also abused us who are sitting here. I just think that, hon members, it is enough.

IsiXhosa:

Phuma sisi. Uthini?

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English:

You are not going to leave? I now ask the parliamentary protection services to usher you out. [Interjections.]

Ms P MADOKWE: But can you please unmute the members on the ...
[Inaudible.]

IsiXhosa:

USOMLOMO: Phakama sisi, phakama. Ngubani igama lakhe?

IsiXhosa:

Ms P MADOKWE: Bendicela angandiphahli ... [Interjections.]

The SPEAKER: Hon Madokwe, you are delaying us, please leave.

Please leave the room. Okay, please leave the room.

[Interjections.] No, no hon member. Hon member, you are not going to choose who takes you out. [Interjections.] Out, sisi. Thank you.

Now hon members, may I just address those of you who are still here ... right? [Interjections.]

Mr B S MADLINGOZI: Point of order ... [Interjections.]

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The SPEAKER: Exactly that! There is no point of order, I have closed all points of order. [Interjections.]

Mr B S MADLINGOZI: On a point of order, Speaker.
[Interjections.]

The SPEAKER: I have ruled. I have ruled. [Interjections.]

Mr B S MADLINGOZI: Hon Speaker ... [Interjections.]

The SPEAKER: Hon Ringo Madlingozi, I have ruled, and if you want to overrule my ruling, you are also following.
[Interjections.]

Mr B S MADLINGOZI: Speaker ... [Interjections.]

The SPEAKER: Hon Madlingozi, I have ruled! Are you overruling me? Are you challenging my ruling?

Mr B S MADLINGOZI: It's is very much not ... [Inaudible.] ... that you kick people out. You can't do that. You have to open up for them. They are ... [Interjections.]

The SPEAKER: Hon Madlingozi ... [Interjections.]

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Mr B S MADLINGOZI: They are supposed to be listening and participating also in Parliament. [Interjections.]

The SPEAKER: Hon Madlingozi, please, please, please leave the room. Please leave the room. Please leave the Chamber. We want to make progress, please leave the Chamber. Serjeant-at-arms, will you please take hon Madlingozi and usher him out, please? [Interjections.] Hon Madlingozi, thank you very much.

[Interjections.] No, no you are not speaking; you are not addressing us. Leave the House.

Thank you very much. Hon members, if there are those of you who are not prepared to listen to what the President has to say you may as well leave now. You may as well leave now. If you are not ready and you are going to interrupt and destruct us from what we have come here to do, you are not ready to listen, you may as well leave now. Those who have sympathy for those who have been asked to leave the Chamber, you better leave now because there will not be another point of order; I will not listen to you. Thank you very much. [Interjections.] This procedure of points of orders has been abused, hon members. You have abused it for three hours, and in the course of that you are abusing us, you are abusing people who are

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watching the parliamentary session, you are abusing South Africans. We cannot continue ...

IsiXhosa:

... nditsho kuwe ...

English:

... and you are not going to switch that on because I have not allowed you to speak. I have not allowed you to speak.

[Interjections.] It is not a hand; it is a point of order. I have ruled, there is no point of order. [Interjections.] There is no point of order. [Interjections.]

Mr A MATUMBA: It is before the ruling that you have made that there is no point of order, it is before that ...

IsiXhosa:

USOMLOMO: Sendigqibile ukuwisa isigwebo ngoku.

English:

Hon Matumba, will you please leave the room? [Interjections.]

Hon Matumba, will you please leave the room? Please, leave the Chamber, tata.

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Mr A MATUMBA: Chair, we have people who are muted on the virtual platform ... [Interjections.]

The SPEAKER: Serjeant-at-arms, please usher him out.

Mr A MATUMBA: Chair, it ... [Interjections.]

The SPEAKER: The parliamentary protection services ... hon Matumba, I have noted that you pushed the Serjeant-at-arms. I have noted that. [Interjections.] I don't know and I don't want to know, but I am saying what I have seen. You have pushed the Serjeant ... [Interjections.]

IsiXhosa:

... balungile, balungile ...

English:

... take him out. Out, hon Matumba. [Interjections.] Hon members, I want to repeat this. The opportunity I have given to hon members to make their points of order has been seriously abused. I want to say this to all of you because I realise that some of you are very impatient and do not understand why I am doing all this. It is important for me to follow every step so that people who want to take this session

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to court do not succeed for the sake of the people of South Africa ... [Interjections.]

Ms C N MKHONTO: Speaker? [Interjections.]

IsiXhosa:

USOMLOMO: ...isiphakamoso songwanqwado sivaliwe ...

English:

... I have ruled. [Interjections.]

Ms C N MKHONTO: Can you please recognise me, Speaker?

The SPEAKER: I have ruled.

Ms C N MKHONTO: Can you please recognise me, Speaker?

The SPEAKER: Sympathy. You want to leave with the rest ...

IsiXhosa:

... hamba sisi.

Ms C N MKHONTO: I am not sympathising with anyone. Can you please unmute all those Members of Parliament who are on the

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virtual platform, Speaker? Unmute them, Speaker, they have a right to talk in Parliament. They have constituencies which they are representing here ... [Interjections.]

The SPEAKER: Hon Mkhonto, please ... [Interjections.]

Ms C N MKHONTO: On a point of order, Speaker. [Interjections.]

The SPEAKER: Hon Mkhonto, please, may we usher you out please?

Ms C N MKHONTO: I am not leaving, Speaker. You are infringing on our right, Speaker. We have a right to talk; we are representing constituencies here. You have muted Members of Parliament who are supposed to be ... [Interjections.]

The SPEAKER: Hon members, in terms of the Rules, the parliamentary protection services will now usher the colleague out. Hon Mkhonto, out. [Interjections.]

Ms C N MKHONTO: Point of Order, Speaker.

The SPEAKER: Hon member, thank you. Hon members, thank you very much and thank you for your patience. Our patience has been stretched to the limit, but one thing you should always

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keep in your minds, as you raise your hands to raise points of order, the person who sits here has the responsibility to protect, Parliament has a responsibility to follow every rule to its finality. Every day, the Speaker of Parliament signs documents to defend Parliament from being litigated. So, please bear with me. Thank you.

Hon members, order. Mr President, our sincerer apologies. Apologies first for the chair - the bunk you are sitting on is quite hard. Our sincere apologies also for your patience. Please bear with us. This is how it is in Parliament, and this is all we could do to make sure that you respond to issues people of South Africa have raised with you yesterday. Thank you very much.

THE PRESIDENT OF THE REPUBLIC / NEM(Eng)/20.06.2022 / LN -
[Xho - 14/06/2022 / TAKE ENDS AT 13:24

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TAKE 1213 - STARTS AT 13:24

The SPEAKER

APPROPRIATION BILL

Debate on Vote No 1 – The Presidency:

The PRESIDENT OF THE REPUBLIC: I know that I'm in a very dangerous position between yourself and your lunch and this speech.

The SPEAKER: And the planes. I know that people are wanting to leave. Thank you.

The PRESIDENT OF THE REPUBLIC: Indeed, and the planes as well. Thank you.

Speaker of the National Assembly, Deputy President David Mabuza, Ministers, Deputy Ministers and hon members, 14 is the

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number of times I have appeared in this Parliament since 2018 to answer oral questions put by members of this House, and may I also say the NCOP. As Deputy President between 2014 and 2017, I appeared 22 times in this House. Eighty-four is the number of oral questions I have replied to in this Parliament between 2018 and 1 June this year, out of 84 submitted to the Presidency. As Deputy President, the number was 114 out of 114 questions submitted. Those were all answered. One hundred and fifty-nine is the number of questions for written reply answered by this President since 2018, out of 160 questions submitted. ... one left.

Three full days is the number of times I as the sitting Head of State – which in a number of places is unheard of – have testified at two major commissions of inquiry since 2018. Other heads of state never submit themselves to that level of inquiry. Even when I told them I'm going some of them asked me, what is this? Why should you as Head of State even begin to subject yourself to such a process? The first was in August 2020 at the Commission of Inquiry into Allegations of State Capture and the second in April 2022 at the SA Human Rights Commission hearings into the July 2021 uprising or unrest. This, hon members, is the track record of this

President in meeting obligations to be accountable. This is the evidence of this President, as well as my commitment to account to Parliament and to the people of South Africa, because we are a government elected by the people for the people, and we are accountable to the people of South Africa for all that we do.

As I said yesterday, the people of our country must come first in all that we do. As public representatives, we are elected on the promise to improve the lives of our people and we are obliged to keep that promise. It is the reason for this government and this Parliament's existence as well.

So, before I get to this foremost priority, I want to reassure and indeed remind this House that accountability is a responsibility I have never shirked or shied away from. When I was elected, I promised that I would come to this House regularly and answer your questions, and I have done so faithfully. At times there may well have been problems with programming but I have always said that if I don't come now I will come at a later stage.

The robbery that took place at my farm in 2020 is the subject of a criminal complaint and the law must be allowed to take its course. In other words, due process must be followed.

Madam Speaker, I have listened very carefully to the views of a number of members of this House who have raised thoughts, suggestions and proposals on this matter. Some of the views have been to counsel me and yet others have been laced with insults. I will not respond to insults. I should however say that the counsel and suggestions that have been made raises points that I indeed should consider in the face of the advice I have, that I should not respond to speculation, conjecture, allegations or even so-called revelations. I will give all these matters consideration against the backdrop of the advice I have that this matter should be ventilated in the proper and appropriate forums. I repeat that the law must take its course and due process should be the order of the day in this. As a result, I will not be responding to all these matters that have been raised around this right now. I will take into consideration the counsel that has been put forward.

Hon members, the Presidency occupies a unique place in government. It is indeed the front office of government and represents South Africa on the world stage, on our continent

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and in a number of international forums. The Presidency coordinates the functions of state departments and administrations, as opposed to other government departments that are tasked with implementing national policy and legislation that derives from this Parliament. Above all, the Presidency and the President is the custodian of the Constitution, and the President is duty-bound to uphold, defend and protect the Constitution as the supreme law of our country.

For all these functions to be fulfilled and the respective responsibilities to be met, the Presidency must both build and lead a capable, ethical and developmental state. We therefore welcome the inputs that have been made during this debate, bar the disruptions that we have witnessed. We welcome the thoughts and ideas, and also the support that Parliament will render to the Presidency to enable it to better fulfil its mandate.

The recent meeting with the Presidency and political parties, which as I said was initiated by Gen Bantu Holomisa, on the issue of the crime and security situation, is an example of

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the way in which we can harness the energies and thoughts of this Parliament to address the most pressing problems our society faces.

The finest example, however, is the regular engagements between the Presidency and parties represented in this Parliament at the onset of COVID-19 in 2020. That very first meeting in March 2020 set the tone for the co-operation that would follow. The united front presented by political parties and their rallying behind the national response, gave reassurance and confidence to a fearful, terrified and uncertain population at the time it was most needed. It was the combined effort of the parties represented here that made our people feel confident that we as a nation could address COVID-19, which many other countries were failing to address effectively.

In the ensuing months, more engagements and consultations would follow around the lockdown and other measures. These consultations were meaningful, deep and effective. As much as some political parties had different perspectives from those of the government, we were however united in our determination

to deal with COVID-19 in order to save lives and protect the livelihoods of our people.

We can say with certainty that this strong collaboration and partnership played no small part in the success of our national response to the pandemic. It was a joy to see leaders of political parties going out to their constituencies and encouraging them to take up the measures that had been proposed – washing hands, wearing masks and when the vaccination process started, they were out there leading the charge. We are grateful for that level of co-operation. One wishes it can continue as we tackle the more challenging aspects of our lives.

This is what social compacting is all about. It is about co-operation, building trust and forging consensus. It is about building and nurturing spaces in which all voices and viewpoints are heard and considered. It doesn't only refer to government, business and labour, but all of society. As political parties, you are elected representatives of the people of this country. You are here to speak for them and represent their interests.

This debate has drawn attention to what I yesterday termed the real bread and butter issues that our people are preoccupied with. That is what they want to hear us talk about. As the hon Herron rightly put it, our priority at this time is to achieve a just and prosperous South Africa based on spatial, social, economic and environmental justice.

In my reply to last year's Presidency Budget Vote, I said that we were determined to stay the course on our reform programme in order to restore our economy, to attract new levels of investment, to create massive jobs, to boost wages and to increase opportunities for all South Africans.

Yesterday, I outlined the process we have made, not only as the Presidency but as a country, in meeting these goals. This framing was deliberate and conscious. Hon Mbhele, you may well have dismissed what we said as an update and update and so forth. What we were talking about is real. These are initiatives that are underway to restructure our economy and reboot it so that it becomes an economy that can respond to

the needs of our people. In line with its co-ordinating role, the Presidency is driving the reform process from the centre.

Some hon members have described the process of co-ordination through the Presidency as creating what they call a super Presidency and is an overcentralisation of power. Far from it. We have found that this work that we are involved in, particularly in this era, is about strengthening the capacity of the state. It is about addressing that priority that we have often highlighted. We are helping to streamline and align government functions, assisting to manage and mitigate bureaucratic hurdles and fulfilling our critical oversight role.

The National Development Plan, NDP, lays out our vision for South Africa and that vision is still current. However, we must say that at its heart it is about eliminating poverty and reducing inequality. The enablers of this vision are an inclusive and transformed economy, an enhanced state capacity and partnerships right across society.

In recent times, a number of reports and studies have indicated that, yes, we may and will not meet our 2030 targets under the NDP because the problems that we have had to deal with are immense. However, this should not stop us from trying and from doing as much as we can to try to meet some of those targets.

We must ensure that the NDP is implemented, as the hon Jafta emphasised. Furthermore, we thank the hon Jafta for acknowledging the strides that have been made in reviving our economy through the investment drive that we have embarked upon through the conferences that we have been holding, the Youth Employment Service and various other initiatives. In these intervening years, we have to redouble our efforts and may I say work even harder, because as elected representatives we have an obligation to improve the material conditions of every South African man, woman and child.

We have positioned ourselves as a transformative administration. Transformation takes time. It does not happen overnight. However, when the right decisions are made, at the right time, guided by the right course of action based on good

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policies, progress results. Most importantly, the foundations upon which any economic recovery is built have to be solid, they have to be coherent and they also have to be catalytic, and in a way also disruptive.

In the Presidency Budget Vote last year, I outlined key economic reform measures that were underway or were in process, driven by Operation Vulindlela. The majority of these have subsequently been passed, including those that I highlighted yesterday in transportation, electricity, energy, telecoms and water infrastructure. This year, through Operation Vulindlela supported by the Project Management Office in the Presidency and the Red Tape Reduction team, we aim to deliver even more.

Security of energy supply has had a direct material impact on domestic and international investor confidence, which in turn leads to a favourable business environment that creates more jobs. That is why supporting the process of structural reform in the energy sector has been one of our most overriding priorities in the Presidency. The energy reform process is aimed in part at addressing our immediate challenges. Whoever

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anyone meets about investments and growing the economy, they always raise the issue of energy.

Yesterday I outlined progress in the renewable energy procurement programme, the conclusion of power purchase agreements for three risk mitigation projects and measures that we will be taking to close the electricity gap. However, the ultimate objective is to fundamentally transform the energy landscape, create a new competitive electricity market and most importantly, decarbonise our economy. For this reason, the Just ... Transition Partnership with the new Climate Finance Office in the Presidency will be mobilising resources and will be a game changer. This is the work being undertaken as we are committed to transformative, inclusive and sustainable development.

Two years ago, the Presidency set its transformative sights on the labour market. It was at a time when private-sector job creation was constrained and hampered by the pandemic and many livelihoods were in danger or had been lost. Working with social partners and government departments, we designed a brand new way of addressing this challenge that we were

facing, and we have been driving the implementation of the largest mass public employment programme in our country's history. Many people have never really noticed that for the very first time in our country we were able, within a short space of time, to get to a point where we created 900 000 job opportunities for a number of young people and women, and that in itself is something that we should recognise. [Applause.]

To date, this employment stimulus has successfully provided work opportunities to all those people who are beneficiaries, who would otherwise not have been absorbed by the constrained job market. Companies were not employing people. In fact, they were shedding jobs and we had a cohort of young people, as well as women, who were twiddling their thumbs, who needed to be absorbed into some measure of economic activity.

Hon Mbhele, we know that it is our youth who are suffering the most from unemployment and exclusion. That is why, as I said, the majority of the almost close on one million beneficiaries of this ground-breaking programme have been young people. To be exact, 84% of them have been young people and 62% female.

The second phase is supporting the Presidential Youth Employment Intervention and the Social Employment Fund that we've just set up, where we also expect young people to be the primary beneficiaries.

The Presidency has been championing the drive to transform the capacity of the state. Our vision is to realise a state that is fit for purpose to serve communities, and that brings targeted and inclusive development to where people live, study and work.

The District Development Model, DDM, is an initiative that we came up with and which was launched at a pilot site in the O R Tambo District in 2020. Although the onset of the pandemic set our efforts to roll out the DDM back, the process has resumed in earnest. As part of operationalising this model, the Department of Co-operative Governance and Traditional Affairs has been working with districts and municipalities to finalise their One Plans. These One Plans outline the respective approaches of districts to resolve service-delivery challenges, to enhance economic development, and to ensure that there is job creation and key deliverables.

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The Presidential imbizos have been a means through which the Presidency exercises oversight over the progress that is being made, and as I said yesterday, we plan to visit the six remaining provinces this year. Hon Hendricks has expressed a wish that the imbizo in the Western Cape should be held on the Cape Flats. Hon Hendricks, your request will be given serious consideration. I would like us to be here in the Western Cape. [Applause.] This will be an opportunity to listen to the life experiences and concerns of our people in the Western Cape, and no doubt such an imbizo will bring in people from a number of surrounding areas where our people live.

District-based development is a transformation of government planning. It is a break from the past where departments worked in silos, where there was fruitless expenditure on irrelevant projects – a practice that was common – and where development was not aligned to national objectives. Now, with the DDM we have an opportunity to disrupt the very bad ways in which we were working.

Once this model is fully institutionalised, it will result in better use of resources, targeted development and responsive

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planning. It will also help us to have a microscopic look at our local government challenges. Challenges that we are now beginning to address, together with the Auditor-General, who has informed us that, that is where the real challenge is for us. It will enable districts and municipalities to develop, but also harness existing local economic initiatives such as Special Economic Zones, industrial parks, and agri-hubs as well. Some hon members mentioned some of this yesterday. We have set ourselves the target of rolling out the DDM in all 52 of the country's districts as well as our metros, and we will be proceeding with this.

As we proceed, it goes without saying that rebuilding state institutional capacity is transformative by its very nature. It was this Presidency that instituted high-level commissions of inquiry into the workings of the SA Revenue Service, Sars, and the National Prosecuting Authority, NPA.

Credibility has been restored to these institutions as they implemented the recommendations of the respective commissions. By way of example, in the last financial year Sars collected a record revenue of R1,5 trillion. Four years since I appointed

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a commission of inquiry into administration and governance at Sars, its turnaround has been spectacular. This revenue enables the state to fund social support, social infrastructure and many other projects. These are the fruits of the reform process that we have undertaken.

The hon Shaik Emam has called on us to deal decisively with corruption at local government level, and we agree with him. I am pleased to report that the work of the SAPS Clean Audit Task Team is ongoing and has seen a number of arrests for fraud and corruption at local government level.

As the Presidency, another focus for this year is supporting the respective departments to implement the recommendations of a number of high-level commissions appointed by the President.

Yesterday, hon Groenewald spoke about a number of Special Investigating Unit, SIU, reports whose recommendations have not been implemented. These are going to be followed ... and we will make sure that recommendations that are made by the SIU – he mentioned 464 of them – will also be followed up.

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As I indicated yesterday, a number of recommendations made by the expert panel into the July 2021 unrest have already been implemented. That process is ongoing. Notably, restoring stability in the leadership of the State Security Agency, the SA Police Service as well as Crime Intelligence has proceeded in tandem and we are beginning to see some good results.

Yesterday, the Deputy President also outlined the considerable progress that has been made in implementing the recommendations of the Advisory Panel on Land Reform and Agriculture. It's a matter that hon Nyhontso also raised. It was not only about land, but of course he also raised the issue of military veterans. The Deputy President is addressing that at my instance and he reports to me about the progress. We must repeat that we hold the contributions that military veterans have made to the democracy that we enjoy today ... because they played an important role. These were men and women who were prepared to sacrifice life, limb and everything else. So that process of looking after our military veterans is ongoing and we will make sure that we address the various issues that are a challenge to their lives.

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Accountability is the cornerstone of any transformative vision if it is to be realised. No more critical is this than in the fight against corruption. A number of speakers have drawn attention to the fact that departments are often slow in following up on the implementation of recommendations. As I said with regard to the SIU reports ... as hon Groenewald said ... is going to be followed up. As I said yesterday, the Presidency will ensure that the recommendations are acted upon.

Furthermore, we will continue to lend support and weight to the highest office in the land to the work of the multidisciplinary offices that we have set up, for instance the Fusion Centre, the Hawks, the SAPS, the NPA's Investigating Directorate and all entities involved in the war against crime. We will soon be making an announcement on the anticorruption advisory body that we announced we would be setting up.

Once again, hon Groenewald has called on government to focus on strengthening the criminal justice system to deal decisively with all forms of criminality that impacts on

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people's daily lives. This begins, fundamentally, with improving policing, as he has often said. The re-establishment of community policing forums, CPFs, the entry of new police recruits and the strengthening of public order policing will be further strengthened and ensure that the job that the SA Police has to do – that is tough – is supported as much as possible, because they do a thankless task for the most part.

Our task is a formidable one but I have no doubt that we are gaining ground. Our economic recovery is gathering pace. The health recovery from the pandemic is proceeding. We are steadily rebuilding the capacity of the state which we've often said was really compromised and almost destroyed during state capture times.

As the Minister of Justice and Correctional Services told this House yesterday, our law enforcement agencies are clawing back on malfeasance and corruption, and are doing so without fear, favour or prejudice. Despite our many challenges, we are some way off from the South Africa that we were a year, two years or even three years ago. When COVID-19 struck in early 2020, there were many who believed we would collapse under the heavy

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weight of this burden. Yet, we pulled through, having been able to mitigate the health impact and provide social support to the most vulnerable in our country, possibly in the most outstanding way than any other country on our continent.

The recovery that was promised is slowly coming to pass. Factories are back in full production and new ones are being opened. Small businesses and local economies are being revitalised and jobs are beginning to be created. That is the important part that we should look at. [Applause.] Domestic and international investment is picking up. Many never thought that we would ever reach that R1 trillion investment target that I put. We are almost there. Public-private partnerships are being forged to close developmental lags and to grow the economy.

So today we must again prove the naysayers wrong as we confront the economic and social challenges of the day that we are living in. We can do so if we work together and we can also do so if we join hands.

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Now, addressing some of the specific issues that were raised, it pained my heart to hear Prince Mangosuthu Buthelezi outlining an interaction or some of the things that were said by a premier of a province. I am going to be talking to Prince Buthelezi to see if there can be a good rapprochement between the two of them. [Applause.] I think that is important. It is important that we should do so. It really pained me when I heard him articulating this.

Hon Tshabalala raised the issue of Eskom, particularly in relation to the switching off of lights in Soweto. Now, that too I would want to follow up because we need to find out why it could've happened and whether they had deep consultations or not.

Hon Groenewald – I told him before he left – raised the issue of the Afrikaanse Taalmonument [Afrikaans Language Monument]. I said that, from what I had heard from Minister Mthethwa, that was not the case. However, he has said that he wants to have a further discussion with me on this matter.

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It has been a spirited and lively debate on the key issues that have to do with the lives of our people. There have been many robust views that were put forward. We are grateful for this barometer of the health of our democracy. At the same time, let us remain focused. Let us put our heads together on how best we support the work that we are doing and indeed work together during the life of this entire administration.

A well-capacitated, strategically oriented Presidency, driven by a long-term transformative vision, is in all our best interests. For every few civil servants who are guided by self-interest, the vast majority are dedicated, ethical and committed to their work. They are the men and women who work tirelessly each day to serve our people in government, in hospitals, in police stations and in our schools. They are the lifeblood of our country.

I would like to express my gratitude to you all as Members of Parliament – members of this Assembly – on my behalf and on behalf of the state that I lead, for the tireless work that you all are doing in representing our people. Many of our people sometimes don't really know and understand the heavy

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burden that rests on your shoulders. They just don't understand. Many of you have to leave your homes from all over the country, come and work here in Cape Town, and work day in and day out. You run two households. You have a home from wherever you come and you have a home here. When I became a Member of Parliament, I realised I had left my family in Johannesburg and I was here. When I bought bread I bought two loaves of bread. When I bought a TV set I had to buy two. Everything was duplicated. It bears a heavy burden on yourselves, on your livelihood, on your social life, but also financially. I know ... and many people don't understand this. They think that as Members of Parliament you are all fat cats. That's hardly the case. Hardly the case. So, I'm ...

[Interjections.] Please say it was a joke. [Laughter.] So I'd like to thank you on behalf of the people of South Africa for the excellent work that you do. You pass our laws. We impose heavy burdens on all of you and the intellectual capacity that you put in the work that you do is to be commended. So thank you very much, on behalf of the nation. I thank you.

[Applause.]

However, I would like ...

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IsiXhosa:

Hayi, andikagqibi. Andikagqibi, uyaphi? Andikagqibi Mhlekezi.

English:

The SPEAKER: ... [Inaudible.] ... President.

The PRESIDENT OF THE REPUBLIC: I would like to thank the Deputy President for his support and for the excellent manner in which we have both been executing the tasks that we were given by our people. The Deputy President has taken on many more tasks, enabling our Office to be more effective and efficient in tackling important matters that should lead to the improvement of our people's lives. When I'm not able to handle certain matters, like traditional leaders and so on, he comes into the breach and assists. So I thank him.

I would also like to thank Ministers who are in the Presidency. Minister Nkoana-Mashabane, Minister Gungubele and Deputy Ministers Kodwa, Kekana and Siweya who are deployed in the Presidency for their continued dedication to serve our people in their various tasks. So thank you very much.

[Applause.]

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I would also like to thank the Director-General of the government and the Cabinet secretary for the brave manner in which she has performed her duties ... [Applause.] ... and as Director-General in the Office. The team in the Presidency are the unsung heroes of our work that is being done to move our country forward.

I wish to thank all the staff in the Presidency, the staff in my private office and those in the Deputy President's private office for continuing to support us and making it a lot easier for us to do our work. This includes our respective advisers.

So, hon members ... [Laughter.] ... Yes, and our two parliamentary counsellors of course. [Applause.] We really thank them because they keep us in touch with what is happening here in Parliament, much as we are not often here. [Interjections.]

Well, not only the Chief Whip of the governing party but the Chief Whip of the Opposition as well. They do a magnificent job and that is the sisterhood that sits here at the head of the table. [Applause.]

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So hon members, for me ... and the brothers as well. For me this has been a meaningful debate, disrupt ... despite everything else that happened around it, which is unfortunate, and which in my view is totally unacceptable because we do need to rely on the due processes that we have. Even as we have differences, we should rely on the processes of our democracy to unfold, to handle problems. Whatever problems we may have, whether they touch on the President or whoever, they are processes that need to be followed. So hon members, let us get back to work. Let us ensure that we leave no-one behind and enrich the democracy of our country. Thank you very much.

An HON MEMBER: Long live the President!

Mr A M SHAIK EMAM: Point of order, hon Speaker.

THE SPEAKER

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THE PRESIDENT OF THE REPUBLIC

The SPEAKER: Order! Thank you, Mr President. Hon members, in order that there be no confusion, no member who was part of the sitting was unable to listen to the President's speech. The platform was muted as the Speaker had formed the view that the points of order procedure was being abused. The Rules, specifically Rule 80, allows presiding officers to disable or switch off microphones if they become aware that a member or members are not showing due respect to the authority of the presiding officers, are not obeying directions of the presiding officers or are involved in disruptive or grossly disorderly conduct.

In terms of Rule 26(2) and (3), the Speaker must maintain and preserve the order of and proper decorum in the House. The Speaker must act fairly and impartially, and apply the Rules with due regard to the participation of members of all parties in a manner consistent with our democracy.

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As Speaker, I must balance the rights of individual members against the collective right of the House to perform its constitutional mandate. I do not take this responsibility lightly. When I have instructed that the microphones on the virtual platform be switched off, it is precisely to ensure that the Assembly is able to fulfil its constitutional mandate. It is not a step taken lightly or without due regard for first exhausting all other mechanisms for restoring order in the Chamber.

Hon members, it was a difficult two days and I really hope and pray to God for wisdom to ensure that there is no repetition of what happened. As I said earlier on, we may differ, we come from different political parties, we stand for different ideologies and we have different programmes. However, ... the manner that we must relate to one another, there should be some semblance of mutual respect. The manner in which we handle issues ... We come from far, hon members. Some of us are like part of the furniture in this Assembly. We came here in 1994, being ... different political parties. We came here being warring groups of people. We came here, we worked together to draw up the Constitution as part of the Constitutional Assembly led by the President. We were here, we drew up legislation. It was a difficult period where, for the

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first time we came together as people who were fighting one another. However, in spite of all that, we never witnessed the kind of arrogance and disregard for people, and the lack of respect as what we witnessed here this morning. We never fought physically. We would always heckle at one another but at the end of it all we learnt to understand one another and all of us appreciated what each one of us stood for. That was in 1994. It cannot be that 28 years later we have this kind of conduct. It is taking us back to where we come from. We do not need this. We do not need to label one another. We are all here representing the people of South Africa. Hon members, I thank you for your patience. I thank you for your understanding. It was not easy for me sitting here but I can assure you it will not happen again. Thank you, hon members. [Applause.] The session is adjourned.

An HON MEMBER: Long live the Speaker!

Debate concluded.

The House adjourned at 14:13.

TH (Eng - 13/6/2022) // LN (IsiXhosa - 14/6/2022)/ TAKE ENDS

AT 14:13

**REPORT OF SUBCOMMITTEE ON PHYSICAL REMOVAL OF MEMBER FROM CHAMBER
ON THE PHYSICAL REMOVAL OF MEMBERS FROM THE CHAMBER ON 9 AND 10 JUNE
2022**

A. BACKGROUND

During the sittings of the National Assembly on 9 and 10 June 2022, on Budget Vote 1 – The Presidency, several members of the National Assembly were physically removed from the Chamber in terms of the Rules. According to Rule 73(12), whenever a member is physically removed from the Chamber in terms of this rule, the circumstances of such removal must be referred by the Speaker, within 24 hours, for consideration to a subcommittee of the Rules Committee appointed for that purpose. The Subcommittee on Physical Removal of Member from Chamber (the Subcommittee) was accordingly convened to consider the circumstances of the physical removal of members from the Chamber as referred to it by the Speaker, taking into account the provisions of Rule 203. Rule 203(1) provides that in considering the circumstances of the physical removal of a member from the Chamber in terms of Rule 73(12), the Subcommittee must take into account all relevant aspects including the conduct of the member concerned; the ruling by the relevant presiding officer; and the manner in which the member was removed. Rule 203(3) provides that the Subcommittee's mandate in considering the circumstances referred to it does not extend to disciplinary proceedings against the member nor a formal review of the presiding officer's ruling.

Rule 203(2) provides that in carrying out its function, the Subcommittee may exercise such powers contained in Rule 167, as it may require. This rule deals with general powers of committees.

Rule 172(1)(d) empowers the Subcommittee to determine its own working arrangements. Furthermore, in terms of Rule 179(1) read with Rule 203(4), the Subcommittee decides on a question before it by consensus and is accountable to the National Assembly Rules Committee.

At its meeting, on 23 June 2022, the Subcommittee received a briefing from the Secretary to the National Assembly, Mr M Xaso, on the applicable rules related to the incidents and an overview of the Speaker's reports. Having reviewed the Speaker's reports on the removal of members on 9 and 10 June 2022, and having at its disposal the Minutes of Proceedings and

the unrevised Hansard of the proceedings of 9 and 10 June 2022, the Subcommittee reports as follows:-

B. MEMBERS PHYSICALLY REMOVED

On 9 June 2022, the following members were physically removed from the Chamber:

- Hon E N Ntlangwini
- Hon A Matumba
- Hon W T I Mafanya
- Hon N Tafeni
- Hon B Mathulelwa

On 10 June 2022, the following members were physically removed from the Chamber:

- Hon P Marais
- Hon N N Chirwa
- Hon S Tambo
- Hon B Mathulelwa
- Hon N Tafeni
- Hon M K Montwedi
- Hon E N Ntlangwini
- Hon Y N Yako
- Hon P Madokwe
- Hon B S Madlingozi
- Hon A Matumba
- Hon C N Mkhonto

C. APPLICABLE CONSTITUTIONAL AND LEGAL PRESCRIPTS AND RULES

- (1) Section 58(1)(a) of the Constitution provides that Cabinet members, Deputy Ministers and members of the National Assembly have freedom of speech in the Assembly, subject to its rules and orders.
- (2) Section 7(a) and (f), read with section 13(c) of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004 (Act 4 of 2004) states, *inter alia*, that a member is guilty of contempt of Parliament if the member improperly interferes with or impedes the exercise or performance by Parliament or a House or committee of its

authority or functions, or fails or refuses to comply with an instruction by a duly authorised staff member or wilfully fails or refuses to obey any rule, order or resolution of a House or Houses.

- (3) Rule 85(1) provides that no member may impute improper motives to any other member, or cast personal reflections upon a member's integrity or dignity, or verbally abuse a member in any other way. Rule 85(2) provides that a member, who wishes to bring improper or unethical conduct on the part of another member to the attention of the House, may do so only by way of a separate substantive motion, comprising a clearly formulated and properly substantiated charge that in the opinion of the Speaker prima facie warrants consideration of the House. Rule 85(3) provides that subrules (1) and (2) apply also to reflections upon the President and Ministers and Deputy Ministers who are not members of the House.
- (4) Rule 26 provides, among other things, that the Speaker must maintain and preserve the order of and the proper decorum in the House, and uphold the dignity and good name of the House; is responsible for the strict observance of the rules of the House and must decide questions of order and practice in the House, such ruling being final and binding and the Speaker must act fairly and impartially and apply the rules with due regard to ensuring the participation of members of all parties in a manner consistent with democracy.
- (5) Rule 67 provides that whenever the presiding officer addresses the House during a debate, any member then speaking or offering to speak must resume his or her seat, and the presiding officer must be heard without interruption.
- (6) Rule 69 provides that members may not engage in grossly disorderly conduct in the House and its forums, including deliberately creating serious disorder and disruption; in any manner whatsoever physically intervening, preventing, obstructing or hindering the removal of a member from the House who has been ordered to leave the House; persisting in making serious allegations against a member without adequate substantiation or following the correct procedure; using or threatening violence against a member or other person; or acting in any other way to the serious detriment of the dignity, decorum or orderly procedure of the House.
- (7) Rule 70 provides that if the presiding officer is of the opinion that a member is deliberately contravening a provision of the rules, or that a member is disregarding the

authority of the Chair, or that a member's conduct is grossly disorderly, the presiding officer may order the member to withdraw immediately from the Chamber for the remainder of the day's sitting.

- (8) Rule 73(1) provides that if a member refuses to leave the Chamber when ordered to do so by the presiding officer in terms of Rule 70 or 71, the presiding officer must instruct the Searjeant-at-Arms to remove the member from the Chamber and the precincts of Parliament forthwith.
- (9) Rule 73(2) provides that if the Searjeant-at-Arms is unable in person to effect the removal of the member, the presiding officer may call upon the Parliamentary Protection Services to assist in removing the member from the Chamber and the precincts of Parliament.
- (10) In terms of Rule 73(4), if a member resists attempts to be removed from the Chamber in terms of subrule (1) or (2), the Serjeant-at-Arms and the Parliamentary Protection Services may use such force as may be reasonably necessary to overcome any resistance.

D. FINDINGS

- (1) The Subcommittee unanimously agreed that the Speaker had exercised immense restraint to ensure that all rules related to 'raising points of order' and 'maintenance of order in proceedings' were adhered to. There was consensus with the view of the Speaker, expressed in the reports tabled that "it is necessary to affirm the rules of the House, which are intended to ensure that orderly debate can occur and that all members, as elected representatives, can perform their duties. Should members wish to raise concerns of any kind they are empowered to do so in accordance with the rules, including the challenges against rulings."
- (2) Furthermore, it was noted that there was a publicly stated intention prior to the sittings of 9 and 10 June, on the part of the Economic Freedom Fighters, to the effect that a deliberate and sustained effort to disrupt proceedings of the sittings would be undertaken.

- (3) The invasion of the floor of the Chamber by a member of the Economic Freedom Fighters, in front of the Mace, was viewed as a serious transgression as was the physical interference with the Serjeant-at-Arms while carrying out an instruction from the Speaker to remove members from the Chamber, as well as throwing of water and attacks on staff by members.
- (4) The members who were physically removed from the Chamber and the precincts were removed because of their disregard for the authority of the Chair when they were called to order by the Speaker for their grossly disorderly conduct.
- (5) The time delays in the commencement of the Debate on 9 June and the President's reply on 10 June, due to the disruptions in proceedings, caused reputational damage to Parliament in the eyes of the public.

E. RECOMMENDATION

The Subcommittee recommends that the conduct of the identified members of the Economic Freedom Fighters be referred to the Powers and Privileges Committee to establish if there was a breach of the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act, 2004 (Act 4 of 2004).



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Report of the Speaker of the removal of members from the House in terms of Rule 73 of the National Assembly

9 June 2022

A. Background

(1) On Thursday, 9 June 2022, during the debate on Budget Vote 1 – the Presidency, and after having disregarded the authority of the Chair and causing a disruption, I directed that the following members, in terms of National Assembly Rules 70 and 73, to be removed from the Chamber –

- Hon E N Ntlangwini
- Hon A Matumba
- Hon WTI Mafanya
- Hon N Tafeni
- Hon B Mathulelwa

(2) In terms of Rule 73 (12), whenever a member has been physically removed from the House, the circumstances of such removal must be referred by the Speaker for consideration by the subcommittee of the Rules Committee appointed that purpose.

(3) During the proceedings, I also ordered the following members to be removed from the virtual platform –

- Hon NF Shivambu
- Hon J S Malema
- Hon V Pambo
- Hon N P Sonti
- Hon N V Mente

- Hon HO Mkhali

B. Applicable Rules and Practice

- (1) Rule 70 provides that if the presiding officer is of the opinion that a member is deliberately contravening a provision of the rules, or that a member is disregarding the authority of the Chair, or that a member's conduct is grossly disorderly, the presiding officer may order the member to withdraw immediately from the Chamber for the remainder of the day's sitting.
- (2) Rule 73 (1) provides that if a member refuses to leave the Chamber when ordered to do so by the presiding officer, the presiding officer must instruct the Serjeant-at-Arms to remove the member from the Chamber and the precincts of Parliament forthwith.
- (3) Rule 73(2) provides that if the Serjeant-at-Arms is unable in person to effect the removal of the member, the presiding officer may call upon the Parliamentary Protection Services to assist in removing the member from the Chamber and the precincts of Parliament.
- (4) Rule 85 provides that no member may impute improper motives to any other member, or cast personal reflections upon a member's integrity or dignity, or verbally abuse a member in any other way. A member who wishes to bring any improper or unethical conduct on the part of another member to the attention of the House, may do so only by way of a separate substantive motion, comprising a clearly formulated and properly substantiated charge that in the opinion of the Speaker prima facie warrants consideration by the House. This Rule applies also to reflections on the President and Ministers and Deputy Ministers who are not members of the House.
- (5) Concerning points of order, Rules 92 states, *inter alia*, that a point of order must be confined only to a matter of parliamentary procedure or practice, or a matter relating to unparliamentary conduct, as defined, and must be raised immediately when the alleged breach of order occurs. The member raising the point of order must commence by quoting the exact rule or standing order, or at least the principle or subject matter, upon which the point of order is based.
- (6) Rule 92 (8)(9) prescribes that no member may raise a point of order again or a similar point of order, if the presiding officer has ruled that it is not a point of

order or that the matter is out of order. Members may also not disrupt proceedings by raising points of order that do not comply with this rule.

- (7) Rule 92 (11) stipulates that a presiding officer's ruling on a point of order is final and binding, and may not be challenged or questioned in the House.

C. Events related to the removal of Members from the Chamber

- (1) On 9 June 2022, after I called the President of the Republic to address the House, members raised a number of points of order and interjected from the Chamber and the virtual platform.
- (2) Following my call to the President, **Hon A Mutumba** rose on a point of order when he asserted that, in short, the President should not address the House because of allegations of criminality. I ruled that this was not a point of order in terms of Rule 92 (2), which states that a point of order must, *inter alia*, be confined only to a matter of parliamentary procedure. Further interjections ensued. I thereafter appealed to members to adhere to the rules and the rulings of presiding officers, to observe the decorum of the House and only speak when recognized.
- (3) Following further interjections **Hon EN Ntlangwini** rose to contend that the President should not address the House because he was a criminal. I requested the Hon Ntlangwini to withdraw the remarks which she refused to do. At the same time, Hon Mutumba persisted with interjections from the Chamber. I then ordered both Hon Ntlangwini and Hon Mutumba to leave the Chamber in terms of Rule 70 for disregarding the authority of the Chair and for persisting in disorderly conduct; an order which they again failed to comply with. After the Serjeant-at-Arms reported that they would not comply, I invoked Rule 73 and ordered that the members be duly removed by Parliament's Protection Services.
- (4) At this point, I referred to the ruling by the Constitutional Court that freedom of speech does not extend to conduct intended to disrupt the proceedings of the Assembly. In this context, I once more appealed to members not to engage in disorderly behaviour. I also addressed **Hon WTI Mafanya** and **Hon N Tafeni** – who had continued to interject from the House – to repeat the provisions of Rule 92 (2) (as above). However, as Hon Tafeni and Hon Mafanya persisted to disregard the rules and the presiding officer, I ordered that they be removed from the Chamber.

- (5) Owing to insistent disruptions and spurious points from the virtual platform during the President's address, I also ordered that the members on the platform be muted to allow the House to proceed. This was done in terms of Rule 80 which pertains to the control of microphones in the event of disruptive or disorderly conduct. The virtual platform is not able to mute individual members for any length of time and therefore all microphones on the virtual platform need to be locked. I nevertheless ruled that members could raise their hands in event they wished to raise a point of order or privilege. This was done mindful of Rule 78, which states that a member may speak only when recognised by the presiding officer during proceedings of the House.
- (6) Later, during the President's address, **Hon B Mathulelwa** entered the Chamber to insist that I unmute members of the platform. She also repeated allegations against the President. After a further warning, I requested the Serjeant-at-Arms and thereafter, on the basis of a report that the member refused to comply, Parliament's Protection Services to remove the member.

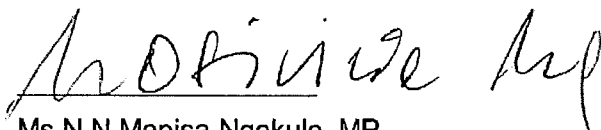
D. Removal of Members from the Virtual Platform

- (1) During proceedings, the presiding officers also instructed that certain members be removed from the virtual platform for disorderly conduct in accordance with the rules and practices of the House.
- (2) Before the President's address, **Hon NF Shivambu** and **Hon MS Malema** interjected from the platform to make various allegations of criminality against the President including that, with reference to a court finding, the President killed people. I requested that both withdraw these assertions, as the rules of the National Assembly do not allow for such an allegation to be made without a substantive motion. The members declined to withdraw their remarks when called upon to do so. I therefore ordered that they be removed from the platform.
- (3) In the course of Hon NV Mente's speech, and following repeated interjections, the presiding officer at the time, House Chairperson M G Boroto, ordered that **Hon V Pambo** be removed. **Hon Mente** and **Hon HO Mkhalihi** were later removed from the platform for refusing to abide by rulings of the chair.

E. Concluding Observations

- (1) In reflecting on these proceedings, it is necessary to affirm the rules of the House, which are intended to ensure that orderly debate can occur and that all members, as elected representatives, can perform their duties. Should members wish to raise concerns of any kind they are empowered to do so in accordance with the rules, including the challenges against rulings.
- (2) However, the rights of members do not extend to conduct that impedes the functioning of the House and, by extension, constitutional democracy. Under such circumstances, it is necessary, indeed obligatory, for presiding officers to enforce order.
- (3) It is also apparent that the use of virtual platforms creates challenges with the maintenance of order. Making interjections from the platform is an example as the use of microphones on the platform can prevent the presiding officer from being heard and impede the member at the podium from addressing the House.
- (4) In the current format of hybrid sittings, it has become even more incumbent on members and the whippers to comply with the rules and observe the decorum of the House.

Submitted by:



Ms N N Mapisa Nqakula, MP

Speaker of the National Assembly



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Report of the Speaker of the removal of members from the House in terms of Rule 73 of the National Assembly concerning proceedings of 10 June 2022

10 June 2022

A. Background

- (1) On Friday, 10 June 2022, during the reply by the President of the Republic to the debate on Budget Vote 1 – the Presidency, and after having disregarded the authority of the Chair and causing a disruption, I directed that the following members, in terms of National Assembly Rules 70 and 73, to be removed from the Chamber –
 - Hon P Marais
 - Hon N N Chirwa
 - Hon S Tambo
 - Hon B Mathulelwa
 - Hon N Tafeni
 - Hon M K Montwedi
 - Hon Y N Yako
 - Hon P Madokwe
 - Hon B S Madlingozi
 - Hon A Matumba
 - Hon C N Mkhonto
- (2) In terms of Rule 73(12), whenever a member has been physically removed from the House, the circumstances of such removal must be referred by the Speaker for consideration by the subcommittee of the Rules Committee appointed for that purpose.

(3) During the proceedings, I also ordered the following members to be removed from the virtual platform –

- Hon H O Mkhali
- Hon N P Sonti

B. Applicable Rules and Practice

- (1) Rule 26 provides that in exercising the authority of the Speaker, as provided for in the Constitution and legislation and the rules of Parliament, the Speaker, amongst others, must maintain and preserve the order of and the proper decorum in the House and is responsible for the strict observance of the rules of the House and must decide questions of order and practice in the House, such a ruling being final and binding as provided in Rule 92 (see below). The Speaker must act fairly and impartially and apply the rules with due regard to ensuring the participation of members of *all parties* in a manner consistent with democracy.
- (2) Rule 36 provides that the rules and orders of the House apply, as appropriate, to the President of the Republic and to the Deputy President or a Minister or Deputy Minister who is not a member of the House.
- (3) Rule 67 provides that whenever the presiding officer addresses the House during a debate, any member then speaking or offering to speak must resume his or her seat, and the presiding officer must be heard without interruption.
- (4) Rule 69 provides that members may not engage in grossly disorderly conduct in the House and its forums, including deliberately creating serious disorder and disruption, in any manner whatsoever physically intervening, preventing, obstructing or hindering the removal of a member from the House who has been ordered to leave the House, persisting to make serious allegations against a member without adequate substantiation or acting in any other way to the serious detriment of the dignity, decorum or orderly procedure of the House.
- (5) Rule 70 provides that if the presiding officer is of the opinion that a member is deliberately contravening a provision of the rules, or that a member is disregarding the authority of the Chair, or that a member's conduct is grossly disorderly, the presiding officer may order the member to withdraw immediately from the Chamber for the remainder of the day's sitting.
- (6) Rule 73(1) provides that if a member refuses to leave the Chamber when ordered to do so by the presiding officer, the presiding officer must instruct the Serjeant-at-

Arms to remove the member from the Chamber and the precincts of Parliament forthwith.

- (7) Rule 73(2) provides that if the Serjeant-at-Arms is unable in person to effect the removal of the member, the presiding officer may call upon the Parliamentary Protection Services to assist in removing the member from the Chamber and the precincts of Parliament.
- (8) Rule 73(5) provides that no member may, in any manner whatsoever, physically intervene, prevent, obstruct or hinder the removal of a member from the Chamber in terms of these rules.
- (9) Rule 73(6) provides that any member or members who contravene Subrule (5) may, on the instruction of the presiding officer, also be removed from the Chamber and the precincts of Parliament forthwith.
- (10) Rule 85 provides that no member may impute improper motives to any other member, or cast personal reflections upon a member's integrity or dignity, or verbally abuse a member in any other way. A member who wishes to bring any improper or unethical conduct on the part of another member to the attention of the House, may do so only by way of a separate substantive motion, comprising a clearly formulated and properly substantiated charge that in the opinion of the Speaker prima facie warrants consideration by the House. This rule applies also to reflections on the President and Ministers and Deputy Ministers who are not members of the House.
- (11) Concerning points of order, Rules 92 states, inter alia, that a point of order must be confined only to a matter of parliamentary procedure or practice, or a matter relating to unparliamentary conduct, as defined, and must be raised immediately when the alleged breach of order occurs. The member raising the point of order must commence by quoting the exact rule or standing order, or at least the principle or subject matter, upon which the point of order is based.
- (12) Rule 92(8) and (9) prescribes that no member may raise a point of order again or a similar point of order, if the presiding officer has ruled that it is not a point of order or that the matter is out of order. Members may also not disrupt proceedings by raising points of order that do not comply with this rule.
- (13) Rule 92(11) stipulates that a presiding officer's ruling on a point of order is final and binding, and may not be challenged or questioned in the House.

C. Circumstances related to the removal of Members from the Chamber

- (1) On 10 June 2022, before calling on the President to reply to the Presidency's Budget Vote, I drew attention to the unfortunate proceedings of the previous day, which had delayed the House. In the context, I appealed to all members to observe the rules and decorum of the House, irrespective of political differences. I specifically reminded members of the rules pertaining to points of order and cautioned members that where there were differences these must find expression within the framework of the rules.
- (2) Notwithstanding the above, after I called the President to address the House, members raised points of order and interjected from the Chamber and the virtual platform. **Hon S Tambo** rose on a point of order to assert that, in short, the President should not address the House because of allegations of criminality. I ruled that this was not a point of order in terms of Rule 92(2), which stated that a point of order must, *inter alia*, be confined only to a matter of parliamentary procedure. In addition, the member was out of order in terms of Rules 67, 69, 79 and 85, because he was making allegations against the President without following requisite process and interrupting the Chair.
- (3) Following further points of order and interjections, **Hon P Marais** rose to challenge the rulings I had made. After warning the member to take her seat, I ordered her to leave the Chamber in terms of Rule 70 for disregarding the authority of the Chair and for persisting in disorderly conduct; an order which she failed to comply with. Rule 73(1) stipulates that, in instances where a member refuses to leave the Chamber after being directed to do so by the Presiding Officer, the presiding officer must instruct the Serjeant-at-Arms to remove the member forthwith. After the Serjeant-at-Arms reported that she would not comply, I invoked Rule 73 and insisted that the member be duly removed by female members of Parliament's Protection Services.
- (4) **Hon N N Chirwa** then rose on a point of order when she alleged that female members of the Economic Freedom Fighters (EFF) were sexually harassed by male members of Parliament's Protection Service; an allegation which I noted and undertook to investigate further. The member, however, accused me of allowing such harassment and persisted in creating disorder while I addressed her, and I therefore instructed her to leave the Chamber. When she failed to comply, I directed that she be removed, but that only female Protection Services officers should do so. At this point, **Hon S Tambo** physically intervened to hinder the

removal of Hon Chirwa. I accordingly ordered that he also be removed in terms of Rule 73(5).

- (5) Following further physical obstructions in the removal of members from the Chamber, I instructed **Hon N Tafeni, Hon C N Mkhonto and Hon B Mathulelwa** to leave the Chamber in terms of Rule 73(5). After the Serjeant-at-Arms reported that they would not comply, I ordered that they be duly removed by Parliament's Protection Services in accordance with the relevant rules.
- (6) Owing to insistent disruptions and grave disorder in the House, I suspended the proceedings and called the party whips and representatives to consult on the grossly disorderly conduct that had unfolded in the Chamber. This was done in terms of Rule 77, which pertains to the suspension of the proceedings in the event of grave disorder. I was also cognizant of Rule 33(5)(a), which states that the whips are collectively responsible for the maintenance of order and decorum.
- (7) After resumption of the business of the House, I afforded political parties, through their whips and representatives, an opportunity to address the House on the events. At the same time, I became aware that the Hon Tafeni was still in the House after I had ordered her to leave. Following the address by party representatives, I ordered Hon Tafeni to leave the Chamber for disregarding the authority of the Chair; which she refused to do. After the Serjeant-at-Arms reported that she would not comply, I invoked Rule 73 and ordered that she be duly removed by Protection Services.
- (8) Following interjections, **Hon E N Ntlangwini** rose to contend that I was unfairly treating members on the virtual platform. Owing to insistent disruptions, further interjections and spurious points of order from the virtual platform, I ordered that members on the platform be muted to allow the House to proceed. This was done in terms of Rule 80, which pertains to the control of microphones in the event of disruptive or disorderly conduct. The virtual platform is not able to mute microphones of individual members for any length of time and therefore all microphones on the virtual platform needed to be locked. I nevertheless ruled that members could raise their hands in event they wished to raise a point of order or privilege mindful of Rule 78, which states that a member may speak only when recognised by the presiding officer during proceedings of the House.
- (9) I also addressed **Hon Ntlangwini**, who had continued to interject from the House. **Hon M Montwedi** and Hon Ntlangwini persisted to disregard the authority of the

- chair by disregarding my rulings on their conduct, I then ordered that they be removed from the Chamber.
- (10) I then indicated that I would not be taking points of order on the same issues that were being persistently raised. This was done with due regard that the conduct the members were engaged in not only sought to disrupt proceedings by raising spurious points of order or points of order that had already been ruled upon, but that their conduct amounted to an abuse of the rules and the privilege of freedom of speech.
- (11) **Hon Y N Yako**, however, then again rose on another spurious point of order and after disregarding the authority of the Chair, I consequently ordered her to leave the Chamber, which she refused to do. After the Serjeant-at-Arms reported this fact, I applied Rule 73 and ordered that the member be ushered out by Parliamentary Protection Services.
- (12) **Hon P Madokwe** then rose to challenge my earlier ruling to lock the microphones on the virtual platform and insisted that I unmute members. I subsequently ordered the member to leave the Chamber and requested the Serjeant-at-Arms and thereafter, on the basis of a report that the member refused to comply, Parliament's Protection Services to remove the member. **The Hon B S Madlingozi** rose to challenge the same ruling and I was obligated to request the Serjeant-at-Arms to usher him from the Chamber.
- (13) Following a further warning to members not to disrupt proceedings, and a reiteration that I would not permit any further points of order, **Hon A Matumba** again challenged my ruling. I thus ordered the member to leave the Chamber; an order which he failed to adhere to. Moreover, he pushed the Serjeant-at-Arms, which was itself a serious infringement. After the Serjeant-at-Arms reported that he would not comply, I invoked Rule 73 and ordered that the member be duly removed by Parliamentary Protection Services.
- (14) Having returned to the House after my earlier order that she leave the Chamber, **Hon Mkhonto** rose to insist that I unmute members of the platform, thereby challenging my ruling and undermining the authority of the Chair. I ordered the member to leave the Chamber, which she did not do. I then requested the Serjeant-at-Arms to remove her. On the basis of a report that the member would not leave, Parliament's Protection Services removed the member.

D. Removal of Members from the Virtual Platform and Muting of Microphones on the Virtual Platform

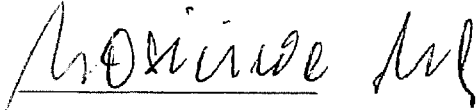
- (1) During proceedings I also instructed that certain members be removed from the virtual platform for disorderly conduct in accordance with the rules and practices of the House.
- (2) Before the President's address, **Hon H O Mkhali** rose on a point to challenge the ruling I made with reference to Hon Tambo's conduct. I referred the member to Rule 85 which provides that no member may impute motives to any member or cast personal reflections and warned her to refrain from doing so. After numerous warnings to the member for her disorderly conduct, I ordered that she be removed from the platform.
- (3) Following repeated interjections, I warned **Hon N P Sonti** for speaking when I did not recognise her. The member refused to listen and I ordered that she be removed from the platform.
- (4) During proceedings there were also instances where I ruled, in terms of Rule 80 that the microphones on the virtual platform be locked for a period of time. No member who was part of the sitting was at any point unable to listen to proceedings, including the speech of the President. Rule 80, allows the presiding officer to disable or switch off microphones if they become aware that a member or members are not showing due respect to the authority of the presiding office, are not obeying directions of the presiding officer or are involved in disruptive and grossly disorderly conduct. As mentioned earlier the current virtual platform does not have the functionality to allow only for the muting of individual microphones. The use of microphones on the virtual platform to interject drowns out the presiding officer and any member then currently trying to address the house. Interjections using microphones have never been permitted even when the House sits in a fully physical sitting.
- (5) Members could nevertheless still raise their hands with the icons provided and alert the Chair to any point of order they wish to raise. Throughout proceedings I recognised members on the virtual platform by employing this functionality, until I came to the conclusion that the procedure for points of order was being abused and thus decided not to take any further points of order, directing that the virtual platform be muted to prevent interjections using the microphone as had become the case throughout the sitting.

E. Concluding Observations

- (1) In reflecting on these proceedings, it is necessary to affirm the rules of the House, which are intended to ensure that orderly debate can occur and that all members, as elected representatives, can perform their duties. Should members wish to raise concerns of any kind, including those to facilitate accountable government, they are empowered to do so in accordance with the rules. However, the rights of members do not extend to conduct that impedes the functioning of the House and, by extension, constitutional democracy. Under such circumstances it is obligatory for presiding officers to enforce order and protect the standing of Parliament. It is for this reason that Rule 73 was adopted by the National Assembly.
- (2) In respect of the specific events on 10 June, and those of the preceding day, it is evident that there was, on the part of certain members, a deliberate and sustained effort to disrupt proceedings in a wholly undemocratic and unconstitutional manner. Due to the disruptions, a sitting that would ordinarily not last more than one and half hours lasted for more than four hours.
- (3) Aside from bringing Parliament into disrepute, such conduct is also contrary to the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act (2004) which states *inter alia*, that a member is guilty of contempt of Parliament if the member improperly interferes with or impedes the exercise or performance by Parliament or a House or committee of its authority or functions (section 7(a)) or wilfully fails or refuses to obey any rule, order or resolution of a House or Houses (section 13(c)). Consideration may therefore need to be given to referring actions that may be deemed as constituting contempt of Parliament, to the Powers and Privileges Committee for consideration and report in terms of its mandate.
- (4) The reports of members assaulting staff, including female staff, as well as claims of sexual harassment by staff will also be investigated. I do believe that female members should, as a matter of principle, be escorted by female staff to the extent possible. However, when there is violent resistance this is not always possible.
- (5) Given the ongoing technical and other limitations, and the challenges these create for the maintenance of order, it has become even more incumbent on members and the whippers to comply with the rules and observe decorum.
- (6) Lastly, as Speaker I must at all times balance the rights of individual members against the collective right of the House to perform its constitutional mandate. I do not take this responsibility lightly. The removal of members from the Chamber or

the virtual platform was not done before first exhausting all other mechanisms for restoring order.

Submitted by:



Ms N Mapisa Nqakula, MP

Speaker of the National Assembly

Thursday, 9 June 2022]

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No 25 – 2022] FOURTH SESSION, SIXTH PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

THURSDAY, 9 JUNE 2022

1. The House met at 14:02.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. FIRST ORDER [14:02]

Debate on Vote No 1 – The Presidency, **Appropriation Bill** [B 7 – 2022] (National Assembly – sec 77).

BUSINESS INTERRUPTED ON THE VIRTUAL PLATFORM DUE TO TECHNICAL ERROR AT 14:12 AND RESUMED AT 14:15.

[14:25] Ms E N Ntlangwini and Mr A Matumba having disregarded the authority of the Chair were ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The members refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the members in terms of Rule 73(1).

The members having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the members from the Chamber in terms of Rule 73(2).

Whereupon the members were removed from the Chamber.

[14:42] Mr N F Shivambu having disregarded the authority of the Chair, the Speaker ordered that the member be withdrawn from the virtual platform for the remainder of the day's sitting.

The member was thereupon withdrawn from the sitting.

[14:55] Ms N Tafeni and Mr W T I Mafanya having disregarded the authority of the Chair were ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The members refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the members in terms of Rule 73(1).

The members having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the members from the Chamber in terms of Rule 73(2).

Whereupon the members were removed from the Chamber.

[14:59] Mr J S Malema having disregarded the authority of the Chair, the Speaker ordered that the member be withdrawn from the virtual platform for the remainder of the day's sitting.

The member was thereupon withdrawn from the sitting.

[15:21] Ms B Mathulelwa having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The members having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[16:55] Mr V Pambo and Ms N P Sonti having disregarded the authority of the Chair, House Chairperson Ms M G Boroto ordered that the members be withdrawn from the virtual platform for the remainder of the day's sitting.

The members were thereupon withdrawn from the sitting.

[17:03] House Chairperson Ms M G Boroto gave a ruling on a remark made by Ms N V Mente and directed her to withdraw the remark.

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The member, having disregarded the authority of the Chair, House Chairperson Ms M G Boroto ordered that the member be withdrawn from the virtual platform for the remainder of the day's sitting.

The member was thereupon withdrawn from the sitting.

[17:04] Ms H O Mkhalihi having disregarded the authority of the Chair, House Chairperson Ms M G Boroto ordered that the member be withdrawn from the virtual platform for the remainder of the day's sitting.

The member was thereupon withdrawn from the sitting.

BUSINESS SUSPENDED AT 18:07 AND RESUMED AT 18:34.

Debate interrupted.

4. The House adjourned at 21:18.

P N TYAWA
Acting Secretary to Parliament

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No 26 – 2022] FOURTH SESSION, SIXTH PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

FRIDAY, 10 JUNE 2022

1. The House met at 10:00.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. FIRST ORDER [10:08]

Resumption of Debate on Vote No 1 – The Presidency (Reply by President), **Appropriation Bill** [B 7 – 2022] (National Assembly – sec 77).

[10:23] Ms H O Mkhali having disregarded the authority of the Chair, the Speaker ordered that the member be withdrawn from the virtual platform for the remainder of the day's sitting.

The member was thereupon withdrawn from the sitting.

[10:33] Ms N P Sonti having disregarded the authority of the Chair, the Speaker ordered that the member be withdrawn from the virtual platform for the remainder of the day's sitting.

The member was thereupon withdrawn from the sitting.

[10:36] Ms P Marais having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[10:41] Ms N N Chirwa having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[10:42] Mr S Tambo having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[10:45] Ms B Mathulelwa having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

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[10:46] Ms C N Mkhonto, having disregarded the authority of the Chair, was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

Ms Mkhonto refused to leave the Chamber.

[10:46] Ms N Tafeni, having disregarded the authority of the Chair, was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

Ms Tafeni refused to leave the Chamber.

BUSINESS SUSPENDED AT 10:49 AND RESUMED AT 11:53.

[11:56] The Speaker afforded political parties an opportunity to address the House.

[12:34] Ms N Tafeni having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[13:06] Mr M K Montwedi and Mrs E N Ntlangwini having disregarded the authority of the Chair were ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The members refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the members in terms of Rule 73(1).

The members having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the members from the Chamber in terms of Rule 73(2).

Whereupon the members were removed from the Chamber.

[13:12] Ms Y N Yako having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[13:14] Ms P Madokwe having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[13:17] Mr B S Madlingozi having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

Whereupon the member was removed from the Chamber.

[13:20] Mr A Matumba having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

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[13:23] Ms C N Mkhonto having disregarded the authority of the Chair was ordered by the Speaker to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the Speaker instructed the Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Serjeant-at-Arms, the Speaker called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

Debate concluded.

4. The House adjourned at 14:13.

P N TYAWA
Acting Secretary to Parliament